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AND NORTHERN IRELAND
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COMMUNICATIONS MANAGER—Mrs. J. Garbutt

POSTMASTER—J. Arnold

TRANSPORT MANAGER—R. H. Hyde

THE PARLIAMENTARY DEBATES

OFFICIAL REPORT

IN THE SECOND SESSION OF THE FIFTIETH PARLIAMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND
[WHICH OPENED 25 JUNE 1987]

THIRTY-SEVENTH YEAR OF THE REIGN OF
HER MAJESTY QUEEN ELIZABETH II.

SIXTH SERIES **VOLUME 145**

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House of Commons

Monday 16 January 1989

The House met at half-past Two o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

Oral Answers to Questions

TRANSPORT

Train Passengers

1. **Mr. Dunnachie:** To ask the Secretary of State for Transport if he will publish the figures for British Rail of passenger train miles and passenger seat provision in each of the last five years; and if he will make a statement.

The Secretary of State for Transport (Mr. Paul Channon): I have arranged for the available information to be published in the *Official Report*. Broadly, this shows that passenger train miles increased by 5 per cent. between 1983 and 1987-88. British Rail is trying to match the capacity that it provides to demand.

Mr. Dunnachie: I thank the Minister for his reply. Does he agree that although new stock has been brought in, it will result in fewer seats for passengers? Will this not lead to excessive overcrowding and a lowering of safety standards?

Mr. Channon: I cannot agree with the hon. Gentleman. I am sure that he will be pleased to know about the large amount of railway investment that is going ahead. In real terms it is at its highest level for over 25 years, and by the end of the decade British Rail will have renewed over 85 per cent. of its diesel passenger trains and will have electrified 60 per cent. of inter-city routes.

Mr. John Browne: Does my right hon. Friend agree that the standing passenger is more vulnerable to accident and to causing an accident, even to sitting passengers; and is not getting "fare" value? Will he look at this issue with particular regard to the design of carriages, the separation of standing and sitting passengers and the availability of seats at peak hours on main lines? Will he look into the feasibility of the issuance by the guard of part refund vouchers to passengers who have had to stand during specified stages of the journey? Is he prepared to make recommendations to British Rail about these matters?

Mr. Channon: Most of what my hon. Friend says, although not all, is a matter for British Rail. I understand his point about "fare" value. New rolling stock is now needed to meet agreed standards. It has been and will continue to be approved and, as my hon. Friend knows, an enormous investment programme is going ahead in British Rail. I know that my hon. Friend, among others, welcomes that.

Mr. Matthew Taylor: The Department of Transport's publication last week of the study on London transport shows that in 1985-86 there was a 36 per cent. increase in the overloading of trains and that in 1987 there was an 8 per cent. further increase in overloading on the Department of Transport's agreed targets. Is the right hon. Gentleman not also concerned about the safety risks that the existing rolling stock may present to passengers?

Mr. Channon: The House agrees that overcrowding is unsatisfactory and the hon. Gentleman asks about its implications for safety. I refer the hon. Gentleman to the report on that that I received last year from the chief inspector of railways. We are anxious to have a far better quality of service in terms of overcrowding and punctuality. We are setting British Rail very serious and difficult targets and I am determined that they should be reached. As I have said, there is a massive programme of investment to achieve those aims.

Mr. Adley: The serious and difficult targets to which my right hon. Friend refers are, of course, the targets set by his Department for the investment criteria. Will he seriously reconsider the need completely to evaluate the investment criteria for road versus rail? For example, is he aware that I have failed to obtain from the Home Office—because it does not know the figures—information about the time that the Metropolitan police and other county police forces spend on work connected with roads, such as on accidents, administration, court cases, and so on? That has to be set alongside the fact that British Rail has to provide its own police force. Is it not nonsense to exclude police time, health costs and other matters from these assessments? If they were included does he agree that a completely different pattern would emerge that would enable the Government to provide investment funds to British Rail based on reality and not fiction?

Mr. Channon: My hon. Friend and I have corresponded about this. There is not a great deal of difference between the criteria, or between the bases for deciding on investment in road or in rail. If necessary I shall of course write to my hon. Friend again. My hon. Friend will be pleased to know that the planned investment, at 1988-89 prices, in the railways this year is £560 million. That will go up to average about £755 million over the next four years. That is a massive increase, and in real terms it is double what it was in, say, 1970.

Mr. Snape: Why will the Secretary of State not give a proper answer to the question asked by my hon. Friend the Member for Glasgow, Pollok (Mr. Dunnachie)? Is is not a fact that while passenger train miles are increasing, the number of seats available is falling? Does that not have an impact on both comfort and safety? What justification is there for the constant round of swingeing price increases in real terms for travelling on British Rail?

Mr. Channon: As I tried to explain to the House, British Rail is achieving much better use of its trains—*[Interruption.]* I am surprised that the Opposition do not wish British Rail to be efficient. I am amazed that they think that it would be better for British Rail to be inefficient than efficient. We are getting a far more efficient service out of British Rail, and the level of investment in British Rail under a Labour Government shows that a great deal of what they say is humbug.

The information is as follows:

	1983	*1984-85 (15 months)*	*1985-86*	*1986-87*	*1987-88*
passenger train miles	202·6m	251m	200·9m	202·8m	212·6m
passenger miles	18,350m	22,610m	18,780m	19,328m	20,593m
average passengers per passenger train	95	95	98	100	102

The number of seats on a train ranges from 65 on one-car class 121s on the Paddington-Greenford service, 161 on a 2-coach Sprinter, 317 on a class 319 4-car suburban multiple unit, and 486 on HSTs on the east coast main line, up to 1,212 on some slam door trains operating from Charing Cross.

BR does not compile statistics of aggregate passenger seat mile provision as the result would be misleading. Instead, it undertakes sample counts of the number of passengers on timetabled services, and the information is used in planning the timetable to match the capacity provision to demand so far as practicable.

Roads East Anglia

2. **Mr. Yeo:** To ask the Secretary of State for Transport what representations he has received regarding trunk roads in East Anglia.

The Minister for Roads and Traffic (Mr. Peter Bottomley): We receive a wide variety of representations, both in the context of the statutory procedures for trunk road proposals and otherwise.

Mr. Yeo: Is my hon. Friend aware that East Anglia is one of the fastest growing regions of the country and consequently has been experiencing great pressure on its road system? Is he aware in particular that the A12, which passes through my constituency and links the east coast towns of Felixstowe and Ispwich with London, the M25 and the Dartford tunnel, is in urgent need of a third lane in each direction and the completion of the central safety crash barrier? Will my hon. Friend give sympathetic consideration to these possibilities?

Mr. Bottomley: Yes, yes and yes.

Mr. Haselhurst: When will a final decision be made on the A120 project, which links the M11 with the A12, and which was mentioned by my hon. Friend the Member for Suffolk, South (Mr. Yeo)? Will my hon. Friend take into account the fact that the line of route suggested by Essex county council has almost unanimous support from all the parties, such as the parish councils and the environmentalists? Surely it would be folly to depart from it.

Mr. Bottomley: It is encouraging when local people and local authorities work together with the Department. There is not much point in us agreeing on something that they do not like because it would then take much time to resolve differences. My hon. Friend asks about when we can solve the problems of the A120. That will take time as it is a long road, but we are dedicated, both in this region and others, to ensuring that our roads eliminate congestion, provide environmental relief and cut casualties.

Roads (Bristol)

3. **Mr. Stern:** To ask the Secretary of State for Transport when he expects to announce proposals to improve road links between Bristol and the south coast ports.

Mr. Peter Bottomley: The published trunk road programme contains 10 schemes to the value of over £45 million for the improvement of the A36/A46 route between the M4 and M27 motorways. Dorset and Wiltshire county councils have also included several schemes in their transport policies and programmes on the A350 from Poole to connect with this trunk route.

Mr. Stern: I am grateful to my hon. Friend for that full reply. Has not the need and desire for a fully upgraded link between Bristol and the south coast ports been around for some time, as this will, not least, enable shipping lines to consider again the port of Bristol? Will my right hon. Friend have early discussions with the county authorities in order to develop this idea further?

Mr. Bottomley: Yes, Sir. I shall be meeting representatives of Dorset and Wiltshire county councils later this afternoon. It is an example of the Department working with local highway authorities that we are having discussions not only today, but have had them over the past year or so, to see whether we can upgrade this route. I can say to the regional CBI that now that the Warminster bypass is open, the bicycle will not beat the lorry in future.

Mr. Simon Coombs: Does my hon. Friend accept that the traffic that requires access to the midlands from the south coast ports does not want to travel via Bristol? Will he consider favourably a further improvement of the A417/A419 link between Swindon and the M5 at Gloucester?

Mr. Bottomley: Yes, but I think that it is better to try to get some of the routes upgraded as a whole so that strategic considerations can be completed and we can pick the routes that do not involve villages and unsuitable towns. My hon. Friend is right to say that, without sacrificing the countryside, we need links that can spread employment and provide environmental relief and casualty reductions throughout the country.

Motor Cycle Casualties

4. **Mr. Riddick:** To ask the Secretary of State for Transport how many motor cycle casualties there were in 1986 and 1987.

Mr. Peter Bottomley: Too many. In 1987, there were 45,807 casualties among users of two-wheeled motor vehicles, 12 per cent. fewer than the 52,280 casualties in 1986. It is encouraging that the casualty rate is falling. The numbers are also influenced by the reduced level of motor cycling.

Mr. Riddick: I commend my hon. Friend on those figures which show a continued downward trend in the number of motor cycle casualties. Does he still intend to introduce the statutory fitting of leg protectors? Is he aware that some members of the motor cycling fraternity are worried that such protectors could be counter-productive as they might, for example, restrict the ability of a rider involved in an accident to jump clear?

Mr. Bottomley: Perhaps it would have been better if I had found ways of making the issues more relevant during the past two years. We intend to work with the motor cycle industry on the development of leg protectors and research, but it is worth emphasising that 90 per cent. of motor cycle injuries occur in crashes at speeds of less than 40 miles per hour and normally involve hitting another vehicle. In those cases, throwing oneself away from a motor cycle does not help; it is too late.

It is critical that motor cyclists obtain training, that other road users look out for motor cyclists, rather than ignoring two-wheelers, whether motor bikes or bicycles, and that we get down the relative risks of motor cycling, which are far too high.

Mr. Higgins: Does my hon. Friend agree that there is perhaps further scope for legislation in this field, not least in respect of motor cycles weaving in and out of moving vehicles with very short distances between them? Is it not absurd that firms operating courier services should be allowed to employ people who have passed no test whatsoever?

Mr. Bottomley: The answer to my right hon. Friend's second question is yes; it is absurd. The idea that someone who has not demonstrated basic competence should be paid money for riding around on a motor bike with L plates strikes me as ludicrous and I hope that anyone employing such people will stop doing so.

The basic issue of motor cyclists weaving in and out is covered by the highway code and probably also by the law. My advice, especially to parents and people approaching motor cycling and moped age, is to make sure that they join the 30 per cent. who take training, rather than the 70 per cent. who do not, and to take advice from their motor cycle dealers, who are keen to give it.

Channel Tunnel

5. **Mr. McFall:** To ask the Secretary of State for Transport if he will make a statement on the progress of the Channel tunnel.

The Minister for Public Transport (Mr. Michael Portillo): Construction progress is a matter for Eurotunnel. I understand that, following some early delays, better progress is being maintained.

Mr. McFall: The Minister will be aware of the comments on 11 January of the construction director of Transmanche Link who said that, at the English end alone, the project is running two months behind after its first year. Although we are mindful that conditions at the French end are much more severe and have been compounded by the collapse of a sub-contracting firm and late deliveries, what chance is there now for the Government to meet the advertised date of 15 May 1993 for completion of the tunnel?

Mr. Portillo: It is not for me to comment on that, but the hon. Gentleman should bear in mind that the tunnelling is only one aspect of the project. There is also the work at either end on the major construction sites. He will know that progress at the Cheriton terminal and at the BR freight inspection facility at Dollands Moor, Castle Hill tunnel portal and Holywell Coombe cut and cover tunnel is satisfactory.

Seven kilometres of the service tunnel have been completed on the British side and the rates per month are at a satisfactory level. On the French side, the service tunnel is also now in much better ground.

Mr. Sumberg: If the Channel tunnel is to succeed, the benefits must be nationwide. Does my hon. Friend accept that there is concern in the north of England that its development will increase the south-east drift? What can my hon. Friend say to my constituents who have expressed concern about that?

Mr. Portillo: I am aware of that concern and I am as concerned as my hon. Friend to ensure that every region of the country benefits from the Channel tunnel. That is why the Channel Tunnel Act 1987 contains a section that requires British Rail to prepare a plan by the end of next year for its freight and passenger services to every region and why consultation on that is proceeding.

Mr. Tony Banks: Is the Minister aware of the strategic significance of the location of the second terminal for the Channel tunnel? There is much regret on both sides of the House that British Rail has decided that it will be at King's Cross and not at Stratford in the East End. Is he further aware that there is considerable support for Stratford and, therefore, opposition to King's Cross by Camden, Islington and the London borough of Newham? Is it not appropriate for the Minister, as I know that he is a reasonable young fellow, to call in British Rail's decision and to hold a proper inquiry, both with regard to the location of the second London terminal and the route through Kent?

Mr. Portillo: There are divided councils, both Conservative and Labour-controlled, and some Labour Members as well as some of my hon. Friends have been lobbying in favour of King's Cross, having taken the view that it provides better facilities for the north of England. I do not intend to hold an inquiry. British Rail's proposal that King's Cross should be the second terminal is subject to the approval of Ministers and to that of Parliament because of the requirement that a private Bill be put into effect.

Mr. Gale: My hon. Friend will be aware of the considerable concern expressed by Kent Members over the failure of British Rail to provide for the future of an adequate rail link between the Channel tunnel and the rest of the country. The rail service to north Kent is depressingly slow, dirty and expensive, and the prospect facing commuters from north-east Kent of an additional four trains per hour coming into an already overloaded south-London system is quite frightening. When my hon. Friend next meets the chairman of British Rail, will he impress upon him the need for investment in the north Kent line, and especially for proper provision of a link to the tunnel?

Mr. Portillo: I understand fully the point that my hon. Friend makes. It is one that has been considered extremely carefully by Kent county council, which understands the risk of proceeding with a Channel tunnel service without improvements to the existing lines or without the provision of a new line. I say to my hon. Friend that the darkest hour is just before dawn——

Mr. Tony Banks: I wish that I had thought of that.

Mr. Portillo: I believe that British Rail has some important plans affecting the north Kent line.

6. **Mrs. Golding:** To ask the Secretary of State for Transport what steps he is taking to ensure that freight traffic from non-south-eastern regions has competitive access to the Channel tunnel.

Mr. Portillo: I expect British Rail to address this question in the plan which it will be publishing later this year in compliance with section 40 of the Channel Tunnel Act.

Mrs. Golding: Will the Minister assure the people of north Staffordshire that they will not be neglected? There are fears in Stoke-on-Trent about problems affecting the railway. Many of my constituents complain about the inadequacies of the service. These include having to stand while travelling from Stoke to London and from London to Stoke. They fear that the rundown in the passenger service signals a rundown of other services that run through Stoke. There are fears for the future and I ask the Minister to address himself to the issue.

Mr. Portillo: The hon. Lady's original question was directed to what will happen once the Channel tunnel comes into operation. I ask her to address herself to that, and I say again that section 40 of the Channel Tunnel Act requires British Rail to consult in every region so that by the end of the year it can produce its exact plans for freight services to the regions and for passenger services. British Rail is involved in working parties in every region, including the one which the hon. Lady represents in part.

Mr. Fry: Does my hon. Friend accept that one of the ways of assisting the regions to benefit from the Channel tunnel is the establishment of freight trans-shipment centres? In the event of any proposals being put to him, will he bear in mind that Northamptonshire is especially well placed, being well set with rail communications and being on the main route across the country to Felixstowe by road?

Mr. Portillo: My hon. Friend is right to say that the provision of freight terminals and inland clearance depots needs to be examined in the consultation process to which I have referred. I hope that my hon. Friend will involve himself in the consultations and make the good point that he has made to me to British Rail so that it can include it in its report by the end of the year.

Mr. Foulkes: Has the Minister seen the representations by my hon. Friend the Member for Kilmarnock and Loudoun (Mr. McKelvey) and myself to his distinguished predecessor that the ideal site for a freight trans-shipment centre for the Strathclyde region would be Kilmarnock? If he has seen the representation, he will recall that his predecessor promised that he would discuss the matter with British Rail. Have discussions taken place? If so, what is the outcome?

Mr. Portillo: If my predecessor gave such an assurance, I am sure that it would have been put into effect. As I said to my hon. Friend the Member for Wellingborough (Mr. Fry), if the hon. Gentleman has a strong case in favour of a certain site, he must ensure that it is taken into account by British Rail by making representations or by ensuring that local authorities and others make representations.

British Rail (Chairman)

7. **Mr. Teddy Taylor:** To ask the Secretary of State for Transport when he next plans to meet the chairman of British Rail: and what matters will be discussed.

Mr. Channon: I shall be meeting the chairman of British Rail on 23 January to discuss a variety of rail matters.

Mr. Taylor: If there is time, could my right hon. Friend tell the chairman how honoured Southend-on-Sea is that one of its Members is now Secretary of State for Transport? Will he explain that we feel that this might

provide an appropriate opportunity for early action to be taken on the modernisation of the Fenchurch street line, which has been neglected for such a long time?

Mr. Channon: I am very grateful to my hon. Friend and it is a great treat to answer his question, especially as it concerns something about which I feel very strongly and with which I completely agree. My hon. Friend the Member for Southend, East (Mr. Taylor) and I are very pleased that British Rail already has in hand a large programme of resignalling, new rolling stock and new electrical equipment. I am determined that there should be progress on the Fenchurch street line and I am glad to say that the chairman of British Rail agrees with me.

Mr. Spearing: When the Secretary of State next sees the chairman of British Rail, will he convey to him the strong feelings on both sides of the House about the access of freight from the Channel tunnel to the north of London? Will he ask the chairman of British Rail whether the existing links across London, namely the west London line and recently re-opened Thames link line, which will have to go through the proposed King's Cross terminal, will be adequate for that traffic? Would it not be wise to consider a tunnel under the Thames further east, connecting the proposed freight traffic interchange at Stratford to the Channel tunnel as an additional link across London?

Mr. Channon: I have no doubt about the widespread feeling in the House about that matter. I am not sure whether the hon. Gentleman's suggestion will be the final solution to the problem, but I will draw the attention of the chairman of British Rail to his remarks.

Mr. Gregory: As the Government have invested £3,000 million in British Rail since 1979, and I understand have plans for the same sum for the next three years, when my right hon. Friend the Secretary of State next meets the chairman of British Rail will he raise the point that with such sums behind it, British Rail should at least keep accurate timetables? Should we not be informed how many trains arrive on time? My hon. Friend the Minister for Public Transport has been unable to give that information to the House.

Mr. Channon: I have some sympathy with my hon. Friend about that. Of course, we have standards for quality of service. Punctuality and reliability, particularly on Network SouthEast, have improved during the past year. Quality varies between lines. It is excellent on some lines, but on othe lines there is still a considerable way to go. I have some sympathy with my hon. Friend.

Mrs. Margaret Ewing: Will the Secretary of State also ensure that some of his discussion is devoted to vital questions surrounding the continuation of services in the northern region? Is he aware of the widespread concern in my area about proposals to close the Aberdeen to Inverness rail line in preference to bus routes? That is a totally unacceptable development in our area. Will he assure us that he will discuss those matters and the need to electrify the lines north of Edinburgh and Glasgow?

Mr. Channon: I have seen no such proposals. I have an awful feeling that this may be a case of self-inflicted rumour.

Mr. Bowis: Will my right hon. Friend impress on the chairman of British Rail the urgency, for reasons of comfort and safety, of providing longer trains and therefore longer platforms? Will he also stress the fact that if there are good reasons for having rules about the number of standing passengers in excess of the number of seats for people travelling beyond 20 miles, there are equally good reasons for such rules for people travelling less than 20 miles?

Mr. Channon: We must make progress in that matter. I hope that the large investment programme in British Rail will enable improvements to be made on inter-city lines, provincial lines and Network SouthEast. My hon. Friend has raised some very important points, as did my hon. Friend the Member for Southend, East (Mr. Taylor). The large investment programme, at record levels since the 1960s in real terms, will lead to major improvements in British Rail as time passes.

Mr. Prescott: When the Secretary of State meets the chairman of British Rail, will he discuss the conclusion of the report produced by the central transport consultative committee that the Government's policy of reducing the public service obligation by £270 million has reduced the quality of rail service? Will he reconsider further cuts of £200 million in the PSO which will mean a railway system with the highest fares and the lowest quality in Europe? Is it not time that the fare structure met the needs of the travelling public and not the Treasury?

Mr. Channon: As usual, the hon. Gentleman is mistaken. I have explained to the House that major improvements are being made to British Rail and that massive investment is being undertaken. Right hon. and hon. Members who are reasonable know that great steps are being taken to improve British Rail. The PSO is being reduced because British Rail is more efficient— *[Interruption.]* It is the level of investment that is important. The hon. Gentleman never questions me about the investment level—and I am not surprised, because he has good reason to be ashamed of his party's record.

London Taxis

8. **Mr. Carrington:** To ask the Secretary of State for Transport what further proposals he has to facilitate the transport of the disabled in London taxi cabs.

Mr. Portillo: As I announced on 13 December, following discussions with the Metropolitan police, who are responsible for day-to-day taxi licensing questions, from 1 February 1989, all newly licensed London taxis will need to be able to carry a passenger in a wheelchair, and from 1 January 2000, every taxi operating in London will be required to take wheelchairs.

Mr. Carrington: I thank my hon. Friend for that answer. He must know how grateful the disabled people of London will be for that news. Will he confirm that London is the first capital city in the world to have wheelchair-accessible taxis? Will he encourage our EC partners to move towards better access for the disabled to taxis in their cities?

Mr. Portillo: I believe that ours is the first city in the world, capital or otherwise, to require that taxis must be wheelchair-accessible. I am proud of that. Encouraging other European countries to follow suit would be a suitable topic to raise. Certainly I intend including it on

the agenda of the European Council of Transport Ministers, of which the United Kingdom is President this year.

Motorways (Delays)

9. **Mr. Lofthouse:** To ask the Secretary of State for Transport if he will make a statement on the cost to industry of traffic delays on the motorway system.

Mr. Channon: The strong economic growth brought about by this Government's policies has resulted in increased demand for transport, and some delays are occurring on motorways. If our industry is to keep pace with foreign competitors, good roads are vital. Therefore, we are planning to spend more than £4 billion over the next three years on measures to improve trunk roads and reduce congestion.

Mr. Lofthouse: The Minister will be aware that freight operators claim that traffic delays on the M25 alone cost them up to £1,000 per vehicle, and that total congestion costs are almost £3 billion per year. Does he agree that British industry should not be permanently disadvantaged because policy is determined by the Treasury and not by the Department of Transport?

Mr. Channon: I am glad to have the hon. Gentleman's support. I have just announced that we are spending more than £4 billion over the next three years. There is increased spending on the roads programme, and it is nice to have the Labour party's support for increased roads expenditure. I shall treasure it and remember it with pleasure.

Dame Elaine Kellett-Bowman: My right hon. Friend will be aware that my hon. Friend the Member for Morecambe and Lunesdale (Mr. Lennox-Boyd) and I have nagged for years, because although there are excellent motorway links to the north-west, we lack a motorway link. We are most grateful to my right hon. Friend for giving one the go-ahead. Many thanks.

Mr. Channon: I am extremely grateful to my hon. Friend.

Mr. Campbell-Savours: How can an ordinary passenger travel to London on motorways when they are blocked by traffic hold-ups, and how can he travel to London by train when the standard class on the Carlisle to London British Rail route is like a cattle truck? Is the Secretary of State aware that hon. Members throughout the north-west are besieged by the public complaining that there are no seats available on British Rail trains? Does he not have a responsibility to do something about that?

Mr. Channon: The question relates to roads expenditure. I am glad to have the hon. Gentleman's support for the steps we are taking to improve the motorway system.

Mr. Warren: Given that only this morning, about 5,000 vehicles were locked on the M25 for more than a hour and were unable to move, does my right hon. Friend accept that there is a need, when designing motorways, to consider the provision of emergency exists for use in such circumstances and of more ordinary exits? On the M26-M25 route, there is one stretch of more than 25 miles where there is no exit from the motorway.

Mr. Channon: I am grateful to my hon. Friend. He raises two important points. I am expecting the consultants' report on the whole of the M25 in the next few weeks. I shall bear his comments in mind when I receive it.

Mr. Pike: Does the Secretary of State accept that while it is necessary to invest in improvements to our motorway network, it may be more cost-effective and environmentally better for the Government to take a more positive attitude towards British Rail, by getting long-distance freight back on to the rail system and linked to the Channel tunnel? Is not that the approach which the Government should be taking at this stage?

Mr. Channon: As I explained when answering the previous question, we are making a larger investment in both British Rail and roads. Therefore, I agree with the hon. Gentleman and I am grateful to him for his question.

Motorways (Tolls)

10. **Mr. Atkinson:** To ask the Secretary of State for Transport if he has any plans to introduce payment by tolls in the motorway building programme.

Mr. Channon: None at present.

Mr. Atkinson: Is my right hon. Friend aware that in France and elsewhere private and business motorists have a choice between congestion-free toll roads and state-run trunk roads and motorways? Can he confirm his intention to publish a Green Paper on ways of tackling our worsening road conditions? If so, will he include in that Green Paper a detailed analysis of Europe's privately funded toll roads, and also perhaps a list of prime candidates in this country, including the proposed east coast motorway to relieve the A1?

Mr. Channon: I await proposals on the east coast motorway, which I understand are to come forward shortly.

My hon. Friend is right that there has been tolling on motorways in many, although not all, European countries for a good many years. I am extremely anxious to introduce private finance into our entire road system, and I shall come forward with proposals soon. I shall consider what my hon. Friend has said, but at present I have no proposals to make about tolls.

Mr. Hardy: Will the Secretary of State resist the current Conservative fashion of delving into ancient history to resurrect past practices? We have had quite enough with the poll tax and the possibility of the indentity card without further measures such as the toll turnpike and toll booth.

Mr. Channon: I am surprised that the hon. Gentleman should take that philistine attitude to history. It is most unlike him, with his teaching background. I see no reason why we should not examine all good ideas, whether they are new or old.

Mr. Simon Coombs: Does my right hon. Friend accept that if there is a choice between congestion and paying a toll, many people who use the M4 motorway every day between Maidenhead and Hammersmith will be more than willing to consider the latter alternative?

Mr. Channon: I find that an increasing number of people take that view. I think that the attitude has changed completely in the last couple of years.

Mr. Prescott: Does the Secretary of State accept that Britain has the smallest and most congested motorway system of any developed economy? It is one third the size of that in Germany, and we have an expansion programme one fifth of the size of Germany's.

Does the Secretary of State share the growing resentment of the Government's support for tolls when, since 1979, they have doubled the level of road transportation tax to about £7 billion, which represents 25 per cent. of the total raised, compared with the 35 per cent. raised under Labour? If the right hon. Gentleman had been able to maintain that level against the Treasury, he would have had £2 billion more to improve the quality of our roadways.

Mr. Channon: The hon. Gentleman may have misheard what I said in answer to the original question. I said that I have no plans to introduce tolls at present, so a good deal of his question is aimed at the wrong target.

The hon. Gentleman knows that it takes a considerable time to complete a motorway. I would take his protestations more seriously but for the fact that the Labour Government had such an appalling record on motorways. We are reaping some of that legacy now.

Mr. John Browne: Does my right hon. Friend accept that the people of Winchester will be particularly interested in the answer that he gave to the original question? They look forward to the speedy completion of the M3. Will my right hon. Friend please assure the House that when he has looked at the inspector's report he will spend sufficient money, including privately raised finance, to ensure that the internationally very special environment around our historic city of Winchester will be fully protected?

Mr. Channon: I note what my hon. Friend has said, but in view of the present position I think that it would be unwise for me to comment.

Road Safety

11. **Mr. Morley:** To ask the Secretary of State for Transport what new initiatives he intends to take to improve road safety.

17. **Mr. Tony Lloyd:** To ask the Secretary of State for Transport if he will make a statement on road safety.

Mr. Peter Bottomley: Our target is to cut road casualties by one third by the end of the century. Over the year ahead we will be concentrating our efforts on vulnerable groups such as children, the elderly, pedestrians, cyclists and motor cyclists, as well as on dangerous groups such as drinking drivers and selfish and aggressive road users. Engineering, education, enforcement, exhortation and example will all play their part.

Mr. Morley: I welcome the Minister's initiatives, but when he considers such road safety measures will he do so in the context of an integrated package and try to get more people to use public transport, particularly rail and buses? Will he bear that in mind especially as British Rail is considering closing a number of rail routes, in particular one near my own constituency, the Grimsby-Gainsborough line?

Mr. Bottomley: The hon. Gentleman will realise that in many parts of the country the growth in the use of public transport, especially on London Underground and British Rail, greatly exceeds the movement of commuters in cars, where numbers are falling. Across the country we are likely to see a growth and an improvement in public transport and road links.

Mr. Tony Lloyd: May I refer the Minister to the question asked by the right hon. Member for Worthing (Mr. Higgins) about unlicensed motor cyclists who are employed as couriers, particularly in London?

Mr. Speaker: Order. A question on road safety please.

Mr. Lloyd: It is on road safety, Mr. Speaker. I usually know what I am asking. Will the Under-Secretary accept that as he is a Minister, it is possible for him to legislate on the matter? What will he do other than exhort employers? Exhortations are no good.

Mr. Bottomley: It is possible to propose legislation to Parliament. The use of the road by unlicensed motor cyclists is illegal. I hope that, besides the point on which my right hon. Friend the Member for Worthing (Mr. Higgins) and I agreed, we can direct most parliamentary attention on areas where most lives are to be saved. It is worth remembering that 14 people today will lose their lives on the roads—5,000 a year. We may have the best record in the world, but there are still far too many deaths.

THE ARTS

Museums and Galleries

98. **Mr. Butler:** To ask the Minister for the Arts what funds he has made available for the maintenance and refurbishment of museums and galleries.

The Minister for the Arts (Mr. Richard Luce): I am continuing to give high priority to the building and maintenance programmes of the national museums and galleries. I have made a series of increases bringing annual expenditure to £55 million by 1991-92, an increase of 53 per cent. since 1987-88.

Mr. Butler: My right hon. Friend the Minister is aware of the excellent imperial war museum redevelopment, which was in a sense a precursor of his incentive funding scheme. Could not the incentive funding scheme be more generally applied to the refurbishment of museums?

Mr. Luce: My hon. Friend is right. There has been an element of incentive funding with the redevelopment plan for the imperial war museum. That new mechanism is being used for other areas and other museums. For example, there is joint funding for the Clore gallery at the Tate—the capital funding comes from the Clore Foundation and the running costs from the Government. A role is being played by the Government in the national gallery's Sainsbury wing. At the British museum the refurbishment of galleries for the display of Roman material is being funded through the generosity of the Wolfson Foundation, and Government funding is also being made available.

Mr. Robert Sheldon: Is the Minister aware of the Public Accounts Committee report which repeated what the director of the Victoria and Albert museum said in connection with its manuscripts and printed matter? She pointed out that the way in which they were being looked after was a national disaster and that to put right the deterioration at the present rate of progress would take 200 years. As they are a national asset, should we not regard this as a matter of the highest priority?

Mr. Luce: As the right hon. Gentleman knows, the Government are due to reply to the important report of the Public Accounts Committee as soon as possible. Without pre-empting what they wish to say, I do not underestimate the seriousness and importance of conservation and the condition of our national museums and galleries. For that reason, in the new three-year funding policy, we have allocated an extra £13 million for the new third year—at least half of which must be allocated to conservation, storage and other matters. That will have a strong bearing on what the right hon. Gentleman said.

Mr. Jessel: Has my right hon. Friend considered the suggestion of my hon. Friend the Member for Beckenham (Sir P. Goodhart) that funds for the maintenance and repair of existing collections should be increased, instead of spending funds on purchasing grants, which should be phased out?

Mr. Luce: I have read with great care and interest the pamphlet written by my hon. Friend the Member for Beckenham (Sir P. Goodhart). Considerable additional resources have already been made available through mechanisms other than the purchase grant system to help preserve objects of great importance to our heritage. For example, last year an additional £20 million was given to the national heritage memorial fund. The acceptance of items in lieu of taxation allows important objects to be preserved in this country. I have undertaken to review carefully the working of the purchase grant system to see how the money could be better deployed. In the meantime, an extra 53 per cent. of resources will be made available over the next four years for the building and maintenance of our museums and galleries.

99. **Mr. Bradley:** To ask the Minister for the Arts what plans he has to increase investment in English national museums and galleries in response to the March report of the National Audit Office.

Mr. Luce: Last November I announced the grant-in-aid allocations to the national museums and galleries that I sponsor, rolling forward the three-year funding settlement introduced in 1987 to the year 1991-92. I have made increases specifically to help the national institutions in tackling their priority concerns.

The Government are considering the report of the Public Accounts Committee on the management of collections of the English national museums and galleries, and will respond as soon as possible.

Mr. Bradley: The Minister seems complacent about this matter. Has he not read the two reports of the National Audit Office, which outline the appalling problems facing our national museums, the root cause being the cut of at least 9 per cent. in the budget of the Victoria and Albert museum and the 5 per cent. cut in the budget of the British museum between 1979 and 1987? Will he support today the recommendations of the Public Accounts Committee calling for a specific fund to deal with the accumulated conservation problems in addition to the existing allocation of national funds going towards conservation? The Minister must act today to ensure that conservation work is maintained in our national museums.

Mr. Luce: As I have said, the Government have not yet replied to the Public Accounts Committee and when we do reply, the hon. Gentleman will see what importance we attach to the issue. I do not need to wait until then to reinforce the point that the chairmen and directors—almost to a man—have made in representations to me over the past two or three years about the priority that they attach to building, maintenance and conservation. For that reason, over the four-year period 1987-1988 to 1991-92, I am increasing those overall resources by 53 per cent. That does not show complacency; on the contrary, it shows the priority that I attach to the matter.

Mr. Bowis: Will my right hon. Friend confirm that he will continue to listen closely and talk to the directors of museums and galleries, so that he can go on getting it right? When he talks to them, will he also ensure that one added priority is that museums bring forward a programme for opening their establishments at times when the public want to visit them, such as bank holidays and weekends, when young people, in particular, can attend?

Mr. Luce: I appreciate the final point that my hon. Friend made. Clearly, it is important to attract as many people as possible to our museums and galleries. This is Museum Year, so there is a sustained campaign, sponsored by *The Times* and run by the Museums Association, to attract greater participation and attendance at museums. It is estimated that about 80 million people will go to museums this year and, if the campaign is successful, attendances may increase to 100 million. Flexibility in opening hours is one part of the marketing policy to create greater public interest in museums.

Mr. Fisher: Will the Minister accept that the disgraceful state of our national museums, as detailed by the National Audit Office and the Public Accounts Committee, is a direct result of his Government's policy of neglect and underfunding of our great museums? Does he not understand that that is now a national scandal and that, although we welcome the sums that he has announced today, if he dared to have a national audit of the needs of the museums in building and maintenance—let alone in conservation and other areas—the sums would be revealed to be wholly inadequate for the crisis into which his policies have plunged the museums?

Mr. Luce: I suppose that I should expect the hon. Gentleman to use such colourful language, as he regards it as part of his job. However, that is not the real perspective. Our magnificent institutions are doing a fantastic job. They are lending out a great deal and far more is on display than when Labour was in office. New galleries are open and we have seen the development of the Clore gallery at the Tate, the Tate gallery extension in Liverpool, the redevelopment of the imperial war museum, the extension of the national gallery through the Sainsbury wing, the opening of new galleries at the British museum and an extension to the national portrait gallery. How can the hon. Gentleman say that everything is stagnating?

British Museum

100. **Mr. Atkinson:** To ask the Minister for the Arts if he will make a statement on the future of the facsimile department of the British museum.

Mr. Luce: The day-to-day running of the British museum and decisions on the future of the facsimile department are matters for the director and trustees of the British museum.

Mr. Atkinson: Will my right hon. Friend confirm that the British museum has one of the most valuable collection of original moulds for the making of plaster casts of the most celebrated statues in the world? Does he agree that there is a worldwide potential for a casting service and is he satisfied that it is profitable? If it is not, will he privatise it?

Mr. Luce: I agree with my hon. Friend about the importance of the service that has been offered in the past by the British museum. At the moment the British museum faces certain pressures and problems, as a result of which the trustees are now considering the future of the department and how it should operate. I know that privatisation is one very serious proposition that the trustees are considering.

Mr. Allen: Does the Minister recognise that the facsimile department may be much overused, because if he does not act quickly on the recommendations in the Public Accounts Committee report many of our great treasures will fall apart? Will he give a guarantee now that the three-year programme that he has introduced will meet all the points that were noted in the Public Accounts report?

Mr. Luce: Of course I attach importance to what is said in the report and the House will look forward to the Government's reply. In the meantime, I believe that I have already demonstrated the importance that I attach to this problem. I have said that in the new third year, 1991-92, I shall be increasing resources to museums and galleries by £13 million—in addition to the overall increases that I am giving now—to give particular priority to the conservation and maintenance of their buildings.

CIVIL SERVICE

Demographic Changes

124. **Mr. Knapman:** To ask the Minister for the Civil Service what instructions he has given to the Civil Service to prepare for the demographic changes likely by the year 2000.

The Minister of State, Privy Council Office (Mr. Richard Luce): Information about the demographic changes in the 1990s has been disseminated to all Departments. The overall number of school leavers will drop sharply. Like all employers, we need to retain good staff and attract recruits from all sections of the labour force. The Government are approaching this with flexibility and imagination.

Mr. Knapman: My right hon. Friend is obviously aware of the reduced number of school leavers in the 1990s and of the need for the Civil Service to recruit more women, including women with young children. What steps is my right hon. Friend taking to recruit more women, both full-time and part-time?

Mr. Luce: My hon. Friend is right to focus attention on that point. It is estimated that the number of school leavers will drop by 30 per cent. by 1993, which suggests the scale of the problem and the need to take whatever action we can to improve recruitment and retention in the service. As for part-timers, it is important to take into account the changes in working patterns in the country as a whole. The Civil Service is doing that. There has been an increase in the number of part-timers in the service. A number of measures are being taken to recruit more women. Flexible working hours, career breaks, the reinstatement of civil servants and the provision of child care facilities will help to improve the recruitment of women to the Civil Service.

Mr. Beith: If the Government are to recruit from a shrinking labour force of young people, will not they have to improve pay and conditions at many levels of the Civil Service and reinstate the concept of a non-partisan Civil Service that is not the creature of any one Government?

Mr. Luce: To respond to the hon. Gentleman's last point first, there is no doubt whatsoever that we have an outstanding, loyal and impartial Civil Service. That was reinforced by the views of an all-party Select Committee in 1988. The hon. Gentleman will be aware that various policies on pay are already being developed. They include more flexible pay schemes to deal with recruitment and retention problems that concern specialist groups and particular areas. Flexible pay schemes, involving special pay additions, performance pay—which is being increased in various areas—as well as a 14 per cent. increase in London weighting from July 1988 are all designed to help to recruit and retain staff.

Agency Programme

125. **Mr. Barry Field:** To ask the Minister for the Civil Service what steps he intends to take to speed up the agency programme.

Mr. Luce: Since I last spoke to the House on this subject on 5 December 1988, Her Majesty's Stationery Office has been launched as an agency, bringing the total of agencies that have been set up to three. Around 30 other candidates for agency status have been announced as under active consideration, and I expect more to be announced.

Mr. Field: Does my right hon. Friend agree with me that one of the best ways to speed up the agency function is to ensure that the chief executive, and not the appropriate permanent under-secretary, is the accounting office? Will he place a list in the Library of those agency functions where the permanent under-secretary is still the accounting officer?

Mr. Luce: I appreciate the importance of my hon. Friend's question. The Treasury and Civil Service Select Committee said forcefully that accountability policies should be clarified and that the chief executive of the agency should carry responsibility for day-to-day operations as accounting officer. The Government have agreed with that, in their reply. The HMSO was recently launched as an agency. It is the first example of a chief executive being accounting officer. I shall respond to the other part of my hon. Friend's question.

Mr. John Garrett: Does the Minister agree that the purpose of agencies is to introduce regional pay and, therefore, to reduce the relative pay of civil servants outside London? That is precisely what is likely to happen in the HMSO, the headquarters of which is in my constituency. Does the right hon. Gentleman agree that it is widely thought that another intention behind the agency programme is to make political appointments to head the agencies? Can he satisfy the House on that anxiety as well?

Mr. Luce: The suggestion that, as a result of the establishment of agencies, there will be a cut in pay is a total and utter misconception. If regional pay is introduced, it will not lead to a cut in some people's pay. It is concerned with catering for certain circumstances, such as those found in the south-east, or for professional groups such as administrative officers or scientists, by providing a flexible pay system.

It is also utterly wrong to suggest that there are political appointments as chief executives of agencies. We are looking for the best man for the job. The first agency was the vehicles inspectorate, and we have an outstanding civil servant in charge of it.

Civil Service (Morale)

126. **Mr. Fisher:** To ask the Minister for the Civil Service if he proposes to take any initiative to improve morale in the Civil Service.

127. **Mr. Allen:** To ask the Minister for the Civil Service if he proposes to take any initiative to improve morale in the Civil Service.

128. **Mr. Cohen:** To ask the Minister for the Civil Service if he will meet the Civil Service unions to discuss measures to improve morale.

Mr. Luce: Like other employers, the Government attach great importance to ensuring that levels of morale are maintained and improved.

Against the background of the many changes in recent years, I should like to take this opportunity to reaffirm the Government's acknowledgement of the high standards of excellence in the Civil Service.

Mr. Fisher: Is the Minister aware that morale is extremely low in north Staffordshire, where civil servants are very angry that two of their colleagues at GCHQ Cheadle have been sacked for having the temerity to want to belong to a trade union? If he is serious about improving morale in the Civil Service, will he at least allow civil servants to belong to a trade union?

Mr. Luce: The hon. Gentleman knows the position with regard to GCHQ. He knows that the very first consideration is the need for continuity of service and a high standard of service at GCHQ. He also knows that, between 1979 and 1981 a total of 10,000 working days were lost, as a result of which the important services provided by GCHQ in the interests of the security of the nation were undermined. Since the decision about trade union membership was announced in 1984, my right hon. and learned Friend the Foreign Secretary has painstakingly dealt with individual problems of people who work at GCHQ.

Mr. Cohen: Does the Minister agree that today's announcement that more than 1,000 Civil Service jobs are to go from London's Department of Social Security offices means a rough, raw deal for civil servants in those offices? Does he further agree that it will mean a worse service for the public? Will it not mean that staff in the offices will be unable to provide a decent service and that their morale is likely to sink to rock bottom as a result?

Mr. Luce: The House will be aware that my right hon. Friend the Secretary of State for Social Security has announced that more than 1,000 jobs are to be created in Belfast, Wigan and Glasgow. I am surprised that the hon. Gentleman, who is aware of our recruitment problems in London, does not welcome such a decision.

Mr. Allen: Will the Minister tell us on what basis he would allow free trade unions back into GCHQ?

Mr. Luce: The position has been made absolutely clear that in institutions that deal primarily with intelligence and security matters, there should not be representation by national trade unions, although there is a staff federation of which at least 50 per cent. of the people who work at GCHQ are allowed to be members. In answer to an earlier question I said that the reason for that is that we must have a higher standard of service at GCHQ which cannot and will not be undermined by industrial disruption.

Mr. Rowe: Does my right hon. Friend agree that one way of raising or maintaining morale in the Civil Service would be to provide a service at a time that is convenient to the public? I very much hope that he will follow his other pioneering moves by making it easier for Civil Service offices in many Departments to be open when it suits the public rather than the civil servants.

Mr. Luce: My hon. Friend has put his finger on an important point which is linked to the development and creation of agencies, which are designed not only to improve the performance of the Civil Service above its present excellent standard but to ensure that the service to local people is as good as possible.

Mr. Allason: Given the alleged concern about security at GCHQ and elsewhere, is it not unusual that the Government did not introduce the polygraph testing that was recommended by the Security Commission so many years ago?

Mr. Luce: That is principally a matter for my right hon. Friend the Prime Minister who studied the matter very carefully and reached the conclusion that it should not be introduced. I said earlier that there must be a continuous service at GCHQ and we cannot allow it to be jeopardised in any way.

Mr. Favell: Does it not strike my right hon. Friend as extraordinary that Labour Members, who profess to be worried about the regions, are bemoaning the moves to produce more jobs in the north? Many young people in the north are better qualified, more competent and a great deal more enthusiastic to serve the Civil Service. Therefore, the measure is most welcome.

Mr. Luce: My hon. Friend is absolutely right. In previous Question Times I have repeatedly been asked questions by the Opposition about the need for more civil servants to move to the north. Now that exactly that is happening, there is silence from the Opposition. The House must make its own judgment on that.

Dr. Marek: The Minister has not excelled himself with his proposals to increase the morale of civil servants, at least today. Perhaps it would befit him to consult civil servants before deciding their future. How does he square the abolition of free association in GCHQ—which his Government carried out five years ago—with article 23 of the United Nations declaration of human rights which states that everyone has the right to form and to join trade unions for the protection of his interests? How does he square it with convention 87 of the International Labour Organisation which states that workers have the right to establish and join organisations of their own choosing?

Mr. Luce: The hon. Gentleman may not realise that the European Court has already passed a judgment in favour of the Government's decision on GÇHQ. I can only continue repeating the basic reason for that decision. The most important aspect of our security and intelligence institutions is to have a regular and continuous service. I hope that the hon. Gentleman agrees that if that is jeopardised we are not carrying out the duty of the Government of the day to the security of the nation.

Security (Heathrow)

3.33 pm

Mr. Alfred Morris (Manchester, Wythenshawe) *(by private notice)*: To ask the Secretary of State for Transport if he will make a statement on airport security at Heathrow.

The Secretary of State for Transport (Mr. Paul Channon): As I told the House in my statement last Tuesday, investigations continue into the Lockerbie disaster so as to establish, if possible, how the explosive device got on board the aircraft and where it originated. I also told the House what immediate security measures I had set in hand.

Within the last few days there have been reports of security in respect of airport workers at Heathrow. When I first heard of those reports on Friday I instituted immediate inquiries. I had a direction issued under the Aviation Security Act 1982 to all United Kingdom airports. The direction was issued on Friday evening and comes into force today. It introduces the following new provisions. Passes are only to be issued to airport employees or to personnel working for firms which the airport manager is satisfied are reliable and reputable. I think that the House will agree that some of the firms operating in this area in the past have been far from reliable.

Before issuing a pass—*[Interruption.]* I am sure that the House wants to listen to this. Before issuing a pass to the employee of another firm, the airport manager must receive an assurance from the firm that the individual is a suitable person, and he is to retain the right to withdraw passes from the personnel of any firm found to have sponsored an employee for a pass without proper care. Passes permitting unescorted access to restricted areas are not to be issued until the person concerned has worked either for the airport or for the sponsoring firm for at least six months. When passes are issued allowing escorted access only, the airport manager is to retain the right to withdraw passes from the employees of any firm that fails to ensure that those with escorted passes are properly escorted.

I also called in the chairman of BAA, Sir Norman Payne, to discuss Heathrow security in the light of the *Daily Express* report. I welcomed BAA's swift action in withdrawing airside passes from the employees of Skyliner Services Ltd. and asked Sir Norman not to issue any more passes to that firm for the time being. Since that meeting, there have been further reports of security breaches involving Fernley Aeroclean. BAA has told me that it is withdrawing all passes from Fernley employees at Heathrow as from tomorrow.

I also asked Sir Norman on Friday for an urgent report on ways of improving airport security, including intensifying searches of staff and their baggage passing airside; stepping up the searching of vehicles entering airside; closing some landside—airside crossing points so as to release security staff for use in tightening security elsewhere; increased patrolling of restricted areas. I hope to have Sir Norman's report within the next day or two. I shall then consider what further measures are necessary. I am determined that Heathrow airport and other airports in this country should live up to their reputation as being among the most secure airports in the world.

Mr. Morris: The Secretary of State will be aware of my interest, as a right hon. Member with an international airport in his constituency, in what are now widely seen as not only serious but wholly scandalous breaches of airport security.

In the wake of the appalling disaster at Lockerbie and the detailed exposures since then of the inadequacies in security at Heathrow by the *Daily Express* and the television programme "Eye Witness", is the Secretary of State satisfied that what he has announced will prevent any repetition of these scandalous breaches of security? What confidence can the travelling public have in the efficiency of the airport's security measures when two individuals were successfully able to pose as cleaners with two separate cleaning firms and to gain access, with no adequate supervision, to aircraft undertaking international flights?

Has the Secretary of State offered congratulations to the journalists involved in the exposures, as the Japanese authorities have done? Can he assure the House, with any degree of confidence, that the package of measures announced last week has closed all the security loopholes which have now been so fully exposed?

What trust can the public have in an airport management that can allow such life-endangering slackness to be tolerated in the first place?

Mr. Channon: I can well understand the right hon. Gentleman's concern, which I certainly share. He will be pleased to learn, with his Manchester interest, that my direction, issued under the Aviation Security Act, applies to all United Kingdom airports—to Manchester as well as to Heathrow and the London airports.

It is impossible to say that all security loopholes have been closed. I have laid down clear responsibilities by which the airport management and the companies concerned should abide. I have issued a direction to them; I am still awaiting the report by Sir Norman Payne on Heathrow security and on what further measures may turn out to be necessary. I hope to take action on the report in the near future when I have received it, and if I discover that some measures need to be taken, not only at London airports but at Manchester, I am sure that I shall have the right hon. Gentleman's support.

Mr. Terence L. Higgins (Worthing): The House will welcome the speed with which my right hon. Friend has reacted to the situation that was revealed last week. Can he say whether these passes will be photographic and whether those using them will have to go airside to be searched?

Mr. Channon: They will be photographic passes. I am shortly expecting a report from Sir Norman Payne about the whole question of searching staff who go airside. It is absolutely essential to have proper standards in this respect as well as in the other measures that I outlined to the House last week about baggage, with which the House was primarily concerned. It is essential to take proper steps on all fronts, and I am deeply shocked that the instructions and the circulars on this issued by the Department of Transport have clearly not been followed till now.

Mr. James Molyneaux (Lagan Valley): As one who had the doubtful pleasure of travelling on an aircraft carrying a terrorist bomb, may I ask the Secretary of State to try to preserve a sense of proportion in these matters and to concentrate on the limited number of measures that could be really effective? Also, does he know whether certain

[Mr. James Molyneaux]

sectors of the news industry are proposing to compensate those workers at Heathrow who lost their jobs through no fault of their own?

Mr. Channon: I shall be very surprised indeed if the latter part of the right hon. Gentleman's question is correct. I entirely accept the first part of his question. We must have security commensurate with the level of the threat that may exist at any particular time, and all security is a balance of priorities. I am determind to achieve that.

Mr. Michael Colvin (Romsey and Waterside): Will my right hon. Friend confirm that whether airports are in the public or private sector is quite immaterial because the Aviation Security Act 1982 gives him all the powers that he requires to enforce the security measures that he thinks are necessary? Is he happy that he has sufficient sanctions against airlines and airports that do not do what he says? Is he also happy that his Department has enough inspectors to visit airports and airlines in order to identify shortcomings in existing security arrangements?

Mr. Channon: On my hon. Friend's latter point, I intend to have a review to see whether it is necessary to increase the number of aviation security advisers. I shall do that not only because of the measures that I have announced today, but in case further measures have to be taken in due course.

My hon. Friend was right in what he said about public and private ownership. The direction that I have issued today applies to all United Kingdom airports regardless of ownership.

My hon. Friend also asked about powers. I think that I have sufficient powers to enforce these measures, and if there is a breach of the direction prosecution may follow. Nevertheless, I shall examine my powers in this field and, if necessary, I shall seek the House's permission to take more.

Mr. Donald Anderson (Swansea, East): The Minister will recall that I raised during questions on his statement last week the precise question about the security of baggage handlers, cleaners and catering staff. Does he realise that the public will view his response today as inadequate because he is giving the responsibility for policing the scheme to airport managers who are precisely the people who should have been responsible for ensuring responsibility in the first place? Should not the responsibility lie with the Secretary of State for laying down guidelines for airport authorities to follow? Were the firms that were found out by LWT and the *Daily Express* simply the unlucky ones that happened to be investigated? Is there any evidence of wider security lapses? Has he any evidence that similar security faults exist in airports on the continent—for example, at Frankfurt—and will he seek to liaise with his European counterparts to ensure a general tightening of security?

Mr. Channon: The hon. Gentleman raises some important matters that I shall certainly be discussing with my colleagues in the European Community and possibly on a wider scale.

The hon. Gentleman asked about guidelines. Laying down guidelines is exactly what I do. I lay down guidelines or, occasionally, directions—as in this case—to the airports, and it is their responsibility to see that they are carried out. Clearly, in the light of what has occurred, I am now considering what further steps should be taken.

The hon. Gentleman, who was quite right to draw attention to this last week, says that the response is inadequate. I hope that he will bear in mind that I am expecting a further report in the next day or two, and I shall then consider what further measures are necessary. I am merely reporting to the House today the action that I have taken since Friday.

Mr. David Wilshire (Spelthorne): I thank my right hon. Friend for the firm and swift response that he has made to these disturbing revelations. I urge him to take no heed of the cheap party advantage being sought by those criticising him. Does he find it as incredible as I do that the aircraft entered by the reporters were left unlocked and unguarded? Will he take steps to require all airlines using all United Kingdom airports to lock their property when it is not in use and to guard it when it is unoccupied?

Mr. Channon: I am grateful for what my hon. Friend said in the first part of his remarks. I am sure that the House as a whole is united in wanting to take the necessary steps to get our aviation security at the proper level. The House knows well that British airports have an international reputation for good security. I am determined to make sure that that returns. Whether or not aircraft are locked is a matter for the airlines concerned. Again, I shall be discussing this with Sir Norman Payne.

Mr. Matthew Taylor (Truro): I am sure that the House will welcome the fact that the Minister accepts that there have been clear and unforgivable breaches of security, rather than simply joining some of his colleagues in attacking the journalists who have exposed breaches of security. However, should not there be positive screening of employees, rather than simply putting the companies concerned on a kind of scout's honour, and hoping that they will do the work that should be undertaken under his responsibility?

Mr. Channon: The measures that have been a requirement by my Department for some time require that the companies concerned carry out the necessary checking of people whom they employ. If, in the light of recent events, that looks inadequate, we shall have to see what can be done. I have announced the steps that we have taken, as a start, since Friday and they are a considerable improvement on what existed in the past. I shall keep matters under review.

Mr. John Wilkinson (Ruislip-Northwood): May I press my right hon. Friend further on that important point? Is it not necessary to have professional vetting of personnel who have access to aircraft? Are firms able to scrutinise the backgrounds of would-be employees adequately? How can they satisfy themselves as to the personal, political and family links of would-be employees? Is this not a matter for the security services?

Mr. Channon: My hon. Friend will recall that the Select Committee, which made a report on this issue some years ago, accepted that it would be difficult to vet all employees with airside access. It went on to say—this is the relevant point—

"It cannot be emphasised too strongly that responsibility should belong with the airport operator and that the operator

must satisfy himself that any company which he delegates to carry out such tasks can be guaranteed properly to do so before he authorises the issue of passes to its employees."
I strongly agree with that, and I shall be taking steps to ensure that that happens.

Mr. Jeff Rooker (Birmingham, Perry Barr): The travelling public, leaving aside the myriad of employers at the airport, look to the Government to protect their safety when they are travelling. Does the Secretary of State's statement mean that his Department has not been monitoring his own instructions to the companies? Is it a fair assumption that, without last Friday's *Daily Express*, the actions taken since then and the statement today would not have happened?

Mr. Channon: It does not mean anything of the sort. It means that the responsibility for airport security is clearly mine. I lay down the regulations that should be followed. Responsibility for following them is also clearly laid down.

Mr. Rooker: Who checks on them?

Mr. Channon: We check on them. However, it is disgraceful if those who have clear responsibility put on them do not carry it out, and that is what I am seeking to remedy.

Mr. John Wheeler (Westminster, North): I support my right hon. Friend's robust action, about which he has told the House. However, when he has the oppportunity to examine a video of the LWT "Eyewitness" programme, he will notice that the box of Terry's Moonlight chocolates that is apparently placed on the aircraft does not appear to have a cellophane wrapping around it, while the box that was subsequently found did have one. Does not this mean that there was some concoction in the pursuit of journalism? Will my right hon. Friend look into that, and if there has been a misuse of police time, will he ensure that appropriate prosecutions follow?

Mr. Channon: Prosecution is not a matter for me, but I shall certainly investigate my hon. Friend's point.

Mr. George Foulkes (Carrick, Cumnock and Doon Valley): Does the Secretary of State agree that part of the problem is the huge volume of traffic going through Heathrow airport and that that could be alleviated if there were more direct flights from regional and Scottish airports to Europe and north America? Will he tell Norman Payne that he should pay more attention to safety and to running the airports properly instead of, as he is doing now, trying to undermine Prestwick, which is a perfectly good airport that should have many more flights out of it?

Mr. Channon: As the hon. Gentleman knows, I am at present considering the situation at Prestwick. I strongly agree that there should be more traffic from regional airports than there is at present. I am glad to say that traffic forecasts show that the proportion of flights from regional airports is going up rather than down.

On the question of safety, I have called for a special report from Sir Norman Payne which I hope to receive within the next day or two.

Mr. Patrick Ground (Feltham and Heston): Although I very much welcome what my right hon. Friend has said and the steps that he has taken, does he agree that it is important in security matters for the new advisers to advise him about the practice in the airport and that any changes should be applied in an even-handed, level-headed way to ensure that the overall result is effective throughout the operation of the airport? This is a long-term, systematic and necessary exercise which is not helped by regular efforts on the part of the press.

Mr. Channon: I agree with everything that my hon. and learned Friend says and will certainly do as he suggests.

Mr. Tony Lloyd (Stretford): Does it not sum up the Secretary of State's lack of concern for safety when we hear him congratulating the BAA on taking action to withdraw passes from one firm, although that will not occur until tomorrow? Will there be any prosecutions in the case—and I am not talking about the journalists?

Mr. Channon: Prosecution is not a matter for me, but the House will understand that a great many measures have been taken since Friday and I propose to consider what further measures might be necessary.

Mr. Terry Dicks (Hayes and Harlington): Is my right hon. Friend, like me, disgusted with the old story that Heathrow is one of the most secure airports in this country and the world? Will he take on board the suggestion that I made to him last week, and previously, that the police be given responsibility for security at Heathrow? May we have an assurance from him that some heads will roll at BAA as a result of the security failure?

Mr. Channon: As to the question of putting the police in charge, my hon. Friend will recollect that the Select Committee considered and rejected that proposal some years ago. Nevertheless, we are considering the question of the police and airports at present. I know my hon. Friend's views and am considering them.

Mr. Merlyn Rees (Morley and Leeds, South): Although I understand the wider considerations of Select Committees, my own experience with regard to security when we were in Northern Ireland—I say to the Home Secretary—was that there can be only one force in charge of security, the police force. If responsibility is dissipated among BAA and managers, things will go wrong. They will go wrong in any case, but the more I listen to comments on these matters, the more it appears to me that no one is in charge.

Mr. Channon: The right hon. Gentleman may well be right that we should change the situation and we are at present considering whether the police should have a greater role. At present the airport manager is responsible for co-ordinating all security measures at the airport. That is where the ultimate responsibility lies for co-ordinating security measures. I am determined to make improvements in the system.

Mr. Alan Haselhurst (Saffron Walden): Does my right hon. Friend accept that people control and building design are both necessary elements in ensuring adequate security? Will he ask the chairman of BAA to look urgently at the question of building design, when the buildings are refurbished or new building takes place, to ensure that that can also contribute to greater security?

Mr. Channon: Yes, Sir. I believe that that is being done.

Mr. John Prescott (Kingston upon Hull, East): The House and the public will be concerned about the recent

[Mr. John Prescott]

exposure of security inadequacies at Heathrow, which appear to render worthless the numerous assurances that have been given by the Secretary of State about enhanced security at Heathrow. I am bound to tell the right hon. Gentleman after his performance this afternoon that the public will not be assured that he is any more on top of the job now than he was before.

Will the Secretary of State tell us whether his statements reject answers that were previously given on behalf of the Department to the Select Committee on Transport that security vetting of all airside staff is not cost effective? I hope that the Department no longer holds that view. Will the right hon. Gentleman accept that his Department was wrong in 1982 in abolishing the separate airport police force and the aviation finance security fund? It is the view of the Select Committee on Transport that that decision contributed to the reduction of security at our airports. As the Secretary of State for Transport has direct responsibility for security at our airports, is it not about time that he reversed the decisions to which I have referrred and did much more to improve security and to give greater confidence to the travelling public in Britain?

Mr. Channon: I am determined to improve security at the airports in question and at other airports throughout the United Kingdom. I shall continue to take steps to improve security both in the short and the long term.

The hon. Gentleman referred to the levy and the police force. We are already examining the policing of airports and while the discussions are taking place I must operate the present system. If any changes in the policing arrangements were to occur, they would clearly take time to introduce and implement. I do not think that the abolition of the levy makes any difference. In my view, there are no financial restraints that would lead to inadequate security measures being taken at our airports. If there are, I shall ensure that they are not taken into account.

The Select Committee on Transport accepted that it would be difficult to vet all employees with airside access. As I have told the House on many occasions, I shall continue to review airport security, whether that involves baggage or staff. I am sure that from time to time the House will wish to hear further.

Listeria Poisoning

3.57 pm

Mrs. Ann Clwyd (Cynon Valley): I beg to ask leave to move the Adjournment of the House, under Standing Order No. 20, for the purpose of discussing a specific and important matter that should have urgent consideration, namely,

"the growing public concern about the new health hazard of listeria poisoning from contaminated food."

The matter is urgent because as many as 150 deaths are now estimated to take place each year from listeria poisoning. The public are hearing conflicting reports and have been given no guidelines from the Government on how they should protect themselves from this risk. The head of microbiology at Leeds university, Professor Richard Lacey, has been investigating the matter for some time. He claims that at least 25 per cent. of a test sample of pre-cooked chilled meats bought from supermarkets in Leeds was contaminated with listeria. The results of a recent survey in Bristol revealed that 60 per cent. of fresh chicken samples contained listeria. One roast chicken meal out of 20 samples of hospital food was also contaminated. Recently, in Swansea, inspectors found that 20 per cent. of cook-chill foods in several stores was also contaminated with listeria.

The bacteria can kill, and has killed, unborn and newborn babies as well as elderly people. At least two women recently have lost their babies as a result of listeria. When transmitted to humans, it can affect the central nervous system, causing meningitis and encephalitis. It can be an extremely serious health risk for the elderly and the sick. With 70,000 notified instances of food poisoning a year—double the number of four years ago—the Government's record in taking these matters seriously is far from good. As more of our food is found to be poisoned, we cannot guarantee that the Government will act swiftly enough. They failed after Chernobyl, they equivocated over salmonella in eggs and chicken, and they have been muted over concern about listeria poisoning.

We know that the Ministry of Agriculture, Fisheries and Food has a split personality. It finds it imposssible to represent farmers and consumers at the same time. What are the consumers to do? Are they to continue to buy pre-cooked and chilled products? When will the Department of Health or the Ministry of Agriculture, Fisheries and Food issue guidelines for the public? In France, Holland and Belgium health Ministers are responsible for food safety and there is the powerful Food and Drug Administration in America. However, no one protects food safety adequately in the United Kingdom. Instead, there is confusion and cover up.

I ask for an emergency debate so that we can discuss this important matter in greater detail.

Mr. Speaker: The hon. Lady has asked leave to move the Adjournment of the House, under Standing Order No. 20, for the purpose of discussing a specific and important matter that she believes should have urgent consideration, namely,

"the serious threat of listeria to public health."

As the House will be aware, under Standing Order No. 20, I must take into account the requirements of the order and announce my decision without giving reasons to the House. I have listened carefully to the hon. Lady. As she knows, my sole duty when considering an application

under Standing Order No. 20 is to decide whether it should be given priority over business already set down for this evening or for tomorrow. I regret that the matter she has raised does not meet the requirements of the Standing Order and I cannot therefore submit her application to the House.

BILL PRESENTED

HEDGEROWS

Mr. Peter Hardy, supported by Mr. Peter L. Pike, Mr. Elliot Morley, Mr. Andrew F. Bennett, Mr. Stan Crowther, Mr. Martin Redmond, Mr. Ron Davies, Mr. Patrick Cormack, Sir Charles Morrison, Sir Geoffrey Finsberg and Mr. Robert B. Jones, presented a Bill for the protection and maintenance of farm boundary hedges and hedges bordering footpaths, bridleways and highways: And the same was read the First time; and ordered to be read a Second time upon Friday 27 January and to be printed. [Bill 41.].

STATUTORY INSTRUMENTS, &c.

Mr. Speaker: With the leave of the House, I will put together the four motions relating to statutory instruments.

Ordered,

That the draft Laganside Development (Northern Ireland) Order 1988 be referred to a Standing Committee on Statutory Instruments, &c.

That the draft Nature Conservation and Amenity Lands (Amendment) (Northern Ireland) Order 1988 be referred to a Standing Committee on Statutory Instruments, &c.

That the draft African Development Bank (Further Subscription to Capital Stock) Order 1989 be referred to a Standing Committee on Statutory Instruments, &c.

That the draft African Development Fund (Fifth Replenishment) Order 1989 be referred to a Standing Committee on Statutory Instruments, &c.—*[Mr. Chapman.]*

Orders of the Day

Security Service Bill

Considered in Committee.

Clause 1

THE SECURITY SERVICE

4.1 pm

Mr. Roy Hattersley (Birmingham, Sparkbrook): I beg to move amendment No. 73, in page 1, line 6, leave out 'under the authority of the Secretary of State'

and insert

'which shall be subject to the scrutiny of a Select Committee of the House of Commons but remain under the authority of the Secretary of State'.

The Chairman of Ways and Means (Mr. Harold Walker): With this it will be convenient to discuss the following amendments:

No. 45, in page 1, line 6, leave out 'Secretary of State' and insert 'Solicitor-General'.

No. 38, in page 1, line 6, at end insert

'and subject to examination by a Select Committee of the House of Commons'.

No. 48, in clause 2, page 1, line 16, leave out 'Secretary of State' and insert 'Solicitor-General'.

No. 54, in page 2, line 8, leave out 'Secretary of State' and insert 'Solicitor-General'.

No. 61, in clause 4, page 3, line 7, at end insert

'and who is responsible to the Solicitor-General'.

No. 63, in page 3, line 17, at end insert—

'(4A) As soon as practicable after receiving a copy of a report from the Director-General as referred to in subsection (4) of section 2, the Inspector General shall submit to the Solicitor-General a certificate stating the extent to which he is satisfied with the report and whether any act or thing done by the Service in the course of its operational activities during the period to which the report relates is, in the opinion of the Inspector General,

(a) not authorised by or under this Act or contravenes any provisions as referred to in subsection (3) of section 2; or

(b) involves an unreasonable or unnecessary exercise by the Service of any of its powers.

(4B) As soon as practicable after receiving a report referred to in subsection (4) of section 2 and a certificate of the Inspector General referred to in subsection (4A) above, the Solicitor-General shall cause the report and certificate to be transmitted to the Security Service Review Committee.'.

No. 58, in page 3, line 20, at end insert—

'(5A) As soon as practicable after receiving a report referred to in subsection (4) of section 1 and a certificate of the Inspector General referred to in subsection (4A) above, the Solicitor-General shall cause the report and certificate to be transmitted to the Security Service Review Committee.'.

New clause 2—*The Security Service Review Committee*

—

'(1) There is to be established a Committee to be known as the Security Service Review Committee.

(2) Her Majesty may by letters patent appoint five members of Her Majesty's Privy Council to be members of the Review Committee. This power shall be exercisable on an address presented by the House of Commons, and no motion shall be made for such an address except by the Prime Minister after consultation with the Leader of the Opposition and the leader of each party having at least 30 members in the House of Commons.

(3) Each member of the Review Committee shall be appointed to hold office for a term not exceeding five years.

[The Chairman of Ways and Means]

(4) A member of the Review Committee is eligible to be re-appointed for a term not exceeding five years.

(5) The functions of the Review Committee are—

(a) to review generally the performance by the Service of its duties and functions and, in connection therewith;

(i) to review the reports of the Director-General and the Inspector General and certificates of the Inspector General transmitted to it pursuant to subsection (5A) of section 4;

(ii) to review arrangements entered into by the Service pursuant to subsection (3A) of section 2 and to monitor the provision of information and intelligence pursuant to the arrangements;

(iii) to review the directions referred to in subsection (3) of section 2;

(iv) to compile and analyse statistics on the operational activities of the Service;

(v) to review the budget and annual total expenditure of the Service;

(b) to arrange for reviews to be conducted, or to conduct reviews, pursuant to subsection (4) below;

(c) to conduct investigations in relation to complaints made to the Review Committee under section 6.

(6) Subject to this Act, the Review Committee may determine the procedure to be followed in the performance of any of its duties or functions.

(7) Notwithstanding any Act of Parliament or any privilege under the law of evidence, the Review Committee is entitled—

(a) to have access to any information under the control of the Service, the Solicitor General or of the Inspector General that relates to the performance of the duties and functions of the Committee and to receive from the Inspector General, the Director-General and employees such information, reports and explanations as the Committee deems necessary for the performance of its duties and functions; and

(b) during any investigation referred to in paragraph (c) of subsection (5), to have access to any information under the control of the Director-General that is relevant to the investigation.

(8) For the purpose of ensuring that the activities of the Service are carried out in accordance with this Act and any provisions made under section 2(3) above and that the activities do not involve any unreasonable or unnecessary exercise by the Service of any of its powers, the Review Committee may—

(a) direct the Service or Inspector General to conduct a review of specific activities of the Service and provide the Committee with a report of the review; or

(b) where it considers that a review by the Service or the Inspector General would be inappropriate, conduct such a review itself.

(9) The Review Committee shall, within three months after the end of each fiscal year, submit to the Prime Minister and the Solicitor General a report of the activities of the Committee during that year and the Prime Minister shall cause a copy of each such report to be laid before each House of Parliament together with a statement as to whether any matter has been excluded from that copy in pursuance of subsection (10) below.

(10) If it appears to the Prime Minister, after consultation with the Solicitor General and the Review Committee, that the publication of any matter in a report would be prejudicial to the continued discharge of the functions of the Service, the Prime Minister may exclude that matter from the copy of the report as laid before each House of Parliament.

(11) The Review Committee may, on request by the Solicitor General or at any other time, furnish a special report to the Solicitor General concerning any matter that relates to the performance of its duties and functions.

(12) The Review Committee, after consultation with the Treasury, shall be provided with such staff as it thinks necessary for the discharge of its functions.'.

Amendment (a) to the new clause, in subsection (2), leave out '30' and insert 'seven'.

New clause 3—*Investigation of complaints*—

'(1) Any person may make a complaint in writing to the Review Committee with respect to any act or thing done in relation to him or any property of his by the Service and the Committee shall investigate the complaint if—

(a) the complainant has made a complaint to the Director-General with respect to that act or thing and the complainant has not received a response within such period of time as the Committee considers reasonable or is dissatisfied with the response given; and

(b) the Committee is satisfied that the complaint is not trivial, frivolous, vexatious or made in bad faith.

(2) Where, by reason only of the denial of a security clearance by the Service, a decision is made to deny employment to an individual or to dismiss, demote or transfer an individual or to deny a promotion or transfer to an individual, the Director-General shall send, within ten days after the decision is made, a notice informing the individual of the denial of a security clearance.

(3) A member of the Review Committee may exercise any of the powers or perform any of the duties or functions of the Committee under this section in relation to complaints.

(4) Before commencing an investigation of a complaint the Review Committee shall notifiy the Director-General of its intention to carry out the investigation and shall inform the Director-General of the substance of the complaint.

(5) Every investigation of a complaint under this section by the Review Committee shall be conducted in private.

(6) Where the complaint relates to the denial of a security clearance, the Review Committee shall, as soon as practicable after receiving a complaint, send to the complainant a statement summarising such information available to the Committee as will enable the complainant to be as fully informed as possible of the circumstances giving rise to the denial of the security clearance and shall send a copy of the statement to the Director-General.

(7) In the course of an investigation of a complaint under this section by the Review Committee, the complainant and the Director-General shall be given an opportunity to make representations to the Review Committee, to present evidence and to be heard personally or by counsel, but no one is entitled as of right to be present during, to have access to or to comment on representations made to the Review Committee by any other person.

(8) The Review Committee has, in relation to the investigation of any complaint under this section, power—

(a) to summon and enforce the appearance of persons before the Committee and to compel them to give oral or written evidence on oath and to produce such documents and things as the Committee deems requisite to the full investigation and consideration of the complaint in the same manner and to the same extent as a superior court of record;

(b) to administer oaths; and

(c) to receive and accept such evidence and other information, whether on oath or by affidavit or otherwise, as the Commission sees fit, whether or not such evidence or information is or would be admissible in a court of law.

(9) The Review Committee shall—

(a) on completion of an investigation in relation to a complaint, provide the Solicitor General and the Director-General with a report containing the findings of the investigation and any recommendations that the Committee considers appropriate, including—

(i) that inquiries by the Service about the complainant to be ended and any records relating to such inquiries be destroyed; and

(ii) that the complainant be paid such sum by way of compensation; and

(b) at the same time as or after a report is provided pursuant to paragraph (a), report the findings of the investigation to the complainant and may, if it thinks fit, report to the complainant any recommendations referred to in that paragraph.

(10) On receiving the report from the Review Committee referred to in paragraph (a) of subsection (8) above, the Solicitor General must, unless he can show that it would not be reasonable to do so, adopt the recommendations, if any, made by the Review Committee and any such decisions made by the Solicitor General must be notified to the complainant.'

New clause 5—*Parliamentary Select Committee on Security*—

'(1) There is to be established a Select Committee of the House of Commons appointed to keep under review the matters referred to in subsection (3) below.

(2) The Committee shall consist of 10 Members of Parliament representing each party having at least 12 members in the House of Commons and these Members of the Committee shall be appointed by the Prime Minister after consultation with the Leader of each party so represented.

(3) The functions of the Committee are

(a) to review generally the performance by the Service of its duties and functions and, in connection therewith,

(i) to review the reports of the Director-General and the Commissioner;

(ii) to review the provisions referred to in subsection (3) of section 2;

(iii) to compile and analyse statistics on the operational activities of the Service; and

(iv) to review the annual budget and expenditure of the Service.

(b) to arrange for reviews to be conducted, or to conduct reviews, pursuant to subsection ( ) below.

(4) Subject to the provisions of this Act, the Committee may determine the procedure to be followed in the performance of its duties or functions.

(5) Notwithstanding any Act of Parliament of any privilege under the law of evidence, the Committee is entitled to have access to any information under the control of the Service, the Secretary of State or of the Commissioner that relates to the performance of the duties and functions of the Committee and to receive from Commissioner, Director-General and the Secretary of State and employees such information, reports and explanations as the Committee deems necessary for the performance of its duties and functions.

(6) For the purpose of ensuring that the activities of the Service are carried out in accordance with this Act and any provisions under section 2(3) above and that the activities do not involve any unreasonable or unnecessary exercise by the Service of its powers, the Committee may—

(a) direct the Service or Commissioner to conduct a review of specific activities of the Service and provide the Committee with a report of the review; or

(b) where it considers that a review by the Service or the Commissioner would be inappropriate, conduct such a review itself.

(7) The Committee shall, within three months after the end of each fiscal year, submit to the Prime Minister and the Secretary of State a report of the activities of the Committee during that year and the Prime Minister shall cause a copy of each such report to be laid before each House of Parliament together with a statement as to whether any matter has been excluded from that copy in pursuance of subsection (8) below.

(8) If it appears to the Committee, after consultation with the Prime Minister, the Secretary of State and the Leaders of the parties represented on the Committee, that the publication of any matter in a report would be prejudicial to the continued discharge of the functions of the Service, the Committee may exclude that matter from the copy of the report as laid before the House of Parliament.

(9) The Committee may, on request by the Secretary of State or at any other time, furnish a special report to the Secretary of State concerning any matter that relates to the performance of its duties and functions.

(10) The Secretary of State shall, with the approval of the Treasury as to numbers provide the Committee with such staff as the Secretary of State thinks necessary for the discharge of its functions.'.

Mr. Hattersley: Amendment No. 73 in this group seeks to place the Security Service, MI5, under the supervision of a Select Committee of the House. I believed on Second Reading that that proposal marked a clean and clear division of opinion across the Floor of the House. I now realise that as the debate progresses, and perhaps as we approach a Division on the amendment, the merits of a halfway house will be advocated, as will the merits of oversight not by a Committee of this House or both Houses, but by a committee of Privy Councillors who may or may not be Members of Parliament. The proposal for a supervisory committee, not of this House but of outside nominees, is grouped with amendment No. 73. Other hon. Members will seek to deal with that suggestion in detail. In the interests of clarity, I want to explain briefly why the Opposition regard what I think it is fair to call the halfway house as inadequate for two distinct, but related, reasons.

First, it seems to us that a group of persons who are essentially the Prime Minister's nominees cannot provide the oversight for the Security Service that a Select Committee would make possible. Supervision by the Prime Minister's nominees—Privy Councillors; I put aside for a moment the wholly unreasonable deference to Privy Councillors that the alternative scheme embodies—is essentially supervision by insiders.

We believe that it is necessary above all else that the supervision and oversight of the Security Service should be by responsible representatives who are not part of the inside group and who do not reflect the values of it. They should be representatives answerable directly to this House and they must discharge their duties in a way that they can subsequently justify to the House.

The relationship that a nominated supervisory body would have with the Government is demonstrated by our second objection to new clause 3, which is the nature of the report which the nominated body would make to Parliament. The reports would be written by the Government with the committee of Privy Councillors being allowed to do no more than comment on the content of that report. That would be inevitable under such a scheme, because the committee's existence would depend on the Government. We do not want the committee to be responsible to the Government in that way or dependent on the Government in that way or, as I fear, with the best will on the world, deferential to the Government in that way.

The proposal embodied in amendment No. 73 and new Clause 5 would have an independence that the alternatives could not provide. The Select Committee would write its own reports.

Mr. John Wheeler (Westminster, North): The right hon. Gentleman will be aware that I have a direct vested interest in his proposal. Is not the problem with the Select Committee or Members of Parliament, regardless of their status in the House, having a direct involvement in supervising the Security Service the fact that they would have to be taken within the fold of confidentiality and secrecy and would never be able to report to the House, as a Select Committee can, but would be able only to report to my right hon. Friend the Home Secretary direct? In that case, what my right hon. Friend the Home Secretary is proposing is adequate.

Mr. Hattersley: I made the mistake of giving way when I should have told the hon. Gentleman that I hoped that I would do my best to deal later with the point that he was likely to raise. As he raises the point now, the answer to his

[Mr. Hattersley]

question, like the best answer to most questions, is "It depends". It depends on the nature of the Committee, its powers and the way in which it exercises those powers. I accept that in most cases the Committee would want to report to Parliament in a way which some critics of the Security Service might regard as anodyne. However, the important point about the Committee—and I will develop this aspect as best I can later—is that its work will be what the Home Secretary has described as looking over his shoulder. Its existence will keep the Home Secretary metaphorically on his toes. It will remind him that he must operate in a way that is consistent with Parliament's view on efficiency, prudence and civil liberties. The importance of the Committee will lie in what it does not have to do. Its existence would prevent the Security Service and the Home Secretary from doing things that they might otherwise do.

Mr. David Winnick (Walsall, North): Is not one of the reasons why we need the Committee simply to avoid the kind of response given by the Minister who replied to the Second Reading debate? The Minister referred to what I said about Patricia Hewitt, the allegations made by Cathy Massiter and why my hon. Friend the Member for Peckham (Ms. Harman) was investigated when she was a legal officer for the National Council for Civil Liberties. He said that I wanted the Home Secretary to come and deal with the allegations and that that would be wholly unreasonable. Regardless of any allegations by former MI5 officials, which may be raised on the Floor of the House, all a Minister now needs to do, in the absence of a Select Committee, is to say that those are all security matters which cannot be dealt with.

Mr. Hattersley: I agree with my hon. Friend in every particular except that he invests Minister's winding-up speeches with a seriousness that they clearly do not possess. He also demonstrated, if I may say so with all humility, a point that I wanted to make to the hon. Member for Westminster, North (Mr. Wheeler). I intended to make these points later and the sensible thing for me to do is to make my speech as best I can and then discover whether my colleagues agree with it and whether Conservative Members disagree.

One of the advantages of a Select Committee in comparison with other institutions is that under our scheme it would write its reports after listening to the Government's advice about the need for security. That difference is crucial. It demonstrates the weakness of one system and the strength of the other. It is the difference between keeping the supervision of the security services within the family of the establishment or extending it to a responsible but essentially independent oversight. We want independent oversight.

The creation of our proposed Select Committee will produce three major advantages. First, it will remove much of the party political controversy that currently surrounds MI5's work. The allegation that the Security Service was, is, or could be used as a Prime Minister's private army would no longer have the plausibility that it currently has. That would be good for the country, and in my view it would be good for the Security Service.

Our intention is that the Select Committee will reflect the composition of the House, and, therefore, include at least one representative of every political party represented by 12 or more right hon. and hon. Members. The Government of the day will maintain a majority on the Select Committee, but other members will be appointed after, and only after, consultation with party leaders. The result will produce an advantage for the Security Service as well as for democracy.

The House will assume a measure of responsibility for its operation. It will be more than just critical supervision. That general responsibility will mean, in general, MI5 being detached from any accusation of one-party dominance or operation on behalf of the Government of the day.

The second advantage of our scheme relates to the fear —often justified in the past—that MI5 operates illegally, unlawfully or improperly. That fear will in large part be removed.

Thirdly, by making MI5 accountable to the House, our scheme will put the Security Service more in touch with the real world, and, as a consequence, it will be more efficient. Nobody doubts that the organisation's failures were largely the result of its insulation from reality and its belief that its operations, unchecked and unsupervised by anyone outside its magic circle, ought not to be subject to independent scrutiny. I repeat, for it is important to our case, that the service's efficiency will certainly be increased by the relationship with the real world that parliamentary scrutiny can provide.

The Government will argue that the obligations to civil liberties, efficiency and lawful conduct specified in the Bill requiring the Security Service to obtain the Home Secretary's warrant before it interferes with property or intercepts a telephone call are safeguards that will reassure reasonable people that MI5 does not act improperly. Reliance on the good will, good judgment or good intentions of a single Minister is always a bad legislative precedent. Some future Home Secretaries may be politically corrupt. All will be fallible. Many will be insensitive or obtuse in their reactions to the Bill's provisions and to their obligations if it becomes law.

The present Home Secretary gave an example of the third shortcoming on Second Reading. I acquit him of political corruption, though I am sure he will join me in admitting his own fallibility. However, political insensitivity and the Home Secretary's misunderstanding of his own role were demonstrated dramatically when I asked him about political bias or fears of political bias in the Security Service. He answered that political bias would be prevented by the operation of clause 2(2)(b), and that that clause specifically prohibited the security services from acting

"to further the interests of any one political party."

The Home Secretary surely does not believe that prohibition of work on behalf of one political party is the same as avoidance of political bias. Whether the non sequitur with which he answered my question was the result of a genuine mistake or of simple confusion or whether it was intended to obfuscate the position, I do not know. However, it illustrates that, to ensure sensible, acceptable and democratic control, the House needs something more than just the supervision of one Minister, no matter how well-intentioned he may be.

There can be no absolute safeguard that the Security Service will not act without the Home Secretary's permission. That is the tradition of the service. The Bill is introduced because, in the past, the Security Service often operates outside the law. There need to be adequate

safeguards against both the Home Secretary's possible failure and the possible failings of the service that he supervises. Without a Select Committee external to the service, no such safeguard will exist.

4.15 pm

As the debate continues, the Home Secretary will doubtless insist—and perhaps he believes—that the appointment of a commissioner and tribunal to examine his record in issuing warrants for the interception of communications and for interference with property and from time to time to cast a general eye over the Security Service's work is a safeguard with which we ought to be satisfied. He described to the House, in what I can only term plaintive language, the terrors of having a judge looking over his shoulder. I say with respect to the judiciary—which is required of me by Standing Orders, but which I feel irrespective of that obligation—that the extent of the Home Secretary's terror will depend on the judge who is selected to undertake that supervision. The views held, perfectly legitimately, by some members of the judiciary are exemplified by Mr. Justice McCowan during his summing up of the Ponting trial. He commented:

"The policies of the state mean the policies laid down for it by its recognised organs of Government and authority."

One of the objections in principle to much that went on during that trial is the confusion that exists between the interests of the Government and those of the nation, which characterised the Government's conduct and that summing up by the judge. Any judge who thinks that the Government and the state cannot be separated is likely to hold few terrors for the Home Secretary while looking over the right hon. Gentleman's shoulder to see how he discharges his duties in relation to the Security Service. Given that the judge who will look over the Home Secretary's shoulder will be appointed on the Home Secretary's recommendation to the Prime Minister, it will always be open to the Government of the day to find a nominee who believes that the interests of the Government and the state are identical. Such a judge will always be able to convince himself, wholly within the law, that, under the terms of the Bill, whatever the Home Secretary chooses to do is reasonable.

The protection of our liberties is too important to be left to judges. The House of Commons ought to be looking over the Home Secretary's shoulder, and it will do so if it accepts our proposed amendment and new clause. On 3 December 1986, when the Home Secretary described to the House his criticism of a Select Committee to supervise the security services, he offered three objectives. They were effectively preserving a necessary secrecy, increasing confidence in the service that it might provide, and avoiding the risk of

"blunting or diminishing the personal and clear responsibilities of the Prime Minister and the Home Secretary to this House."—[*Official Report*, 3 December 1986; Vol. 106, c. 948.]

I am prepared to measure our own proposals against the Home Secretary's own criteria. New clause 5 will require the Select Committee

"to have access to any information under the control of the Service, the Secretary of State or of the Commissioner that relates to the performance of the duties and functions of the Committee."

That is a wide definition of what may be demanded by the Select Committee. However, without that wide definition, the Committee as we envisage it could not carry out the work that we wish to impose on it. I reject the implication—and I hope that the Home Secretary will also reject it—that we cannot construct a Select Committee of the House that will behave with proper discretion and have proper concern for the national interest.

Many of us hoped that the idea that intelligence information cannot be read by anyone outside the intelligence community was dispelled for ever by the procedures adopted by Lord Franks' inquiry into the Falklands war. The Prime Minister told the House that that committee was provided with all the papers relevant to its terms of reference, including a comprehensive—not selected, doctored or amended—collection of reports from the intelligence agencies. Those reports were not leaked, and I see no reason why a Committee of the House should not behave in the same responsible way.

In addition, the Select Committee system provides a precedent of a sort. When the Select Committee on Defence was set up, there was much foreboding about its ability to retain the secrecy of sensitive documents; in fact, all Select Committees have proved more leak-free than Government Departments. The Home Secretary said that many of our allies who had a proper and vested interest in the retention of secret information might be apprehensive about the results of parliamentary oversight.

I suggest that if the amendment and new clause are passed the Foreign Secretary should reassure our allies with two arguments about the new procedure. First, on the evidence, Select Committees are considerably more secure than a Department of state. Secondly, parallel systems allowing members of legislatures to investigate security matters and to maintain overall supervision of security services operate successfully in other democracies without any leakage of essential information. I hope that I am not making a populist point when I say that I retain the hope and belief that the honesty, integrity and patriotism of the House are no less than the honesty, integrity and patriotism of the Senate and Congress of the United States. If they can manage such a system without essential information being leaked, I have no doubt that we can do the same.

The Home Secretary's second criterion concerned whether a proposal for a Select Committee would increase or reduce confidence in the system—not confidence in terms of maintaining the secrecy of sensitive information, but confidence in terms of the efficiency and general obedience to the law within which the Security Service is operated.

I find it difficult to believe that both Parliament and the nation would not be reassured by the introduction of a Select Committee system. The Home Secretary knows, although it may not be possible for him to admit it, that confidence in the Security Service has diminished enormously in the recent past. That may or may not be justified, and today may not be the occasion on which to argue about the justification, but there is no doubt that it is the case, and that the lack of confidence has been intensified by two steps taken by the Government over the past few months. First, there is the provision in the Official Secrets Bill that gives absolute protection to the work of the security services without any public interest justification. On the Second Reading of that Bill, the Home Secretary conceded to me that under clause 4(3)(a) it was an indictable offence to reveal any information concerning the work of the security services—whether that work was carried on legally or illegally, was justified or unjustified, or was carried on under proper warrant or

[Mr. Hattersley]

without stipulated authority. Inevitably, that increases uncertainty and doubt about the work of the service. Indeed, the Home Secretary conceded willingly and openly that were I to be told by a member of the security services that my property had been burgled or my telephone bugged I would be committing an indictable offence, punishable by imprisonment, if I revealed that to the public at large.

Mr. Ray Whitney (Wycombe): The right hon. Gentleman said that he would not seek to set out his case for maintaining that trust and confidence in the security services had recently been eroded. I suggest that he reconsider, because such a case as he puts forward must be the whole basis and justification for changing the status quo.

I suggest that any case that the right hon. Gentleman might assemble could offer only one security problem in the last 10 years or so, and that the cases to which he has referred obliquely in his speech have been 15, 20 and 30 years old. Many of them have already been exploded by such people as his former right hon. Friend Lord Callaghan. I refer, of course, to the allegations made by Mr. Wright in his book.

Mr. Hattersley: I am tempted to pursue the case, not least because since our previous debate I have had some interesting correspondence with Mr. Anthony Cavendish —initiated by him—in which he refuted some of the points made about him by Conservative Members. He sent me copies of letters with the names discreetly and honourably blanked out, which he said had been sent to him by the more pompous members of the Conservative party. I would have looked forward to seeing which Conservative Members confessed to being the correspondents in question.

It seems to me that the best way in which to proceed is by way of the argument about civil liberties and the principle of accountability. Were it not for the disquiet felt outside—justified in my view and unjustified in that of the hon. Member for Wycombe (Mr. Whitney), but irrefutably present, whether justified or not—many of us would think that, as a matter of principle, an organisation as powerful and potentially dangerous as the Security Service ought to be subject to some supervision. That principle ought to apply whether the record is exemplary or deplorable.

Mr. Andrew F. Bennett (Denton and Reddish): Surely the very fact that the Government have decided to bring forward legislation is a sign that even they realise that everything is not satisfactory in the view of the general public. The real test is whether they bring forward a measure that is sufficient to allay that fear or one that simply enhances it. As the Bill stands, it will enhance rather than allay the fear, and the Government will therefore fail in their purpose.

Mr. Hattersley: My hon. Friend tempts me to move away from my most ecumenical mood. I am doing my best to put the case reasonably, not least in the hope that it will embolden some of the frailer spirits on the Conservative Benches, who have expressed arguments not dissimilar to those that I am advancing, to come into the Lobby with us. The Home Secretary—who knows his troops far better than I could ever know them—shakes his head to imply that, no matter how mollifying my comments are, in the end nerves will be lost and votes will not be cast. But I shall continue to pursue my argument with what passes with me for reason in the hope that we shall carry with us a few hon. Gentlemen—and perhaps even one or two hon. Ladies—when we vote.

I was saying—perhaps not in a total spirit of compromise—that clause 4(3)(a) of the Official Secrets Bill had done a great deal to undermine what ought to be proper confidence in the service, because the Home Secretary had said that, even when the operation of the service was unlawful, illegal, improper or carried out without warrant, it would still be an offence to reveal it to the public.

The Secretary of State for the Home Department (Mr. Douglas Hurd): The right hon. Gentleman has got it wrong.

Mr. Hattersley: The Home Secretary says that I have got it wrong. I will read the passage from *Hansard* if he wishes, but let me put the case to him again. According to my reading of the Bill, if I am told by a member of the security services that my telephone is being tapped it is an offence for me to reveal it. Is that so, or is it not so?

Mr. Hurd: That is correct, but it is not what the right hon. Gentleman said three minutes ago.

Mr. Hattersley: As someone once said, that is all ye know and all ye need to know. If it is an offence for me to reveal that my telephone is being tapped—admittedly only when I am told so by a member of the security services —that seems to me to give the services an aura of mystery and secrecy that is wholly improper in a free society.

The position goes further than that. My hon. Friend the Member for Denton and Reddish (Mr. Bennett) has asked me to consider the motives behind the Bill, which are open to a number of interpretations. There are those who think that the security services themselves want it as a justification to stop my hon. Friends and me pressing for something more realistic, and those who think that the Prime Minister wants it to introduce the law of lifetime confidentiality, which she claimed was legal before the Bill, but which certainly was not. One aspect of the Bill that undermines any claim that it can protect the citizen is the clause that makes it absolutely clear that investigation by a tribunal and commissioner is not subject to appeal or liable to question in court. The entire operation of the appeal system, the entire operation of complaints against illegal or unlawful activity and the entire operation of propriety are kept within the magic circle of the Security Service and the establishment.

If the Security Service is to be properly placed under democratic surveillance it is essential that a system should be introduced and accepted that breaks out of that coterie and allows someone outside the realm of prime ministerial nominees to make judgments about wrongdoings, mistakes and inefficiency.

4.30 pm

The Home Secretary's third criterion on whether it would be acceptable to appoint a Select Committee makes sense only if the Home Secretary meant it to be ironic. He said that to introduce a Select Committee would blunt what he described as the clear ministerial responsibility of the Home Secretary and the Prime Minister. That clear

ministerial responsibility is at present discharged by their refusing to answer any questions about the Security Service. The Prime Minister was explicit when she said, during the debate on the Loyal Address, that if the Bill became law, the usual rule would still apply. Anyone looking into the past to see what the usual rule is would have no doubt that that would result in no information being provided to the House. The Home Secretary and the Prime Minister invariably answer that Ministers do not comment on such matters. They are not alone in that. Almost all of us who have served in Ministries involved with foreign affairs or in the Home Office or the Ministry of Defence have answered similar questions in similar ways.

As the system is now organised, there is no question of ministerial responsibility having any real meaning and practical effect. It cannot have a practical effect if hon. Members are able to ask questions about the security services publicly and openly in the House only when they are likely to be reported throughout the world. To make practical sense of ministerial responsibility, we need a system under which the Home Secretary and Prime Minister are requuired to give evidence, if necessary in secret, to a Select Committee to justify the way in which they have discharged their duties in relation to the Security Service.

I, and supporters of the amendment and new clause, argue that they give force to the concept of ministerial responsibility for a secret service, which cannot be discharged through the normal process of the House.

The ability of the proposed Committee to take evidence is, like its power to produce a report, essential to its work. That work is the general supervision of the security services. The Committee could not, and would not, become involved in the Security Service's day-to-day operation. We constructed the new clause in such a way that, in every particular, the Committee would operate through the institutions established in the Bill to demonstrate and provide a safeguard that it would not become involved in the day-to-day operation of the Security Service. That method of operating through the commissioner and Secretary of State would provide both a safeguard against interference in the Security Service's day-to-day work and a proper check on the activities of the commission and the Home Secretary.

By any standards, the amendment and new clause are reasonable propositions which intend not only to improve the work of the Security Service, but to improve it according to the requirements of a free society. The real divide between the Government and the Opposition is whether security can be effectively organised outside the bounds of a comfortable little coterie of like-minded people. Nobody, certainly no Opposition Members, disputes the need for a service or for that service to operate generally in secrecy. The issue is whether the requirements of secrecy oblige that service to reject the normal obligations of democracy and efficiency.

Mr. Eric S. Heffer (Liverpool, Walton): Will my right hon. Friend give way?

Mr. Hattersley: I am about to finish. I am sure that my hon. Friend will welcome that, so that he can make his speech.

Efficiency and democracy would be extended by the introduction of a supervisory committee and that is why we support our new clause and amendments.

Mr. Richard Shepherd (Aldridge-Brownhills): I should like to move amendments Nos. 45, 48 and 54, new clause 2, amendment (a), new clause 3 and amendments Nos. 61 and 63.

The Chairman of Ways and Means: Order. It is not appropriate to move the amendments at this stage. We are discussing them together with amendment No. 73.

Mr. Shepherd: The group of amendments in my name and that of other hon. Members——

Mr. Heffer: On a point of order, Mr. Walker. Does that mean that we will be unable to vote on those amendments and that we can vote only on amendment No. 73? Will there be one vote on all the amendments taken together?

The Chairman of Ways and Means: It does not necessarily mean that. We usually follow the convention of voting on the lead amendment. The Chair will have to take into account a number of factors when deciding whether voting will be limited to that amendment.

Mr. Shepherd: The amendments in my name form distinct threads of oversight, reviews and the definition of the purpose of a security service in a modern society. Much of the information, and the wording of the amendments, is derived from the Canadian Security and Intelligence Bill and relies for its intellectual base on the mammoth works carried out by Mr. Justice McDonald in his seminal work on the subject entitled, "Freedom and Security under the Law".

The first group of amendments in my name relates to one of the threads running through the McDonald commission's report. I take it as given that we accept the need for the Security Service and that it is vital to the preservation of our democratic institutions and that element of our national life. In the management and control of a security service, three themes should inform us. First, there should be responsible government with accountable Ministers who know what the service is doing; secondly, the rule of law should prevail in all circumstances; and, thirdly, we should recognise the freedom of legitimate or political dissent. It is in that context that my amendments are framed.

Amendments Nos. 45, 48 and 54 suggest that the responsible Minister should be the Solicitor-General. That is not an attack on my right hon. Friend the Home Secretary. I simply wish to raise the question of the need for a responsible and accountable Minister with the time necessary to carry out oversight and to set out the parameters within which the Security Service works. In that context, Mr. Justice McDonald said that responsible government means that

"responsible Ministers can know about all the practices and policies of security service and about any of their operations which raise policy or legal issues. The security system must be an open book to responsible Ministers and to the Prime Minister. No pages in that book should be sealed because security officials think they contain information too sensitive for Ministers' or Prime Ministers' eyes or ears. Responsible Ministers cannot be expected to know everything that a security agency does, but they can and must be expected to know the policies governing the operations of the security agency and to establish procedures for ensuring that operations raising difficult policy issues are brought to their attention."

[Mr. Shepherd]

In Australia, New Zealand and Canada the responsible Minister is the Solicitor-General. Delicate areas affecting the defence of our liberal democracy require an absolute knowledge of what the service is doing at any given time.

I am fascinated by the fact that we receive cards from my right hon. Friend the Home Secretary and his Department when they acknowledge receipt of a constituent's letter that we may have sent. The back of the card lists the responsibilities of the Home Office which include police, criminal law and penal policy, magistrates courts, probation and prisons; fire service, civil defence; immigration, nationality and passports, community relations and equal opportunities, broadcasting, obscenity, data protection, royal matters, electoral law and liaison with the Channel Islands and the Isle of Man, drugs, gambling, liquor licensing and animal welfare. That is a formidable array of duties and responsibilities. In addition, we have only to look at the legislative programme confronting the House to see how much work will have to be done.

With this Bill, the Official Secrets Bill, the first four private Members' Bills and the Prevention of Terrorism (Temporary Provisions) Bill in Committee, the duties and responsibilities of my right hon. Friend the Home Secretary are onerous and, with day-to-day political exigencies, consume much of his attention. That is why, in our amendments, we have suggested that the Solicitor-General should be the Minister to whom the security services report, and who should be responsible for monitoring them. That suggestion is not intended to be divisive. The problem is one of time, and the Minister responsible for the security services should be able to follow the task through.

New clause 2 proposes the setting up of an independent oversight review committee. The reasons behind each of our amendments hang together. New clause 2 sets out the form that such an independent oversight committee should take, which is the form that was adopted in Canada. In Canada, the Prime Minister and the leaders of the political parties nominate members to a review committee, which has wide powers. In Canada, leaders of parties with 12 or more Members of Parliament are involved, but one must realise that the Canadian Parliament has only 278 members. We have suggested for this country, on the ground of proportionality, that the leaders concerned should lead parties with more than 30 Members of Parliament, but we are not attached to a specific number.

When considering the security services, we seek to ensure that they enjoy the confidence of the spectrum of political parties in the efficacy of their policies to carry out their objectives. I shall not go through our proposals in detail because they are set out on the Amendment Paper and are explained fairly fully. However, our amendments propose that there should be two forms of oversight. First, there should be ministerial oversight through the use of a commissioner or, as we suggest, an inspector general, with a constant review of the services. Independent of that, there should be an additional review committee formed of outside members.

New clause 3 sets out the complaints procedure. It would enable the commissioner or the independent review committee to have the power to consider any complaint coming both from within the service—fulfilling some of the duties and responsibilities carried out by Sir Philip Woodfield—or from without. The difficulty of bringing such matters under the rule of law is that most of us do not know whether we are being investigated or whether our premises are being entered. We must, therefore, establish a system under which the facts can be studied and yet reassurance can be given within the circle of secrecy, as my right hon. Friend the Home Secretary describes it. Our proposals do not seek to breach that.

New clause 2 suggests that the oversight committee should be independent of the House, but that need not be so and the matter is open to question. The Canadians have appointed commissioners from outside who are made Privy Councillors to bring them inside the circle of secrecy but, as my right hon. Friend said rightly on Second Reading, the Canadian system is due to be reviewed next year. Some commissioners feel that their task could be carried out within Parliament, whereas some do not take that view, as my hon. Friend the Member for Wycombe (Mr. Whitney) will recall from our own discussions with the commissioners.

Amendments Nos. 61 and 63 involve a change of words, but their principle is, again, to identify the functions—which come up for discussion later—of the commissioner, or the inspector general, as we call him. He is the watchdog on behalf of the Minister through which he can assure himself that warrants are properly issued and that the structures and procedures that are followed by the security services conform with their remit and with the political direction given to them by the Prime Minister or the Cabinet.

The amendments seek to set the scene for a system that will hang together through its ingredient elements. We believe that they would enforce ministerial accountability to the House by the institution of independent review procedures and a proper complaints procedure from which nothing was hidden. The amendments also seek to set out the functions and the role of the inspector general as the watchdog to ensure that as the responsible Minister cannot, as was pointed out by the McDonald commission, know every detail about what is happening, the security services conform to their principal objectives.

4.45 pm

The principal objective of the security services is to defend our liberal democracy, but there is a fine and narrow area separating that objective from a threat posed by the intrusiveness of the actions of the Security Service. We must assert, through the House, that the rule of law should prevail. As Sir John Donaldson said, it is difficult for the courts to do that because they are confronted by a service that is outside the law. That is why the House must support the Government and congratulate them on bringing forward a legislative procedure to cover the security services. Our amendments seek to ensure that it is set up in such a way that we are reassured that the rule of law prevails. We give powers to the security services to carry out burglaries, for example, so we are making burglary legal. We must, therefore, be sure when we do that such power is not used in an offensive and intrusive way against loyal subjects, or in such a way as to intimidate people and to affect our freedom of discussion. Through the amendments, we seek to assure ourselves that

the Security Service is reinforced in its primary goal of defending our liberal democracy, freedom of speech and freedom of dissent.

Mr. Robert Maclennan (Caithness and Sutherland): On behalf of my party, I rise to support the amendments about which the hon. Member for Aldridge-Brownhills (Mr. Shepherd) spoke. I shall seek first the common ground between those who are dissatisfied with the provisions for oversight and for the operation of the security services within the Bill. There is common ground that oversight is necessary—perhaps even the Home Secretary would agree with that—and that public confidence in the Security Service has, to some extent, been eroded by the lack of such oversight and the exiguous nature of the parliamentary accountability that he and the Prime Minister have for the conduct of the Security Service.

When moving the Opposition amendment, the right hon. Member for Birmingham, Sparkbrook (Mr. Hattersley) described the other amendments in the group as a halfway house. That comment shows a misunderstanding of the nature of parliamentary accountability and of the extent to which it is possible for a parliamentary Committee to act wholly independently of Government.

The right hon. Member for Sparkbrook referred to the experience of the United States Senate and Congress and their approach to the supervision and independent scrutiny of the security services, but he failed to recognise that the Congressional committees do not owe their membership to the nomination of the Executive. They are genuinely independent and their basis is quite different from that of Committees of this House, which are inclined, inevitably, to adopt an adversarial approach to the Government of the day. For that reason, they are not entirely suitable for the supervision of the Security Service. The right hon. Gentleman spoke favourably about the work of the Franks committee on the Falklands. That committee demonstrated how independent oversight, even of the most sensitive matters involving the security of the nation, could be conducted by a body that commands the support of the House of Commons and that was regarded as authoritative.

Mr. Donald Anderson (Swansea, East): On what basis does the hon. Gentleman have less confidence in his own colleagues in this House than, for example, American legislators have in their colleagues in Congress? What is the difference between a British Member of Parliament and a United States Congressman that prevents a parliamentary solution?

Mr. Maclennan: The hon. Gentleman has been a Member of this House, with some interruptions, for as long as I. He knows that members of parliamentary Select Committees are appointed by the Whips and that in some cases they are the home of those whose participation is designed to test their suitability for promotion and that in other cases they are designed to buy off awkward customers.

Mr. Anderson: They need not be.

Mr. Maclennan: That is true, but the hon. Gentleman is enough of a political realist to know that Select Committees of the House of Commons properly are involved in controversy and that properly they sometimes adopt partisan positions and oppose the views of the Government of the day. Ultimately, however, their membership is dependent on that Government of the day. The profound difference between Select Committees and Congressional committees is that Congressional committees are not appointed by the President, the Executive or the American equivalent of the Home Secretary.

The attractiveness of the proposition that we should look to the Canadian rather than to the American model is that constitutionally our countries are much more similar. A committee of Privy Councillors would ensure the degree of independent judgment and weight that is necessary to give confidence that the oversight of the security services is in responsible hands and that the committee will be prepared to voice uncertainty, disquiet or criticism, even though it has been appointed by senior members of the political parties, including the Government and the leaders of the Opposition parties. The Canadian system is quite young, but it is soundly based and we would be wise to follow that pattern.

The right hon. Member for Sparkbrook was unrealistic to advocate that a Committee of this House should conduct the scrutiny. I do not believe that such a concession would ever be made by a Labour Government. It is highly unlikely that such a concession would have commended itself to the right hon. Gentleman when he was in office. The route that the right hon. Gentleman has recommended would make it less likely rather than more likely that there would be any form of independent outside scrutiny in which the House of Commons could have confidence.

The recommended policy of scrutiny and oversight in new clause 2 goes a great deal further than that set out by the Government. I draw the Home Secretary's attention to the advantages of the review committee having the wide functions that are set out in subsection (5)(a) of new clause 2. Apart from dealing with specific matters, such as the issue of warrants or the handling of complaints, which is provided for to some extent in the Bill, the budget and the annual total expenditure of the Security Service would be reviewed. That is not provided for by the Government, despite the fact that we are told that the Security Service now costs about £100 million per annum. Financial control is exercised only by the issue of a certificate by the Comptroller and Auditor General, on the say-so of a Minister that the money has been spent.

The proposals for review by a committee of Privy Councillors are well worked out and should command confidence. I profoundly hope that the Minister will say that he is prepared to accept them. I hope also that it will be possible to vote separately on the amendments.

Mr. Jonathan Aitken (Thanet, South): We are discussing a varied group of amendments. Their diversity means that it is open to the Home Secretary to divide and rule by seeking to make the point that there are differences of opinion among those who have tabled amendments. He will no doubt employ that tactic, but very much more unites us than divides us when it comes to the question of the type of oversight that we believe ought to be provided. It is natural that there should be some difference of emphasis as to the right form of oversight for the security services.

My right hon. Friend the Home Secretary will probably stick to his traditional guns and say that no oversight is necessary beyond the ministerial oversight that is provided by him and the Prime Minister. That view needs to be

[Mr. Jonathan Aitken]

challenged hard. Britain is now the only democracy in the English-speaking world that has no form of independent oversight of its security services. Today we are advancing arguments that one day are bound to triumph. In the light of experience, it is unacceptable for the Home Secretary of the day to continue to demand that he and he alone, with the assistance of the Prime Minister, should monitor and supervise our security services.

The fact that we need some form of parliamentry oversight is arguable: whether it is parliamentary or political oversight, or the kind of oversight that is set out in the amendments tabled by my hon. Friend the Member for Aldridge-Brownhills (Mr. Shepherd), or the kind of oversight that is set out in my new clause 8, which focuses on the much narrower point of improving the management and efficiency of the Security Service by means of a security commission. One could argue that all these views fall within the criteria of the Secretary of State's three points that he says must be accepted before we can deal with any form of oversight of the Security Service.

What do we mean by parliamentary oversight, as expressed by the right hon. Member for Birmingham, Sparkbrook (Mr. Hattersley)? He has put forward the idea of a Select Committee. He makes a valid point from which none of us as parliamentarians can shrink without a sense of shame—that it is almost inconceivable that Parliament could not produce a committee of discreet, silent, patriotic and responsible Members to exercise such a function. Of course, if we pick the right men and women, we can have a completely suitable committee.

In the United States Senate and House, they have had parliamentary oversight, as we would call it, for some years now. It is true that there have been some unfortunate leaks from those committees, but often from staffers rather than Senators or Congressmen. It has happened, and we must concede that that has made some dent in the argument in favour of parliamentary oversight. However, the committees have done enormous good and they have been extremely effective at times.

I should like to give a not unamusing example of the effectiveness of parliamentary oversight as exercised by the US Senate. I shall quote a small passage from Mr. Bob Woodward's riveting work, "Veil". Page 265 of the book deals with the attempt of Director Casey of the Central Intelligence Agency to organise a coup in the small country of Suriname, a former Dutch colony. He was unable to appear before the Senate Intelligence Committee himself, so he sent his Deputy Director, Mr. McMahon. Mr. Woodward writes:

"McMahon briefed the matter to the Senate Intelligence Committee. He was met by a chorus of 'You've got to be kidding.' Why several senators asked, is the Reagan Administration considering a coup in a country that has no significance? The Suriname people were primitive and gentle, much like Tahitians in the South Pacific. The population was about 350,000. That's the size of Tucson, Arizona. Goldwater, particularly, was incensed, declaring, 'That's the dumbest . . . idea I ever heard of in my life.' . . .

It wasn't enough. After the briefing, the committee agreed to send a letter to protest to President Reagan, telling him of its opposition to covert action in Suriname.

Goldwater sent a personal message to Reagan saying, in effect, 'Do you really need this?' . . .

The plan was dropped, but McMahon was shaken up on the play. He rededicated himself to keeping the CIA out of comic-book operations."

I quote that passage as it is an illustration from the other side of the Atlantic of how a forceful parliamentary committee can keep the intelligence services out of what Mr. Woodward calls "comic-book operations". Comic-book operations have been undertaken by our security services, and not in the very distant past. The entire, extraordinary extravaganza of allegations concerning the former Prime Minister, Lord Wilson of Rievaulx, are part of those comic-book operations, although they were not so comic for people at the receiving end, or those in the Government involved.

The notion that there is good oversight of the security services even now is belied by an interesting letter which gives the game away about the total inadequacy, until extremely recently, of oversight by Ministers.

5 pm

My hon. Friend the Member for Wycombe (Mr. Whitney) tried to suggest that there has been only one little slip up in the past few years and that oversight is working well. Sir Robert Armstrong sent this letter, which is addressed to Mr. Day, a former Security Service official, and dated 29 January 1986. The point of the correspondence was that Mr. Day wished to send a memorandum on the need for improved oversight to various Members of Parliament and the Home Secretary. Sir Robert Armstrong was trying to persuade him not to send one, not because there was anything confidential in it but because the notion of oversight was somehow not welcome to Sir Robert Armstrong, then the Cabinet Secretary. The vital part of the letter reads:

"And you would be taking this action at a time when more is being done to improve both the management of the service and the degree of awareness that some of us outside have of it than for many years past."

In other words, Sir Robert Armstrong was saying that even people as close as the Cabinet Secretary have for many years past had no awareness, or no adequate awareness, of what is going on in the security services.

The notion of ministerial or Cabinet Secretary oversight is therefore not a doctrine which can be sustained on the language of the letter signed as recently as 1986 by the Cabinet Secretary. We must try to move onwards from this stubborn, "They shall not pass" defence of Ministers who maintain that ministerial oversight works magnificently.

Mr. Whitney: Is not my hon. Friend trying to have it both ways? I recall some time ago his paying tribute to what appeared, as far as we on the outside could see, to be a good shake-up in the security services conducted by Sir Antony Duff. We now have Sir Robert Armstrong referring to other improvements. Is that not to be welcomed? Are we not wrong to say, "My goodness, that shows how bad things are."?

Yet again, my hon. Friend has dragged out the dreadful Mr. Wright. We should be clear that, immediately after the allegations about Lord Wilson surfaced, Lord Callaghan scotched them and said that there was nothing in them.

Mr. Winnick: No, he did not.

Mr. Whitney: With hindsight, when the Wright allegations were published, he said, I think rather meaningfully, that when it came to choosing between the official version and the Wright version, he had no doubt about which to believe.

Mr. Merlyn Rees (Morley and Leeds, South): Will the hon. Gentleman give way?

Mr. Aitken: Of course.

Mr. Rees: I do not know where to begin. I was involved in the inquiry. Later, when still an hon. Member of this House, Lord Callaghan said that the later revelations were not involved in the inquiry.

Mr. Whitney: No. That is wrong.

Mr. Rees: It is no use denying it—the hon. Member does not know because he was never in MI5.

Mr. Winnick: He was in MI6, though.

Mr. Rees: I do not know about that. The inquiry did not include those revelations. That is why Lord Callaghan asked for a further inquiry.

Mr. Aitken *rose*——

Mr. Whitney *rose*——

Mr. Aitken: I give way to my hon. Friend.

Mr. Whitney: My hon. Friend is most kind. When referring to the Wright disclosures, Lord Callaghan also said that, given a choice between the Wright version and the official one, he was in no doubt about which to accept.

Mr. Aitken: I seem to have stirred up a not insubstantial hornets nest. My argument was not based entirely on Mr. Peter Wright. Nevertheless, although he is not a completely accurate witness, he has left enough unanswered questions which what my hon. Friend the Member for Wycombe (Mr. Whitney) calls Lord Callaghan's scotching has not entirely destroyed or diminished.

We are arguing about various possible kinds of oversight. We could no doubt have lengthy debates on each of the amendments. There is some merit in the notion of my hon. Friend the Member for Aldridge-Brownhills that the security services should report to a less busy Minister than the Home Secretary, but I do not think that that is entirely practical in the long term because the buck has ultimately to stop on someone's desk, and I think that the Home Secretary's is the right desk on which it should stop.

The Home Secretary's position, however, unassisted by any kind of committee, and behind the barrier of secrecy in the House or anywhere else is not, I think, sustainable in the long run. Perhaps the greatest breakthrough in oversight that we have yet witnessed was in regard to the Bettaney case. An horrific series of blunders were revealed. Why was there any shake-up in the Security Service? Why were there improvements in personnel? I shall return to the subject when we discuss new clause 8, but they came about only because there was a degree of oversight, otherwise they would never have shown up on the radar screen.

The Bettaney case illustrates only too clearly that a busy Home Secretary simply could not do his job properly, not because the Home Secretary was wrong but because the system that he was asked to operate was wrong. It is not that I do not trust my right hon. Friends the Home Secretary or the Prime Minister; I do not trust the system that they are trying to operate without any monitoring assistance from people such as a Canadian inspector general or a dedicated body of senior Members of Parliament.

We cannot for much longer continue defending the position that no change whatsoever is necessary. The present system does not work and some form of oversight is needed. The amendments attempt to introduce such a change and I am willing to support any proposal that makes sense.

Mr. Rees: I seek to intervene simply because I am a member of a Select Committee. I shall have to leave soon and it is discourteous to speak only for a moment. I shall make one point which I would have developed at length.

I do not know whether the amendments or the new clauses are the right way forward. However, I am concerned that security and the information available to various Home Secretaries is treated as if it were a party political matter. For example, the documents are provided by the Foreign Office to various Governments, but as soon as a new Government come into office, the documents are filed away and new documents with new references are provided for the incoming Foreign Secretary. They contain very much the same information but are produced on the ground that no information that was provided to the previous Government should be given to the new Government. Lord Carrington told the Select Committee that officials came to him and said, "We have never told you this before, sir, but in the previous Government in 1978"—in which the right hon. Member for Plymouth, Devonport (Dr. Owen) was involved—"the Prime Minister and Foreign Secretary of the day took a certain action that was reported to the defence and overseas policy committee, but you must not tell the new Government that it happened." That was done on the basis that political information is not provided to a new Administration.

One of the problems for a Home Secretary or a Foreign Secretary is that information available about problems in MI5 and MI6 is not communicated to new Ministers. Therefore, when it came to appointing a new head of MI5, in which the Home Secretary and the Prime Minister play a part, we were not informed, but we now discover that in 1972 there was great concern in the Home Office about what was going on in MI5. The new Home Secretary was not told.

Whatever new system we have, it should straddle Governments, and information should be available on a long-term basis. That is extremely important because security is not a party political matter. It is of the greatest importance and should not be treated in that way. Therefore, at the very least, if the Government will not agree to some of the proposals that have been suggested, I hope that in future, when one Home Secretary succeeds another, there will be discussions between the two. There are not a large number of officials involved. One could almost say that only one is involved. What is going on is generally kept away from the Home Office and only the Home Secretary and one official are involved. It is not a party political issue. At the moment the system is fragmented and, therefore, mistakes are made.

Mr. Tony Banks (Newham, North-West): I am grateful to my right hon. Friend for giving way——

The Chairman: Order. The right hon. Gentleman said that his speech was an intervention. Now it seems that the hon. Gentleman is seeking to make an intervention on an intervention.

5.15 pm

Mr. Heffer: I find myself in some difficulty because I do not agree completely with the idea of a Select Committee or with the idea of Privy Councillors. I should like there to be a vote in the House to elect people to a review body. Who appoints the members of a Select Committee?

Mr. Richard Shepherd: It is both sides.

Mr. Heffer: The hon. Gentleman says that it is both sides, but the Whips on both sides appoint hon. Members to Select Committees. In 24 years I have been selected once to serve on a Select Committee. That indicates that I have never been particularly popular with certain people. Such a system is not good enough.

I believe that a genuine representative committee of Members should examine the security services. The hon. Member for Thanet, South (Mr. Aitken) spoke about comic-book operations. I should like to go back still further. I read an absolutely fascinating book entitled, "One Girl's War", in which the author described how during the early part of the war she and a gentleman went around burgling people's houses. One of the people they burgled was R. Palme Dutt, who was then a member of the Communist party. They thought that the innermost secrets of the Communist party at the time were hidden under his bed.

Mr. Tony Banks: He kept them in his chamber pot.

Mr. Heffer: They were not in his chamber pot.

They went to his house and looked under his bed where they found a box which they thought contained all his innermost secrets. They got it out and inside they discovered his marriage lines. There cannot be anything more comic-book than that. That was a great discovery by MI5 at the time. One could go on about comic-book operations.

I have often said that I am sure that my telephone is bugged. I have always thought that it was bugged. If it is not bugged, why is it that, every night at about 8.30 pm, my telephone rings once and does not ring again?

Mr. Rupert Allason (Torbay): In my experience, one's telephone service actually improves when there is a warrant on the line. The advantage is that a telephone engineer comes to fix the telephone before one has even reported it broken.

Mr. Heffer: I did not say that my telephone service did not improve. However, I believe that my telephone has been bugged for a long time. Every night at about 8.30 pm my phone rings once, so my wife or I get up to answer it. I believe that it happens when one agent replaces another agent. What else can it be? It happens at exactly the same time every night. If our conversations are monitored, that is most remarkable because my wife's conversations with her mother must be very revealing, as must my conversations with my mother-in-law.

I am sorry that we do not have a third course before us. That is my fault and that of my hon. Friends for not tabling one. I shall vote either for the Select Committee, which is an advance on the present system, or for the idea of a review committee composed mainly of Privy Councillors. However, I am not keen on Privy Councillors; they have more rights in this place than they are entitled to have——

Mr. Richard Shepherd: Perhaps I did not explain my admendment very well. The Privy Councillors who will be appointed will be ordinary people from outside the House —following the Canadian experience—who, when they have been found acceptable to the Government, will be brought within the circle of secrecy. Such people might include a distinguished lawyer or the chairman of the National Council for Civil Liberties. If they were considered acceptable within the circle of confidence, they would be made Privy Councillors. So they would not necessarily be Members of Parliament.

Mr. Heffer: I support the hon. Gentleman's view up to a point, but whether they come from inside or outside the House, I am not particularly enamoured of Privy Councillors. Once they get to that position they have certain rights and privileges beyond those possessed by the hon. Member for Aldridge-Brownhills (Mr. Shepherd) and myself. They become tied into something that is not necessarily right.

Perhaps we should include a few trade unionists, or even members of my constituency party. That would be interesting. If it came down to it, I would vote for the Select Committee option, which is better than the proposal of the hon. Member for Aldridge-Brownhills.

Mr. Norman Buchan (Paisley, South): Why not include some ex-members of the Communist party, since they know how the system works?

Mr. Tony Banks: Such as my right hon. Friend the Member for Leeds, East (Mr. Healey).

Mr. Heffer: There are more ex-members of the Communist party than members. There are probably more ex-members of that party than members of any political party in the world.

I shall go along with the idea proposed by my hon. Friend the Member for Walsall, North (Mr. Winnick) about a Select Committee. We must have some form of control over the security services. No one can be happy about what they have done in the past. It is astonishing to read about what happened in the time of the Labour Government and Prime Minister Lord Wilson—I forget his exact title in the House of Lords, which does not matter, as I am never likely to get there myself——

Mr. Winnick: Why not?

Mr. Heffer: Because I do not intend to go there; I do not believe in it.

As I said, we need control. New clause 2 specifies the need for

"review of the budget and annual total expenditure of the Service".

That is vital. Who knows what the budget is now? What is the money used for?

I was a Minister in a Labour Government. I have never forgotten the interesting experience I had when someone from the security services gave me and my colleagues a lecture about how careful we had to be not to be influenced by East European countries. I said that I did not disagree, but asked whether that applied equally to the Americans. There was dead silence. Why should not such an injunction apply as much to the Americans as to the Russians?

Mr. Maclennan: Has the hon. Gentleman read the account by the late Mr. William Clark, vice-president of

the World Bank and formerly Anthony Eden's private secretary, detailing the similar advice that he was given when being cleared with the security services? It was provided by the late Mr. Donald Maclean.

Mr. Heffer: That underlines my point. For a long time I have believed that there should be an international meeting of the world's spies at which they should hand over their information to each other. That would save a lot of problems and expense.

Why should we get involved in this sort of nonsense? Why should not the Americans be involved in industrial espionage? Why should they not be interested in what is going on in the Department of Trade and Industry? Why should we be as close friends of the Americans as we are distant enemies of the Soviet Union? The quicker we examine these issues and institute an annual report to the House so that we can know what the security services are doing—and who they consider our enemies—the better.

Who are the subversives whom the services will scrutinise? The likes of me? I remember working as a joiner in the Liverpool office of the special branch. One of the special branch officers told me that the special branch had my record. And what was my record? I had been chairman of the Liverpool trades council, and a senior shop steward in Cammell Laird's shipyard and on big industrial sites. I had been blacklisted by the Economic League. What sort of record was that? I was an ordinary working fellow who left the forces in 1945 and went to work at my trade as a carpenter and joiner and I was examined by the special branch because I happened to be a Left-wing member of the Labour party.

Who are the enemies? I agree with the proposals for a review body or Select Committee because we need to know whom the security services are looking at, and why. Are we really concerned about the undermining of our national security or about people inside the country who may be dissidents? I once had an argument about Solidarity in the Polish embassy with the Polish ambassador. He told me that, by going on strike, Solidarity members were undermining the economy of the country. I said that that sounded like Mrs. Thatcher's way of talking. Solidarity members were regarded as the enemy within and no doubt were being watched by the Polish security services.

My hon. Friends are right to put forward their amendment, because we must get this whole issue into perspective——

Mr. Kenneth Hind (Lancashire, West): Does the hon. Gentleman agree that the members of Solidarity did not have a commission or tribunal to look into their complaints and determine whether they were justified in complaining about breaches of civil liberties? They had no such body to decide whether an investigation was necessary. None of those safeguards is built into that sort of situation, but they are clearly built into the Bill, irrespective of the amendment that the hon. Gentleman supports.

5.30 pm

Mr. Heffer: The Poles have what they probably call the Minister of the Interior, but we call such a Minister the Secretary of State. The Secretary of State and the Minister of the Interior in Poland have exactly the same role and decide matters on behalf of their respective Governments. That is not good enough, because it is not democratic. Why should we say that because the Poles do not have something we should not have it either?

If we must have a Secretary of State we should have a Select Committee or a security review body that would have some control or influence over the Minister of the Interior—in this case the Secretary of State. That is what it is all about. If Conservative Members do not understand that, they have never really understood the ABC of democratic rights, because that is what democratic rights are all about. As a Member of Parliament I have more privileges and rights than some other people, but we are talking about the ordinary subject having the right to query what is going on, where he stands, and whether he has an interest in this question. That is what the whole subject is about.

I do not know enough about Australia to pass a judgment on what has been done there, but I suspect that it is probably a damn sight better than what we are getting. We cannot accept the Government's proposals as they stand. We are to have an apparent betterment of the situation by putting it in the hands of the Secretary of State, but that is not good enough because it puts the security services in the hands of the Government. Who is to say that the Government will not use the security services in their own interests and against the interests of the majority of society?

We need a Select Committee and if we cannot get it we need at least a review body. I should prefer a wider review body than the one that is proposed and I accept that we should have done something about that by putting down our own amendment. I shall vote for the proposal of my right hon. Friend the Member for Birmingham, Sparkbrook (Mr. Hattersley) because a Select Committee would be far better than what is proposed. I am worried about a Bill that makes the position worse, or at least no better. Our people want something better and want to see greater control over the security services.

Mr. William Powell (Corby): In a perfect world gentlemen would not read other gentlemen's correspondence, as the former Secretary of State Henry L. Stimson said. However, we do not live in a perfect world and agents from hostile powers have attempted to penetrate this country in war and in peace in the 20th century. It is right that we should have security services to protect the interests of our people by way of counter-intelligence—to imagine anything else is naive.

The hon. Member for Liverpool, Walton (Mr. Heffer) made a valuable point when he talked about the means by which hon. Members would be nominated to the Select Committee, which is the main proposal by the right hon. Member for Birmingham, Sparkbrook (Mr. Hattersley). New clause 5 tabled by the Opposition refers to the members of the Committee being appointed by the Prime Minister and not by the Select Committee on Selection. For some people that may be a fine distinction, but in my experience where patronage resides in the hands of the Prime Minister it is by invitation, whereas those who might not be nominated by means of invitation can at least apply to the Select Committee on Selection and will be considered to find out whether they are appropriate people to sit on the Committee. In talking about new clause 5 the hon. Member for Walton made it clear that the Opposition are talking about prime ministerial patronage and nothing else.

[Mr. William Powell]

The amendments and new clauses offer us a choice of what is proposed by Treasury Ministers—which I warmly support as I told the House on Second Reading—the Canadian model advanced by my hon. Friend the Member for Aldridge-Brownhills (Mr. Shepherd), or the Select Committee. The Committee would be entirely right to consider some of the background to the Select Committee proposal before passing judgment upon it.

When the right hon. Member for Sparkbrook spoke on Second Reading he confided to the House that which he had confided in the debate on the Gracious Speech and on television—that originally he had hoped to be able to support the legislation to put the Security Service on a statutory basis. Not unnaturally, he said at the same time that he would wish to see the Bill and that his view would be subject to the small print. When the right hon. Gentleman spoke in the debate on the Gracious Speech the Bill had already been published, and I imagine that the right hon. Gentleman had taken advantage of that prior publication to satisfy himself on its contents.

When the right hon. Member for Sparkbrook spoke on Second Reading, he said that he would be unable to support the Government because there was a fatal flaw in the Bill—that no provision had been made for parliamentary scrutiny. Of course it is abundantly clear that the right hon. Gentleman knew that when he spoke on Second Reading and on television. It was already plain that there was no provision for parliamentary scrutiny and it was therefore extraordinary for him to say that, subject to provisions of the Bill, he hoped to support the Government. We subsequently learnt that he found some fundamental defects in the Bill which were there all the time.

That is amazing and I am forced to conclude that the right hon. Gentleman discovered, not for the first time in this Session, that his original line was proving less popular with his hon. Friends than he had anticipated. He therefore decided to back track and come forward with the preposterous idea that the Bill was fundamentally flawed because there was no provision for a Select Committee. Of course one can take that a step further. Since 1979, from time to time the Government have commented on suggestions that there might be provision for Select Committee oversight, but not once since 1979 have any of my right hon. Friends in the Treasury made the slightest suggestion that the Government would favour such a scheme.

The right hon. Member for Morley and Leeds, South (Mr. Rees) made a valuable point, but for some reason it was overlooked by the right hon. Member for Sparkbrook when he tried to pull together all the reasons for having a Select Committee. The right hon. Member for Morley and Leeds, South said that the proposal would provide an element of continuity, which the right hon. Gentleman advised us was much needed, from one Government to another. He said that a decisive reason in his mind for supporting a Select Committee was that element of continuity.

In the circumstances, it is amazing that the right hon. Member for Sparkbrook did not advance that argument. It is a convincing argument not for a Select Committee, but for improving the management of the security services. I am satisfied that my right hon. Friend the Prime Minister and my right hon. Friend the Home Secretary have, as a result of some of the events of the past few years, taken decisive steps to ensure that they are not placed in precisely the same position as the right hon. Member for Morley and Leeds, South said he was in from time to time.

The right hon. Member for Sparkbrook told us of his support for the judiciary, which is no more and no less than one would have expected from him. However, he then criticised the charge that was made to the jury by Mr. Justice McCowan in the Ponting case, and expressed his fear that the Government would appoint only docile judges to be the person behind the Home Secretary of the day. Mr. Justice McCowan made that charge after full legal argument. It has not been challenged in the courts and there is not the slightest doubt that it remains until it is overruled either by Parliament, in the authority of legislation, or by the appeal courts, in an accurate statement of what the law of the country is in this matter. There is no escaping that.

However, we have experience of judicial review of the security services because the Security Commission is overseen by a judge. I pay tribute to the work by Lord Diplock, Lord Bridge, the present judicial figure, Lord Justice Lloyd and Lord Justice Griffiths. Governments of all kinds have done well in their choice of senior judicial figures to carry out this onerous and responsible work. It does no credit to the House that we should seek, in a backhanded way, to suggest that the Government appoint only docile judges when there is no evidential basis for that allegation.

There has been criticism—by the right hon. Member for Sparkbrook and by the hon. Member for Walton—of the suggestion that Privy Councillors should play a pre-eminent role. I concur with what they said. One of the trends in the development of our parliamentary institution is away from over-reliance upon senior and often rather remote figures from the past who happen to have been made Privy Councillors at some time, which gives them a special ability to judge these matters. I hope that we shall not seek to establish special committees of Privy Councillors to oversee these matters.

On the basis of experience, only three Members of Parliament are qualified—my right hon. Friend the Member for Old Bexley and Sidcup (Mr. Heath) and the right hon. Members for Morley and Leeds, South and for Plymouth, Devonport (Dr. Owen), although the latter has served neither as Prime Minister nor Home Secretary. That is a limited pool. Others have become Privy Councillors because of their experience in social security, education and other subjects, but not because of their experience in security. It would be unfortunate if we were to go down that line.

Mr. Richard Shepherd: I hope that my hon. Friend's remarks were not addressed to new clause 2, the whole purpose of which is the appointment of individuals who are seen to be independent. The way to bring them within the circle of secrecy is to make them Privy Councillors subsequently. They do not have to be Privy Councillors to start with. That is the route that the Canadians have followed. Therefore, the point about them being burnt out cases or old politicians need not necessarily apply.

Mr. Powell: I appreciate my hon. Friend's point, which is that the oversight need not necessarily be parliamentary oversight. On the Canadian basis, it can be independent

from Parliament. In an argument as to whether the scrutiny should come from inside or outside Parliament, I have a marginal preference for the former. On the other hand, I do not regard that as a decided argument for setting up a Select Committee. We are back to the argument of those who are within the bounds of secrecy and can be told everything, but can reveal nothing, and those who are outside, who can be told nothing, or very little, and whose usefulness is therefore limited. For that reason, it has been widely canvassed, although I am not persuaded, that the Opposition have taken on board the weighty arguments that were advanced on Second Reading.

I hope that the House will decisively reject the approach of both sets of amendments.

5.45 pm

Dr. David Owen (Plymouth, Devonport): The aim of the Bill is to put MI5 on a statutory basis and the time has come to do that. Indeed, perhaps it is a little late. Therefore, I support the Bill.

However, in passing the Bill, Parliament will be accepting that the Home Secretary will have to ratify, from time to time, action by MI5 that would normally be illegal. He will have to agree to acts taken in the national interest that will perhaps involve burglary, entering the premises of a citizen or somebody living in the country, and perhaps other practices that are, in normal circumstances, outside the law. Therefore, it seems both reasonable and rational that a democratic Parliament should consider to how much scrutiny these actions should be subjected by this or any future Home Secretary.

The central point is that, in a democracy, Parliament is charged with the scrutiny of the Executive. In this case, Parliament is charged with the scrutiny of the Home Secretary. Surely Parliament must satisfy itself about those democratic controls. The Security Service is unique, because the Home Secretary and the Prime Minister, who also bears responsibility for MI5, have made it clear, as have their predecessors over many decades, that they will not answer questions on the Floor of the House about matters relating to MI5. That is right. We cannot subject the Security Service to the detailed scrutiny to which we subject all other actions in all other departments of the Executive.

A broad range of opinion in the House believes that it is reasonable to take scrutiny of the Security Service off the Floor of the House. However, over the years, because a substantial number of parliamentarians have been dissatisfied about the control and scrutiny of the Executive, they have more often sought to discuss these matters on the Floor of the House. As a result, there has been increasing public speculation about MI5 in newspapers, on the radio and on television. Some of that has been detrimental to the conduct of the Security Service.

A growing body of people believe that if one could satisfy Parliament, we would find it easier to revert to the previous practice of not having this form of discussion and would accept a greater control of discussions in the media about MI5's activities. None of the amendments and new clauses is perfect, although I do not complain about that, as these issues would normally be dealt with by discussions between the Government and the Opposition parties. Of them all, I find myself much more in agreement with new clause 5 and its consequent amendments in the name of the right hon. Member for Birmingham, Sparkbrook (Mr. Hattersley). That group focuses on Parliament. It is probably unwise to focus only on the House of Commons. The other place also has a contribution to make.

It would not worry me unduly if the Government of the day decided that they would satisfy Parliament not within the sphere of a Select Committee or a parliamentary commission, but through the mechanism assembled for the Franks committee. I would put up with that. However, the mechanism must satisfy Parliament.

There is one absolute criterion. The committee must include a number of hon. Members because the House of Commons is the pre-eminent body and must be satisfied. I could live with it if it included some Lords or some external members—perhaps it would be chaired in the early days by an independent person such as a member of the judiciary—but the crucial test is whether it will satisfy Parliament. Would Parliament then be prepared to allow the matter to be conducted with a considerable measure of necessary secrecy?

The Government must readdress the problem. I shall support the Bill without there being parliamentary scrutiny, although that is a major omission. This would be an appropriate point at which to introduce such scrutiny, but, as we well know, it is not just a question of the security services; the wider gamut of Government should also be subjected to scrutiny. The matter could be dealt with much better by a resolution from the House, prepared with as much all-party agreement as possible, instead of the absurd situation in which we may be in different Lobbies although agreeing on the basics.

I hope that the hon. Member for Aldridge-Brownhills (Mr. Shepherd) will not press his amendment to a vote. I would support it, but I do not like having to vote on two amendments with both of which I am in broad agreement. It would be far better just to concentrate on the amendment of the right hon. Member for Sparkbrook and give an indication to the Government that we want some form of parliamentary scrutiny.

Let me deal with the question of Privy Councillors. Again, I prefer the amendment of the right hon. Member for Sparkbrook which does not refer to Privy Councillors. The need for Privy Councillors is a technical point. It is referred to specifically in Canada for the same reason as in this country. Most democratic Parliaments, certainly this one, have objected to their Members being positively vetted. We can choose. We either have positive vetting of Members of Parliament, in which case we do not need the device of the Privy Council, or we retain the Privy Council. We need co-operation with the FBI and any other friendly Governments. It has been agreed with the Americans over many decades that they accept people who are members of the Privy Council as having been, in effect, positively vetted. That was the compromise achieved when we had the problem of dealing with security information between the United States and ourselves and there was a refusal of positive vetting for Members of Parliament. No doubt the Canadian Government have much the same understanding. That is the only reason; there is no mystery about it.

I agree that we cannot have only old lags, people such as me, who have been in Government. There must be an injection of new blood if Parliament is to feel confident. The people concerned must have the confidence of the Leader of the Opposition. From time to time, it is likely that the Leader of the Opposition would want to nominate

[Dr. David Owen]

someone who had not been in Government and could not, therefore, be a Privy Councillor. Provided that the Prime Minister of the day was satisfied with the person nominated, he or she would be made a Privy Councillor, as was recommended by the Franks committee.

I believe that I am right in saying that a former civil servant, who is now a distinguished master of Oxford college, Sir Patrick Nairne, was not a Privy Councillor. He was made a Privy Councillor for the purposes of the Franks inquiry. He had to be made a Privy Councillor because he would see information from intelligence sources which might well have come from other countries. There was a particularly delicate point relating to the Franks inquiry. It inquired into actions and papers that had gone to previous Government. That was one of the sensitivities of the inquiry and explains why a unique arrangement was produced.

The fundamental issue is secrecy. The Home Secretary has always used the formula of whether a person can be taken behind the wall of secrecy. He would, therefore, be unable to divulge to the House all the information that is available to him. That is the purpose of the provision. The House of Commons is effectively saying that, as a body of 650 Members, we cannot go behind the wall of secrecy. We understand that. We shall not even be allowed to question the Home Secretary on the Floor of the House. All we are asking is that some of our trusted Members may, on a non-party basis, go behind the wall of secrecy and, thereby, constitute a form of scrutiny, not of control or of day-to-day involvement.

Ministers who have held responsibility in this area would find it beneficial to know that they could be scrutinised and questioned by their fellow parliamentarians on these matters and they would not fear that. Decisions about control in such areas have been made personally by Home Secretaries for many years. Such decisions are not even delegated to junior Ministers. There is a parallel with the Civil Service, but Ministers would welcome the opportunity of going to a wider body for discussion about the general principles. Scrutiny of the expenditure vote associated with MI5 could also be included in this.

Mr. Whitney: On the question of acceptance by the House of the oversight of a scrutiny committee, will the right hon. Gentleman consider what happened to the Public Accounts Committee and its Chairman, who is a distinguished Privy Councillor from the Opposition, when he was taken behind the scenes of the Zircon affair? His judgment was not accepted by the members of his Committee and was, therefore, a fortiori, unlikely to be accepted by the whole House. Was not that a demonstration of the problem that the right hon. Gentleman is seeking to sweep aside?

Dr. Owen: Surely the Chairman of the PAC is vested by the House with responsibility for financial, not security, matters. In that case, he was asked to go into an area which was not his responsibility. If we vested responsibility for security matters in certain people, we should have to accept that they would not be able to tell us about their investigations. There is nothing new about that. It happens in most democratic Parliaments. The House of Representatives and the Senate are thought of as pure bodies, but there are Whips there, too. As the seniority rule has been abandoned, there is a great deal of wheeling and dealing among Members there.

This is a solvable problem if the Government of the day and the Opposition parties want to solve it. We are all arguing on the same side. We want to increase national security. We want the Security Service to function effectively. We want MI5 to be respected and trusted. All those things will come about when the House is able to feel once again sufficiently confident about the running of MI5 to trust the Home Secretary and others so that they do not have to reveal information in public about that service. That will come eventually. It has been held up largely by the Prime Minister's obduracy. Many hon. Members on both sides of the House believe that the day is coming when some form of independent parliamentary scrutiny of the security services will come about. I look forward to that day. It will enrich this House when it comes, and I hope that it will be sooner rather than later.

6 pm

Mr. Allason: There appears to be a great gap between the accountability of the Home Secretary and the lack of any role for a supervising committee of the House or one outside it and it seems that three options are available to us. One is a Select Committee under new clause 5. The second is a broader group of Privy Councillors under new clause 2. The third is to take the Government's line and to say that no supervision or accountability is needed because we already have accountability in the form of the Home Secretary.

The reason why we are discussing the issue, and part of the reason why the Government have produced the Bill, is that Home Secretaries have historically been unable to exercise the necessary control. I do not want to delve back into history, but I believe that the current Home Secretary and his predecessor are to be congratulated. As far as I am aware, they are the first two Home Secretaries who have taken an interest in the Security Service. Until fairly recent times the attitude of the Home Secretary has been, "I do not wish to know about these things." When Security Service officers have had to conduct some clandestine entry they have obtained permission, but have done so through the Permanent Under-Secretary. I know that on at least one occasion the Home Secretary was consulted, but that was on the basis that he could more or less deny that he knew what was going to happen if anything went wrong.

Here we have the problem. Either we have some form of accountability or we do not. I may be completely wrong in my opinion of why the Government have introduced the Bill and I may be misjudging them. They may have other motives and reasons for bringing it forward. It has been suggested that the Government have been obliged to introduce it because of an impending hearing before the European Court. Another explanation is the rather distressing disclosure or admission last year that officers of the Security Service who conducted clandestine operations were not authorised to do so, having been told from 1909 that they were, and did not have the authority of the royal prerogative to break the law. We know now that officers are equal under the law, and perhaps that is as it should be. Perhaps that is the Government's motive in bringing forward the Bill.

I have never been an advocate of any sort of parliamentary oversight. That is partly because I have been persuaded by members of the agencies that that *oversight does not work. In* America, there was great anxiety in the intelligence community in the immediate post-Watergate era that politicians would interfere and that the system would go badly wrong. It was felt that officers would be inhibited from conducting operations. It seems that that has not happened.

We have had also the examples of Australia and Canada. The experience in those two countries has been broadly beneficial. Last year, I had long discussions with members of the Canadian Security and Intelligence Service, CSIS, and I have been in touch with the Australian Security and Intelligence Organisation, ASIO. Their experiences have been good ones, although they had been extremely worried.

One wonders why the Home Secretary appears to be so determined not to share the burdens of his office. It has been said several times that he has many responsibilities that cover a range of issues. It has been questioned whether he would sleep easier in his bed at night in the knowledge that there was a group with which he could share the burden of his responsibilities. He has spoken about the wall of secrecy, and that is a valid argument, but the time has come when we must bring a trusted group behind the wall of secrecy.

As I said, I have never been an advocate of oversight or supervision, but I agreed with my hon. Friend the Member for Thanet, South (Mr. Aitken) when he said we are the last to be left without any sort of supervision mechanism, and that sooner or later we shall have one. I am persuaded by my hon. Friend. A few years ago I found myself in trouble for advocating the appointment of an individual who I chose to describe as a non-executive director of the Security Service. I envisaged that someone in that position would sit in on the decisions of the Security Service but would be independent and would act as a safety valve. I found myself in considerable trouble when I advocated that in 1981.

Last year I was in touch with my right hon. Friend the Home Secretary. Although he was sympathetic and always courteous, he gave the view that what I advocated was not on. I find to my astonishment that the appointment of a non-executive director, inspector general or commissioner, call him what you will, has suddenly become Government policy. It seems that a few Conservative Members, including myself, are slightly ahead of their time in advocating some form of oversight. I was not convinced until recently that oversight was necessary, but I was persuaded that it was by the annual report of the CSIS. It is a remarkable document and I hope that it will become the basis of the document that the commissioner or commissioners will have to supply to the Home Secretary and the Prime Minister. I hope also that a part of the document—whatever can be published subject to security provisions—will be supplied to the rest of the public.

We are left with options. We can accept the Home Secretary's word that things are safe in his hands and that, although there may have been one or two awkward problems in the past, there is accountability through him. Alternatively, we can opt for one of the two new clauses, or both of them.

Mr. Aitken: Given my hon. Friend's great knowledge of the security world, is he able to confirm something which I believe to be true? Does my hon. Friend know that three former directors of the Security Service have in various ways supported a form of oversight for our security services? If he feels that that is true or likely to be true, does it not add to the growing chorus of those who say that it is inevitable that oversight will be introduced sooner or later, even if the Government have to be kicked good and hard to get them to accept that?

Mr. Allason: To my knowledge, two former directors general of the Security Service have said that they would not object to a degree of oversight, but in the immortal words of the late Lord Astor, "Well, they would, wouldn't they?" They are not likely to say to a parliamentarian that they distrust politicians, disapprove of parliamentary Committees or do not like the idea of a Select Committee.

It is my experience that members of the intelligence community in the United Kingdom are pretty well opposed to any form of oversight. The senior management was brought kicking and screaming to the appointment of Sir Philip Woodfield. That concession was granted after much difficult discussion. It was finally agreed that some form of safety valve was needed internally so that individuals could let off steam without having to go public, as had happened previously.

My opposition to oversight in the past has been the practicalities of it. Is it likely that a committee would be consulted if MI5 decided that it wanted, for example, to mount a coup in Surinam? I very much doubt whether that would happen and it would be very difficult to enforce. Would such a committee prevent comic-book operations? Again, I very much doubt it.

We have heard glowing tributes to the Security Commission. However, why was the Security Commission created in the first place? It was because a series of monumental blunders had occurred. Several things went very badly wrong and a series of committees were created. Eventually it was decided that there should be a permanent standing Security Commission. However, that organisation is treated with derision within the Security Service. The Security Commission has been described to me as "a stable door operation."

On occasions the Security Commission has been completely misled. Should any of my colleagues say that that is disgraceful and that they take the Security Commission quite seriously, can they tell me why the Government have consistently ignored its recommendations? In particular, it ignored the introduction of polygraph testing for certain types of access to top secret atomic information. That recommendation was made in the wake of the Geoffrey Prime affair. The Government have done nothing about that recommendation. Recently the Government sneaked past an announcement, which hardly anyone noticed, that polygraph testing in the Security Service had in some way failed and that there was no chance of the Security Commission's recommendation being introduced.

There are numerous other historical examples of the Security Commission being deliberately misled. Perhaps the most recent example was over the Michael Bettaney case. I am sorry to labour my point, but the Secretary of State cannot tell us that everything is safe in his hands. Although we trust him, believe him and know that he has taken an interest in these matters and visited MI5

[Mr. Allason]

headquarters—and that was a great step forward and good for morale—in the past accountability simply has not worked.

It is no good saying that we have marvellous accountability when any hon. Member who gets to his feet and tries to ask a question or even tries to write to the Secretary of State on this issue is told that it is out of order for any such questions to be tabled or discussed. I do not call that accountability.

There is a tremendous gap and I am a very late convert to the introduction of some kind of oversight or scrutiny. I know that in due course we will hear assurances from my right hon. Friend the Home Secretary. However, I hope that he will have taken the trouble to consider how his predecessors have fared. I should be delighted to give my right hon. Friend chapter and verse, should he wish it, about cases in which his predecessors were actively misled. Appointing a docile or other member of the judiciary to consider the matter or to look over my right hon. Friend's shoulder has not worked. The experience of Lord Denning's case springs to mind in that respect.

I urge the House to consider seriously voting for new clause 2 or new clause 5, or both of them. Although there may be some opposition within the intelligence community to begin with, I recommend hon. Members to examine the Canadian and Australian experiences. I should be delighted to contribute my copy of the annual report of the Canadian security and intelligence review committee to the Library so that hon. Members may be persuaded of my case.

6.15 pm

Mr. Buchan: We should not consider this Bill in isolation. It is part of a series of measures dealing with secrecy and intelligence. The Bill's provisions run across all the anxiety that has been expressed about governmental secrecy over the past few years. The "Spycatcher" revelations aroused expectations. A great deal of money was wasted over two years waiting for the "Spycatcher" judgment. The revelations did not shatter Western democracy. The rest of the world knew what had happened, but we went through a charade.

As we witnessed the "Spycatcher" revelations, there was an expectation that the Home Secretary might listen to what the Law Lords said about the judgment. He has ignored their advice in the new Official Secrets Bill. The picture of MI5 bungling, burglaring and bugging in London, whether true or not, hardly brought credit to the Security Service or to this country. We expected some action to be taken.

The action that has been taken is to make the activities of the Security Service legal, but to leave its control in the hands of the Home Secretary and the Prime Minister, both of whom are already pledged to secrecy. While there was an expectation that MI5 would be made more accountable, we hoped that it would be made more democratically accountable. We did not expect its behaviour simply to be sanctified in law and leave the same apparatus of secrecy in existence.

We must also bear in mind the fact that the purpose of secrecy is presumably to defend the secrecy of the secret service. That has not been very successful, has it? What about Burgess, Philby and Maclean? It has not been such a successful apparatus that it should be kept so secret. It has not worked even from a practical, sensible, material point of view.

The Bill is faulty on several counts. It fails to deal with the security weaknesses in the intelligence services over the past couple of decades. The Bill is also lacking in its response to the question of making the behaviour of MI5 accountable. "Spycatcher" made serious statements. It was not a very important book. Its importance is that it made us aware of such an extent of obsession in the Government that they were prepared to humiliate their most senior civil servant over the years. That obsession probably raised our consciousness and anxiety about these issues.

"Spycatcher" also made certain suggestions and allegations about the behaviour of MI5 in relation to the Governments of the day and specifically in relation to the Government of Harold Wilson. While the book was not very important, it alerted people to certain things and made an accusation which had to be dealt with. We still have had no inquiry into the astonishing accusation that sections of MI5 believed that part of their job was to subvert Governments.

We must also consider the apparent belief, particularly of the Prime Minister and perhaps of the Home Secretary, that they accept the judgment in the Ponting case—and I do not mean the jury's judgment, but the judge's judgment —that the interests of the state and of the Government of the day were synonymous. Those factors are not incorporated in the series of discussions in relation to the Official Secrets Bill and this Bill today. The Ministers themselves were subject to pressure, which is why the Bill was introduced—but we cannot see it as anything other than a whitewashing operation.

I sympathise with my hon. Friend the Member for Liverpool, Walton (Mr. Heffer), partly because we have the same political background and experience. I had been only a short time in the House when I was made a Minister in charge of Scottish home affairs, and therefore in charge of Scotland's police. A few years later, I took a short holiday in Skye, where a friend by the name of Brian Wilson, who is now the Member of Parliament for Cunninghame, North, was editing a paper to which I had given some help in the past. One morning, on our way to a village shop, my hon. Friend told me, "An interesting chap runs the shop. He was a police inspector in Glasgow. I believe that he knows you. His name is Robertson, and he was involved in special branch."

When we entered the shop, a slow smile spread across the face of the man behind the counter, and he said to my hon. Friend, "You are in bad company." I laughed, and replied, "I suppose you knew me before, when I was in charge of the police for two or three years." He answered, "No, I knew you a long time before that." He knew that I had been a member of the Communist party. I was a very innocent member of that party, in the sense of any secret activities. My main job was to educate people in Socialist philosophies. I spent most my time doing that, and occasionally whitewashing the streets with good slogans.

In the context of a former Prime Minister, we know that the concept of the security services—of special branch and of MI5—extends a great deal further than issues of state secrecy, in which they have not been very successful. Therefore, we must examine also how the Security Service

will be controlled under its new legislation. We note that, under clause 1(2), a function of the service will be to protect against

"actions intended to overthrow or undermine parliamentary democracy by political, industrial or violent means."

That emanates from a Prime Minister who describes the miners as the enemy within. So we have reason for not permitting the legalisation of Secret Service activities to be left in the hands of a Home Secretary or Prime Minister —particularly the present Prime Minister.

Mr. Winnick: My hon. Friend refers to targeting when he was in the Communist party. Whatever may have been the rights or wrongs at that time, when the British Communist party's first loyalty was to the Soviet Union and not to Britain—it has changed somewhat in the last few years—it is more disturbing that at present, as Cathy Massiter revealed, people involved in mainstream organisations also are being targeted. The only reason why my hon. Friend the Member for Peckham (Ms. Harman) was targeted was that she held down the job of legal officer of the National Council for Civil Liberties. No one claimed she was trying to overthrow parliamentary democracy.

Mr. Buchan: Part of the problem occurs the moment one tries defining the role of the Security Service in protecting the state or even parliamentary democracy, because we may wish to change the nature of parliamenary democracy.

My right hon. Friend the Member for Blaenau Gwent (Mr. Foot) has no great love for the House of Lords, and he made a number of strange allies in preventing the Lords from having greater powers. As a junior Minister, sometimes I had to reply to my right hon. Friend and to prove, in my inept way, why he might be wrong. It was not a pleasant task, because he was absolutely right. What will happen if we want to change the present parliamentary democracy but leave matters to a democratically uncontrolled body that believes such change is

"to overthrow or undermine parliamentary democracy by political . . . means"?

Mr. Tony Banks: My hon. Friend goes to the centre of the conflict that could arise. There is the assumption in the amendments that there is a consensus within and across the House about what constitutes the national interest. What exactly is meant by loyalty to a particular system? The politics divide us. The Opposition are concerned that the Government so often view national interests as being the interests of the Government, and therefore of the Tory party.

Mr. Buchan: I am not sure whether my hon. Friend was in the Chamber when I started my speech, but almost the first point I made was that the Government accept the proposition put by the judge to the jury in the Ponting case that the interests of the state are the interests of the Government of the day. The good, common-sense jury said, "We are not having that." The judge clearly directed the jury to return a guilty verdict, but they would have none of it. The Government have not even taken on board the judgment of those 12 good men and true—people speaking on behalf of Britain—that it is ridiculous and dangerous to draw the analogy made by the judge in that case, and of a kind so often made by judges. One should never look for too much wisdom below a wig.

We are dealing with profound matters requiring a form of democratic accountability. We cannot leave them only to a Home Secretary and to a Prime Minister, to whom he will report. Nor can those matters be dealt with by a commissioner charged with dealing with problems as they arise. The parallel Official Secrets Bill automatically makes illegal action such as that of which Ponting was found to be innocent. Such a person will no longer be saved by normal British justice, with 12 good men and true saying, "Your judgment is nonsense, m'lud." The Government are making it inevitable that someone in a Ponting situation will automatically be found guilty. That is the apparatus of secrecy that is developing.

We must ask ourselves what is so good about the present system of secrecy, which has not worked and has produced more leaks than ever. Enormous damage has been done to the nation by accepting the policies of successive Governments over the past 25 years. If there is to be a system of control, it must be realised that one man sitting on the Treasury Bench, any more than one judge, is no more capable of reaching the right solutions than any other individual. Instead, the system must be brought under the control of people outside the Executive, who can examine, scrutinise and judge it. That more and more powers are being given to the Executive by Bills of this kind is a matter of serious concern.

My right hon. Friend the Member for Birmingham, Sparkbrook (Mr. Hattersley) welcomes the Bill on the ground that at least it legalises certain security activities. However, there will be greater dangers if we cannot bring those activities under democratic control, especially given not just the incidence of bugging and burglary but the development of new techniques and technologies for the acquisition of information and knowledge. My hon. Friend the Member for Walton said that he knew he was being bugged because at 8.30 every night his telephone rang once. I believe that even MI5 are efficient enough to vary the time, but I have no doubt that he was bugged, with MI5 sharing the Government's attitude in the past. Such abuses can be overcome only by bringing the service's activities under democratic control. It is a question of making MI5's activities not simply legal, but accountable.

As to the argument about the two kinds of committee, I hope that when Conservative Members enter the Lobby tonight they will acknowledge the point made by many of their hon. Friends—that the Security Service must be subject to a form of responsible scrutiny. I do not understand why those who are so supportive of the American system in other areas are not openly equally supportive of America's system of openness on security matters.

It is not just a question of such matters being brought into Senate and Congressional activity, but of the openness with which that is done. Within months of Colonel North's being accused of funding the Contras, he was not only in front of a Congressional committee—not only in front of five good men and true, whether privy councillors or not; he was in front of the television cameras and the American nation, and, although he exploited his position, the people were able to make a judgment. It is a question not merely of the immediate structure but of the apparatus of democracy beyond that, and we do not have a very good democracy here. We are asked to support

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parliamentary democracy, but we have one of the weakest democracies in the West, and it is becoming even weaker and more dangerous.

6.30 pm

The present Government and Prime Minister have discovered that the sovereignty of Parliament for which many of us have argued for so long as against formal structures—"Leave it to Parliament"—can swiftly become the sovereignty of the Executive.

Mr. Tony Banks: My hon. Friend's points confirm my belief that he is one of the wisest Members of the House. Although I am a stern critic of United States foreign policy, particularly in respect of central America, I am also a great admirer of the openness of a political system that allows someone like Oliver North to come before the Senate. If that happened in this country, I doubt whether we would even hear about it, and if we heard about it there would be nothing that we could do about it.

Mr. Buchan: I doubt very much whether either Irangate or Watergate would have been divulged in this country, but I am equally sure that if they had been we would not have been able to draw our own conclusions and take the necessary measures. The United States may be a reactionary country in many ways, but it is immensely open compared with ours. The fact that people can make wrong judgments is not a reason for preventing the opportunity to make them. That is the only place where safety lies, and it is safety that we are talking about—not just the safety of the nation's intelligence and security, but that of democracy.

Looking at the past 10 years, we see openness, discussion, scrutiny, understanding and awareness being limited day after day by legal action and other intervention. Let us consider what happened following the "Death on the Rock" incident. Not only did the Government pull in one of our leading Sunday papers, God help us—with Andrew Neil taking time off from trying to damage the schools in my constituency, because he went to one of them, to try to rubbish broadcasts. They also formed a subcommittee to rubbish the evidence brought forward in the programme about the Gibraltar incident.

The weakness of the popular media is exposed when they are controlled by three people. Terror has been inspired in broadcasters by the intervention of the right hon. Member for Chingford (Mr. Tebbit) over Libya, and the general pressure being brought by Government. Self-censorship is creeping in, and the media are becoming increasingly unable to perform their role. The British democratic system cannot develop means of scrutiny over the Executive. On top of that, we have an Executive willing to exploit the position—to use friendship and its power over the media—not only to prevent things from being known but to support what is wrong, evil and undemocratic.

Once upon a time we had an independent voice on the Right in Lord Beaverbrook and the *Daily Express*, and an independent and iconoclastic voice on the Left in the *Daily Mirror*. Now we have toadies in the Executive. We have a broadcasting system that is frightened into removing controversy, and we are about to sell it out to commercial interests which have already subverted our popular press.

We cannot hand over legality to the security services —with all the authority that that gives—and leave control, understanding and knowledge solely in the hands of the Home Secretary and the Prime Minister. Some method must be found for scrutiny to take place.

It has been suggested that a committee of Privy Councillors would go some way towards overcoming the worries of this curiously timid Cabinet, but a much more intelligent suggestion is a committee representative of the House. We are being insulted when we are told that such matters cannot be left to hon. Members. What is the difference between us and the people and politicians of America? Why is it that they can do what we cannot? That is insulting to both the British people and the House of Commons.

Mr. Maclennan: One point has not been made as effectively as it might have been by advocates of the committee of Privy Councillors. Privy Councillors are perhaps less subject than other Members of Parliament to promises of preferment and to the appeal of patronage. They are capable of independence. As the hon. Gentleman knows, some hon. Members are much less independent of the party machine.

Mr. Buchan: I find that even more insulting. It has been left to the "democratic" party to suggest that Members of Parliament are suborned by bribery and corruption, or the thought of it. What nonsense. If the hon. Gentleman wants to make a comparison, there is as much pork barrelling on Capitol Hill in Washington as there is here. I find that suggestion grossly insulting, and I am sorry that it came from the hon. Gentleman. I wish—for his sake, not mine —that I had not given way.

It is nonsense to suggest that Members of Parliament cannot perform their function of scrutiny. Even if they did so inefficiently, they could not do worse than this Government and successive Governments have done over the years.

Mr. Bob Cryer (Bradford, South): This place might not be very efficient in its scrutiny, but is it not important to have public accountability in respect of a service so drastically inefficient that it thought that Harold Wilson would be a danger in 1974? If the service contains people like that, it must have some degree of accountability, because we do not know what they are doing.

Mr. Buchan: I am not sure into what category we two fall, but I take the point.

As most people know, I resigned immediately after the October 1974 election. I had, as I thought, prepared the Government's policy on agriculture in the Common Market. I spent a long time preparing the briefing and the analysis. But—as Minister of State, not Secretary of State —I could not see the relevant papers. I spent some days trying to find out why not. I then received a telephone call from an Under-Secretary in another Department asking whether I knew what was happening about the Common Market policy. I said, "No. I wrote it, and I wish I knew what was happening to it." For some weeks I tried to find out. Then I said, "May I see the Cabinet papers?"

All hell broke loose. The Minister of State wanted to see the Cabinet minutes. The Permanent Secretary was consulted; he thought not. I pressed the matter, and eventually they agreed to let me see the minutes. The Cabinet minutes are pretty boring. They are not very full:

they are almost like the kind of open, explicit material we get from this lot publicly. They do not say much. But they were ceremoniously carried down by a junior civil servant, a very attractive young lady. She brought the Cabinet box to my room, opened it with a key and stood there while I read the papers. There was I, a Minister of State aged 50, having to sit and read the minutes while a young lass who had already seen them waited beside me, presumably in case I whipped some of them off to the photocopying machine. That is the background of the nonsensical secrecy that developed. It was not unrelated to my political past, as my hon. Friend the Member for Walton knows.

Long before I resigned I wrote a minute signifying my resignation. I was a senior Minister and if I had stayed instead of resigning two days after the 1974 general election—I could not resign before because I did not want to make a political stramash and the Labour party had to beat the Conservatives as well as some of its own members—I would have become a Privy Councillor. As such, I would have been fit, apparently, to scrutinise the intelligence people, but I cannot scrutinise them now because I resigned before I became a Privy Councillor. I was three weeks away from being safe, secure, intelligent, rational, unbribable and incorruptible.

Mr. Tony Banks: My hon. Friend would have been called first in debates.

Mr. Buchan: Yes. I would also have been called more often in debates. What nonsense that is.

I hope that when the Home Secretary replies he will give intelligent answers. More importantly, I hope that he will take an intelligent and independent line and not be afraid of his mistress.

Mr. Hind: The hon. Member for Paisley, South (Mr. Buchan) seems to epitomise what in the past—certainly during my time in the House—has appeared to be the Labour party's paranoia about everything secret. One point that I wish to make to the hon. Member for Paisley, South—whose failure to understand is obvious—and other Opposition Members is that the Bill should not be taken in isolation. The Security Service Bill must be put side by side with the Official Secrets Bill. The hon. Gentleman spoke about his experiences and ignored the rest of the legislation that the House will consider. He considered the Bill in isolation. The Government's proposals must be taken as a total package, a major reform and step forward, and the past must be excluded.

Mr. Buchan: The burden of my speech was that the Bill must not be taken in isolation. I said that the Bill should be taken together with the general conduct of the Cabinet, and, specifically, alongside the Official Secrets Bill.

Mr. Hind: Most of the hon. Gentleman's arguments were pitched in such a way that the Official Secrets Bill and the major reform that it will introduce—taking out of secrecy so many Government papers and activities and introducing more open government generally—were ignored.

The hon. Member for Paisley, South referred to the cases of Cathy Massiter and Clive Ponting. If those cases occurred under the new legislation that will, I hope, pass through the House, an entirely different approach would be taken. The tests that would be applied to guilt or innocence would be enirely different and, accordingly, we would be dealing with entirely different circumstances. Let us forget about the past and the paranoia.

The hon. Member for Liverpool, Walton (Mr. Heffer) referred to the time when he worked in a special branch office in Liverpool. That was probably 20 or 30 years ago. Again, that is in the past. We should forget about the past and look forward to the major reform with which we are dealing.

Mr. Heffer: The hon. Member should be aware of the fact that my hon. Friend the Member for Paisley, South (Mr. Buchan), myself and others, when we were in government, argued that we should change the Official Secrets Act and that we should introduce something on the lines of what we are arguing for today. It is not a question of forgetting the past. We are arguing today what we argued then. The Government have only just caught up with what we were arguing then. They have not gone as far as we were suggesting.

Mr. Hind: When the Labour party was in government, it could not agree to bring forward the major reform for which the hon. Gentleman argues. It took this Government to sort it out, and to bring forward the radical proposition that we are able to debate today. Although the hon. Gentleman may have been advocating it, he was involved in a dialogue with the deaf. Many Opposition Members were obviously not listening to what he had to say.

It has taken this Government to come forward with a proposition—this Bill and the Official Secrets Bill—that has been given the overwhelming support of my Conservative colleagues. That must be borne in mind.

We should forget the paranoia that lies behind the novel, "A Very British Coup" written by the hon. Member for Sunderland, South (Mr. Mullin). Throughout the debate we have heard the suggestion that there is something going on behind the scenes which will undermine the system.

Mr. Chris Mullin (Sunderland, South): Will the hon. Gentleman give way?

6.45 pm

Mr. Hind: I have already given way several times. Please allow me to make progress. I shall give way shortly.

I reject the amendment for the simple reason that the total package being presented to the House, including the Bill, is sufficiently radical and open in its approach and there is no need to go further than is proposed by my right hon. Friend the Home Secretary.

For the first time, we will have a statutory basis for the secret service. The Home Secretary, in order to carry out a secret operational matter, has to apply for a warrant. Standing behind him there is a commissioner—a High Court Judge—who has the power to review his actions and, if necessary, to write a report examining his actions which can be put before the House. The right hon. Member for Birmingham, Sparkbrook (Mr. Hattersley) forgets that in Britain judges have a fundamental role. He said that the protection of the liberties of the people is too important to be left to judges. What arrogant nonsense. One has only to look at the court cases brought against the Government by private individuals which the Government have lost to see that the judges are independent of the Executive. They are the protectors of the ordinary man in

[Mr. Hind]

the street, and they enforce the rights of the individual against the Executive. They are there to protect those rights and the commissioner, whose role will be fundamental, will be important in enforcing those rights.

Mr. Mullin: The hon. Gentleman referred to my novel "A Very British Coup". The Home Secretary and I do not have much in common, but we are both the authors of novels which suppose that an elected Government is destabilised by a Right-wing plot of some sort.

Mr. Hurd: In my novel the plot fails.

Mr. Mullin: The Home Secretary's book is a good read, and at one point the king is found in a box under the bed. The right hon. Gentleman's book is called "Send Him Victorious" and I commend it to the House.

Mr. Hind: The point made by the hon. Member for Sunderland, South was destroyed by my right hon. Friend the Home Secretary. As he said, in his book the Right-wing plot fails. In "A Very British Coup" the plot succeeds.

Mr. Tony Banks *rose*——

Mr. Hind: We must look at what is contained in the Bill. The tribunal is another major step forward in the preservation of the rights of individuals. The hon. Member for Walton complained earlier about the investigation into his activities, and the hon. Member for Paisley, South complained that special branch knew about him. Under the new system, both hon. Gentlemen would be able to go to the tribunal and make a complaint, which would then be investigated. The hon. Member for Paisley, South would be able to tell the tribunal that he was an innocent member of the Communist party—which presupposes the existence of guilty members of the Communist party and shows the need for the Security Service.

The point is that there will be a right of investigation. Never before has there been the opportunity to make representations or for those representations to be examined. That is a major step forward. The commissioner will be able to publish a report and, with the exception of certain parts that may have to be removed because it is not in the public interest for them to be published, it will be considered in the House.

Mr. Allason *rose*——

Mr. Hind: In addition, the Home Secretary and the Prime Minister are answerable in the House for the actions of the Security Service. Some hon. Members do not consider that to be important, but it is an important safeguard for the House. I argue against extending that safeguard any further.

What is the most important function of the secret service? It is to protect the national interest. We must not do anything to weaken our defences by allowing the exposure of operational secrets, which would increase the risk from terrorism and other threats. The more people who learn about secrets, the less likely they are to remain secrets.

Mr. Tony Banks: Will the hon. Gentleman give way?

Mr. Hind: That is the problem that we face in the House. We talk about a wall of secrecy, but that wall is there to protect the interests of the public and the state. What would happen if a committee was introduced, as the amendments propose?

Mr. Allason: My hon. Friend has made an important point about the role of the report that will be published by the commissioner. I draw his attention to amendment No. 12. We hope that the report will be extremely important, but there is nothing in the Bill that gives the parameters of the topics that the report will cover. As the Bill is drafted, the commissioner can say more or less anything he wants in the report. It would be better to describe the topics that can be examined.

My hon. Friend is anxious about compromising security, but I point out to him that the Bill allows for parts of the report that might compromise security not to be published, but to be read only by the Home Secretary or the Prime Minister. Does my hon. Friend agree that the drafting of the Bill is rather vague and that it might be a good idea to specify the topics that should be examined?

The First Deputy Chairman of Ways and Means (Sir Paul Dean): Order. I hope that, in responding to that intervention, the hon. Member for Lancashire, West (Mr. Hind) will not anticipate our later debate on amendment No. 12.

Mr. Hind: I shall observe your ruling, Sir Paul. I shall merely say to my hon. Friend the Member for Torbay (Mr. Allason) that he has made his point and will, no doubt, raise it again when amendment No. 12 is debated.

The important problem that is created by new clause 5 is that it breaches the wall of secrecy considerably. There are more than sufficient safeguards for the public built into the Bill without new clause 5. Let us consider carefully what is proposed in new clause 5. We must ask ourselves whether we, as hon. Members, can dissociate ourselves from party interest in dealing with matters of secrecy. I do not believe that party interest can be excluded from our deliberations on this matter. It would be nice to follow the views of the right hon. Member for Plymouth, Devonport (Dr. Owen) and to believe that there could be an objective, non-partisan view about matters of secrecy, but, bearing in mind the Labour party's paranoia about matters of secrecy, I do not believe that we could have objective scrutiny.

Mr. Tony Banks: Will the hon. Gentleman give way?

Mr. Hind: No. I shall give way in a minute.

What concerns me most is that the review committee would be entitled

"to receive from the Commissioner, the Director-General and the Secretary of State and employees such information, reports and explanations as the Committee deems necessary for the performance of its duties and functions."

If we consider that alongside new clause 5(6)(b), which says that the committee could

"where it considers that a review by the Service or the Commissioner would be inappropriate, conduct such a review itself,"

we see that it would, in effect, look in detail into every operational matter of the secret service. New clause 5 suggests that members of the committee could call for any document, any explanation and any investigation into the day-to-day running of the secret service. It would be able to call for witnesses and papers and, when not satisfied with the investigations of the commissioner or the

director-general, it could instigate an investigation itself. I cannot agree with that because the committee would be going far deeper than would appear to be necessary.

Most important of all, the number of people who would learn about the detailed day-to-day activities of the secret services would become greater and that would put at risk many of the operations and, most important of all, the lives of many agents, such as those working under cover in Ireland. That is where problems would arise.

Mr. Tony Banks: I want to take the hon. Gentleman back to the point that he made several times about the Labour party's paranoia about secrecy. I know that he is a man of some integrity, so I hope that he will answer my question honestly. If he believed that a Conservative Government had been undermined and that attempts had been made to destabilise that Government, would he not have taken exactly the same attitude as Labour Members have and have called for some form of public inquiry? *[Interruption.]* I am sorry, one of my teeth has just come out.

Mr. Hind: I would share the concern of the hon. Member were it not for the fact that Lord Callaghan, who was the leader of the Labour party at the time of the allegations, came to the House and said that, as far as he was aware, there was no truth in the allegations. They were investigated and rejected. I understand that Peter Wright is casting doubt on the allegations.

To a certain extent, we have to rely on the integrity of the people in the secret service. The allegations about undermining the Government of Lord Wilson of Rievaulx were investigated by Lord Wilson when he was Prime Minister and subsequently by Lord Callaghan. It makes a very good story. The public want to read about the Security Service. It makes good novels and it makes good press, but that does not mean that the allegations are true.

7 pm

Mr. Allason: Is it not time that the whole fiction of the Wilson plot was knocked on the head once and for all? Peter Wright has admitted on television that the so-called plot consisted of himself and that there was no enormous group of fellow conspirators. A book has been published recently by David Leigh which completely debunks the myth of the Wilson plot. None of the allegations about misconduct has turned out to be true. The investigations that were conducted by the Security Service at the time were extremely relevant and appropriate.

Mr. Hind: A great deal of doubt has been cast on Mr. Wright's allegations, even by himself. Most hon. Members accept that his allegations have been discredited. It is wrong that hon. Members should frame a new clause that is based on Mr. Peter Wright's allegations.

Lastly, I want to refer to that part of new clause 5 which deals with reports that are laid before the House. An annual report on the activities of the secret service would be brought before the House, with certain parts of it—after consultation with the Prime Minister—left out. Many hon. Members believe that scrutiny would involve detailed consideration and debate of what had happened in the secret service. The major problem over scrutiny is that the secret service cannot be debated without undermining the country's security and without the exposure of information that would damage the national interest.

More than adequate supervision is provided by the Bill. It is a major reform. Therefore, I urge the House to reject the amendment.

Mr. Winnick: First, I welcome you, Mr. Hogg, to the Chair. I congratulate the hon. Member for Torbay (Mr. Allason) on saying, surprisingly, that he is a convert, albeit a late one, to an oversight system. The fact that it took him some time to be converted is beside the point. Because of his detailed knowledge of the intelligence community, we welcome the fact that he recognises that oversight is necessary. Some may say cynically that he will find it difficult to get information for his books if there is a lifelong confidentiality rule for intelligence agents. Be that as it may, I am sure that the hon. Gentleman was perfectly genuine when he made that statement.

Mr. Allason: It is important that the hon. Gentleman should be aware of their Lordships' judgment on the suggestion that lifelong confidentiality is the same as lifelong silence. It is not. It is quite clear from their Lordships' judgment in the "Spycatcher" case that members of the Security Service and the intelligence service are perfectly at liberty to make disclosures, to write books and to do whatever else they want, provided that they do not disclose new material.

Mr. Winnick: I take the hon. Gentleman's point, to which I am sure we shall return in later debates.

I have long advocated parliamentary scrutiny of the Security Service. My amendment No. 38 deals with that question. If such a Select Committee were formed, its membership should consist of hon. Members who have been here since 4 o'clock or 4.30 this afternoon. They are all very much interested in security matters. *[Interruption.]* I should be quite happy if a dissident such as the hon. Member for Wycombe (Mr. Whitney) were to serve on that Committee. If I were able to decide who should be its chairman, who better could I choose than my right hon. Friend the Member for Blaenau Gwent (Mr. Foot) whose dedication to parliamentary democracy and freedom is second to none? He would be an ideal chairman for the Committee.

Whether the Home Secretary likes it or not, he ought to recognise that in recent years MI5 has become the subject of intense political controversy. No Opposition Member argues that there should not be a Security Service. Even if we were not concerned about sabotage and terrorism—particularly by the Provisional IRA—the need for a Security Service would be clear. I hope that the Home Secretary or the Minister of State, the hon. Member for Oxford, West and Abingdon (Mr. Patten), will not argue that Opposition Members would like MI5 to be abolished. That is not so. It goes without saying that we need MI5 or a similar organisation. However, that organisation ought to be accountable.

The purpose of MI5 is to defend the integrity of parliamentary democracy. It is odd that, although MI5 is supposed to defend parliamentary democracy and our democratic way of life, we are told that the House of Commons is neither a fit nor an appropriate body to scrutinise its activities. That does not say much for parliamentary democracy or for our roles as Members.

The feeling has grown in recent years that the Security Service is not nearly as politically impartial as it needs to be. The Maxwell Fyfe directive laid down in 1952 that MI5 should be politically neutral. Successive Home Secretaries

[Mr. Winnick]

have said that it is not the role of MI5 to become politically partial. However, the accusation has been made that MI5 has a bias against the Left in this country. I am referring not to the revolutionary Left but to the broad, mainstream Left. If some hon. Members say, "Left-wing Labour Members would say that," I have to ask the Home Secretary why the right hon. Member for Old Bexley and Sidcup (Mr. Heath) said during the Second Reading debate on the official secrets Bill that was introduced by the hon. Member for Aldridge-Brownhills (Mr. Shepherd) that if some members of MI5 saw somebody reading the *Daily Mirror* on the tube they would have to investigate that person.

Mr. Heffer: Hear, hear. I agree with that.

Mr. Winnick: Leaving aside my hon. Friend's intervention, is it not interesting that a Conservative ex-Prime Minister believes that some MI5 officials are so out of control that they have no understanding of political impartiality? That accusation is not made only by the Opposition.

It is unlikely that the Bill would have been introduced if complaints had not been made by my hon. Friend the Member for Peckham (Ms Harman) and Miss Patricia Hewitt. They are taking a complaint—it has yet to be heard—to the European Court of Human Rights. One of the reasons for the Bill is that the Government will be able to explain to the European Court the changes that have taken place since those complaints were made.

I strongly believe that if the security services had been subject to parliamentary scrutiny, they would have gone about matters somewhat differently. MI5 officials know that, in practice, they are accountable to nobody. Are we really to believe that when organisations such as the Campaign for Nuclear Disarmament and the National Council for Civil Liberties were targeted, the Home Secretary was notified or kept aware of what was going on?

Mr. Allason: I think that I can clarify that matter. The answer is yes. At one stage, the NCCL was a recognised Communist front organisation. It was banned by the Labour party. Every time there was any application for a telephone intercept warrant, evidence for that warrant had to be supplied to the Home Secretary. The short answer is yes. Successive Home Secretaries have authorised just such warrants.

Mr. Winnick: The Home Secretary may well have authorised warrants, but that does not alter the fact that he quite likely did not probe all the reasons for them.

As I said on Second Reading, when a former editor of the CND journal *Sanity* resigned as a result of some internal argument, that person was asked by special branch, no doubt at the request of MI5 officials, all manner of questions about leading personalities in CND and their private lives. Was the Home Secretary notified of that?

Because MI5 is not subject to parliamentary control or scrutiny, and because there is very little ministerial control of it, it has behaved in a way that has made it the subject of intense political controversy. If it is true, as has been argued by the hon. Member for Thanet, South (Mr. Aitken), that successive directors general of MI5 have been in favour of some kind of oversight, perhaps they have been in favour because they want to lessen the high profile of MI5, which they cannot like. Making MI5 the subject of political controversy is not, the liking of people actively involved in the Security Service.

Mr. Heffer: The hon. Member for Torbay (Mr. Allason) said that there was a time when the NCCL was on the Labour party's proscribed list. I have been a member of the Labour party for a long time. I cannot remember a time when the NCCL was on the black list. I remember that there used to be argument, certainly before the war, about some of the activities of the NCCL. The hon. Member has got it wrong. I hope that we will not go on record as saying that the NCCL was on the Labour party's proscribed list.

Mr. Winnick: I think that I answered the point on Second Reading when the hon. Member for Torbay made the same claim. I asked why my hon. Friend the Member for Peckham had been targeted when she was the legal officer of the NCCL. I understand that there was no other reason. The hon. Member for Torbay intervened and said that the organisation was once on the proscribed list. I replied that it may or may not have been. My hon. Friend the Member for Liverpool, Walton (Mr. Heffer) may be right. I conceded that, until about 30 years ago, the NCCL had what I would call an undue Communist influence. I do not wish to deny that. Is that how the Security Service works? Does it not take account of changes over 30 years? The NCCL can in no way be described as Communist influenced now.

Since Second Reading, I have had printed in the *New Statesman* a letter taking to task a barrister who had written defending the present Czech Government. I protested about what he said. I am disgusted about what is happening in Czechoslovakia, especially after yesterday. It is interesting to note that two others who replied in the same issue are active members of the NCCL. We must ask why, if the NCCL is targeted, the Freedom Association is not. That is the type of partiality that we are complaining about and think undesirable.

7.15 pm

Some of the most important features of parliamentary democracy are the rights of protest, advocacy and dissent. They distinguish parliamentary democracy from dictatorship. We all know that, in a dictatorship, any form of advocacy, dissent or protest is immediately denounced as subversive. We saw an example of that yesterday when the brave people of Czechoslovakia gathered on the 20th anniversary of the death of an heroic student who committed suicide in protest at the occupation of his country by Soviet troops.

In a democracy, the rights that I have mentioned have been built up over the years. They have been fought for and paid for. The Labour party wants to defend the right to protest and dissent, the right of advocacy, and the ability to disagree with the Government on important issues such as nuclear disarmament and civil liberties. Such activity is not subversive. It is subversive only if the objective is to help people abroad who are engaged in hostile action, if the aim is to bring about a form of dictatorship in Britain, be it ultra-Right or ultra-Left wing, or if its aim is to destroy our parliamentary system of government.

When the Minister replied to my Second Reading speech, he said that he was unwilling to go into matters

which were for the Security Service and that he would not explore them on the Floor of the House. That is why we ask for oversight of the Security Service. When we want to know why organisations and individuals are targeted without justification, all we get is the Minister saying that he cannot go into such matters, and that they are purely for the Security Service. That will always be the response of Ministers while there is no parliamentary oversight of the Security Service.

Mr. Hind: Does the hon. Gentleman agree that, even if there were a Select Committee, the same would be the case? The Committee would be new, but it would still not be open to the House to discuss these matters. If it is possible for the Security Service to mislead a Home Secretary, how come the hon. Gentleman has so much confidence that the same Civil Service that he describes as deceitful will not deceive a Select Committee?

Mr. Winnick: The point about having a Select Committee is that complaints that have recently been raised and that are now being taken to the European Court of Human Rights would be raised in a Select Committee, and it could report to the House. At the moment, if we table parliamentary questions on the subject, they are blocked or we get the sort of response that I got from the Minister on Second Reading. Parliamentary democracy is being undermined. We do not want to know what action is being taken against spies or suspected spies; we are concerned to protect civil liberties.

As for civil servants, I am not arguing that the majority of MI5 officials are deceitful. However, it has been admitted on both sides of the House that a small number of them, such as Peter Wright, were deceitful. I have not argued otherwise and it would be wrong to say that I have argued that the majority of them would intend or would be willing to deceive the Select Committee.

In 1985 *The Observer* gave details of how any employee or potential employee of the BBC was automatically vetted in liaison with the Security Service and that the person carrying out the vetting at the BBC was either employed by the Security Service or accountable to it. That has changed.

Mr. Allason: That is a very important point. Some years ago, a telephone tap in the Hague revealed two identified Soviet intelligence officers being indiscreet. One boasted to the other that at four days' notice he could get 12,000 people out on to the streets in Holland in an anti-nuclear demonstration. If hostile Soviet intelligence officers—it has been conceded that they are legitimate targets—are in touch with members of CND or other such organisations, surely it must be legitimate for the Home Secretary of the day to authorise warrants for those organisations to come under some form of scrutiny.

Mr. Winnick: That was a ridiculous intervention. I have already congratulated the hon. Gentleman on his conversion to oversight of the Security Service. He is suggesting that CND should be targeted. However, the Opposition believe that CND is a perfectly legitimate organisation made up of people whose loyalty to Britain and to parliamentary democracy is certainly no less than that of any Conservative Member. The old poison that members of CND are Soviet agents or could be used by Soviet authorities is nonsense. Over the years many active members of CND have been in the forefront of protesting against the way in which dissent is punished in the Soviet bloc. That is hardly the action of people who could be manipulated by the Soviet authorities.

Mr. Buchan: The intervention of the hon. Member for Torbay (Mr. Allason) shows an appalling ignorance of how demonstrations work. Can my hon. Friend imagine any of us, let alone an unknown Russian agent, getting 12,000 people out on the streets at four days' notice?

Mr. Heffer: When it appeared that Cuba was about to be invaded by America, a friend of mine in Liverpool said to me,"We have to organise a big demonstration on Saturday against American intervention in Cuba." I was not too keen, but I agreed. So we tried to organise a great demonstration against American intervention in Cuba. Two dozen of us turned up with placards saying, "Hands off Cuba." We marched down the streets in Liverpool trying to get a big gap between each person so that the demonstration would look three times greater than it actually was. The idea that we were being manipulated by Soviet agents is absolutely ridiculous and the hon. Member for Torbay (Mr. Allason) should be ashamed of himself. *[Interruption.]*

The Temporary Chairman (Mr. Norman Hogg): Order. Will the hon. Member for Walsall, North (Mr. Winnick) return to the main point of the debate.

Mr. Winnick: Although they may not say so in the Chamber, some Conservative Members really believe that any protest that could be described as Left wing is somehow connected with the Soviet bloc. As I have said, that is absolute nonsense, and my hon. Friends have underlined that point.

If other western democracies have some oversight of their security services, why can we not do so? On 22 May 1986 the Australian Attorney-General argued for changes in Australia. He argued that there should be some parliamentary scrutiny and that a committee should be established. Obviously, given the majority of the Australian Government of the day, that was duly carried out. The Australian Attorney-General said:

"The Government believes"—

that is the Australian Government—

"that the provisions provide a proper balance between greater Parliamentary involvement in the oversight of A510 and the limits of the Executive's ability, having in mind its responsibilities in regard to security matters to make sensitive information more widely accessible."

Mr. Gerald Bermingham (St. Helens, South): Will my hon. Friend give way?

Mr. Winnick: No. I have allowed quite a number of interventions and I must get on.

As my hon. Friend the Member for Paisley, South (Mr. Buchan) argued so strongly, the United States has an oversight committee and has had such a review of the security services for a long time, and Canada and Australia have established such systems. No one has suggested that since Australia introduced its parliamentary scrutiny committee in 1986 the security services in Australia have been undermined. If Conservative Members could produce evidence of that, it would be an argument against what has been proposed today.

I have some sympathy with the amendment tabled by the hon. Members for Thanet, South and for Aldridge-Brownhills. Any review committee is better than

[Mr. Winnick]

nothing, but I am not persuaded that a review committee made up of non-parliamentarians would improve the position much, if at all. It could be argued that if such a review committee were established—obviously the Government are not willing to accept it—it would provide a further reason why there should not be parliamentary oversight. It would be argued, "We have the Privy Councillors and the review committee; why do you continue to argue for parliamentary scrutiny of the service?"

Obviously the amendment will be voted down by the Government, but the matter simply will not go away because there is no reason why our Parliament should be treated worse than the Parliaments of other western democracies. If the Home Secretary really wants MI5 to stop being involved in political controversy, and feels that it is about time that political pressure was removed from the Security Service, he should recognise that there is a need for parliamentary scrutiny. If amendment No. 73 is not accepted today, sooner or later the matter will return to the House. Inevitably there will be some scandal and we shall repeat the arguments that we have used tonight. Finally, will the Home Secretary explain to the House why it is all right for the United States, Canada and Australia to have parliamentary oversight, but it is not right for Britain?

7.30 pm

Mr. Robert Boscawen (Somerton and Frome): I am increasingly worried by the lack of reality in the debate. The hon. Member for Walsall, North (Mr. Winnick) rightly said that the necessity for the Security Service is clear. He said that that goes without saying, and I agree. However, we do not agree that it is an effective service. Having an effective Security Service may be one of the ugly sides of protecting a democracy, but if we are to have it at all, it must be effective and it must be privy to certain sensitive information. The tenor of the debate on new clause 5 has been to open up that information.

The hon. Member for Liverpool, Walton (Mr. Heffer), who always speaks with great honesty and clarity, said that we want to know what the Security Service is up to; but if we know that, it can no longer protect our interests. Secrecy is basic to this debate. The right hon. Member for Birmingham, Sparkbrook (Mr. Hattersley) said that a Select Committee of 12 members could always be depended upon to maintain secrecy, and that it would not know about operational matters.

Mr. Buchan: Is it not peculiar that Britain, with the most carefully controlled secrecy, has been the country most open to so-called enemies, whereas America, which has openly scrutinised its secrecy, has been relatively free of the problem? It has had no Burgess, Philby or Maclean, so the argument does not work.

Mr. Boscawen: I could not say that there was less violence or criminal activity in the United States than there has been in this country, or that there has been less military spying there. I could not verify that or back my answer with facts. There has been a great deal of these activities in the United States, and in all the western democracies.

Mr. Allason: I can clarify this point because I have done some research on the subject. I started counting the number of convictions for espionage in the United States since 1945 and stopped counting at 94. By contrast, there has been a mere handful of convictions under section 1 of the Official Secrets Act.

Mr. Allan Rogers (Rhondda): They are all in Russia.

Mr. Allason: Some cases have been undetected, and there have been defectors, but there have been similar cases in America, too.

Mr. Boscawen: To return to my original point, certain sensitive secrets in this country are protected by our security service. If those secrets are made available to a wider selection of people—in this House, or among the so-called great and good suggested by some of my hon. Friends—they will be more at risk. Such people may have excellent records of service to the House, but they are subject to electoral pressures and to the pressures of the talking shop in which they live, so the secrets will be at risk. We should not allow that to happen. It is a grave mistake on the part of those who want to protect democracy to believe that they can do so by widening the circle in which these secrets are known. If more people know the secrets, they become less secret——

Mr. Winnick: I do not criticise the hon. Gentleman for not having read the Australian debate—he can hardly read every debate in Parliaments abroad—but if he takes the time on some occasion to read the debate of 22 May 1986 in Australia he will find that when the Attorney-General argued in favour of the establishment of a parliamentary committee, which duly happened, he pointed out that

"it will not be a function of the Committee to review operationally sensitive matters".

So there is no question of secrets being discussed by the committee.

Mr. Boscawen: Several times in the debate I have heard the argument that such a committee would discuss only the broad principles on which the security services operate —but that does not happen in practice. The security services spend what is perhaps a large amount of money on protecting certain sensitive secrets—for example, a previous Labour Government sought to protect the secret that they were spending enormous sums on developing the atomic bomb and the H bomb. They did not tell the House, and the Security Service existed to ensure that that information, rightly or wrongly, was kept from the House.

A Select Committee could not confine its scrutiny to the broad principles that guide the security services. It will know what is going on; it will ask what large sums of money are being spent on. It will ask, for instance, why the security services are protecting knowledge about development of the H bomb. Members in the House, or the great and good outside it, who are not directly responsible to the Government, will have to keep these secrets. The risks of their being divulged inadvertently—not deliberately of course—will be a great deal higher than if these people did not know them.

Mr. Bermingham: Does the hon. Gentleman agree that anyone who becomes a Member of this House may one day become a Secretary of State, or even a Prime Minister —or, more particularly, a Home Secretary? When he does, he will become privy to these secrets. Will he be the subject of some special metamorphosis on becoming a Minister which makes him trustable with secrets of state—a

metamorphosis that does not happen to other Members of Parliament, such as ex-Ministers, who would undoubtedly be members of the Select Committee?

Mr. Boscawen: I believe a metamorphosis does come over people when they are appointed to carry the burdens of the great offices of state. They know that they will have to keep these secrets to themselves, not share them among the 12 or more suggested members of the Select Committee. Acceptance of the new clause would substantially increase the risk of information being divulged.

Let us assume that the members of the Select Committee are disquieted by what is reported to them about some activity of the security services. I do not believe that they would ever discover illegal activity, but if they thought the services were hiding a Government policy that should not be hidden, for instance, how could they let the rest of the House and the country know? They would still be behind the barrier of secrecy; they could not emerge from behind it and explain that the Government were developing a nuclear bomb—as they were in the late 1940s—because they would be bound to secrecy.

I can see no advantage to members of the Labour party if the Select Committee were told that the security services were investigating the National Council for Civil Liberties because they had been informed that the council had been unknowingly penetrated by the IRA, and would have to be investigated. I suggest that the members of the Select Committee would be in an impossible position. When it came down to the practicalities, I do not think that the Select Committee could do other than go directly to the Home Secretary or the Prime Minister and say, "What is this about?" We seem to be living in a fool's world.

New clause 5 would set at risk some of the most sensitive information that we need to keep secret in order to protect our democracy. The members of the Select Committee could not make much use of information if they were bound to silence in the way that members of the Security Service, the Home Secretary and the Prime Minister are bound.

Mr. Tony Banks: I welcome the hon. Member for Somerton and Frome (Mr. Boscawen) back to the land of the living and the speaking now that he has left the Whips' Office.

Mr. Hind: My hon. Friend has been back for some time.

Mr. Banks: This is the first time that I have had the pleasure of hearing him speak since he left the Whips' Office. I apologise to the hon. Member for Lancashire, West (Mr. Hind) for my rather unseemly rummaging on the Bench in front of me while he was speaking. It was no impoliteness on my part. Unfortunately, one of my teeth came out and I found it necessary, to recover it fairly speedily. I hope that during my short speech nothing of greater anatomical significance falls off and plops down on the Bench in front of me.

Mr. Hind: As an advocate in the courts, I have had many experiences, but speaking to an audience and forcing teeth to fall out is a new experience.

The Temporary Chairman: Order. I hope that the hon. Member for Newham, North-West (Mr. Banks) will not respond to that.

Mr. Banks: I would not dream of responding to such a tempting intervention. I hope that I can keep all my parts about me during my speech.

The hon. Member for Somerset and Frome misunderstands how we view the question of parliamentary scrutiny of the security services. The Opposition fervently believe, as do some Conservative Members—as the hon. Gentleman has heard—that accountability is all, is of the essence. Accountability is what this place should be all about and no force in a democracy should be unaccountable. We are talking not just about notional accountability to a Home Secretary, but about accountability in the broadest, most secure and most efficient sense of the word. It is because we do not believe that there is such accountability within the security services that we have tabled amendments. I support our amendments, and in particular new clause 5.

The hon. Member for Somerton and Frome asked how on earth a Committee that is holding the security services to account could operate efficiently without getting involved in the day-to-day operational duties of the security services. That is not what is required. One can draw some broad parallels with police committees outside the Greater London area. A police committee looks at the overall objective of the police force in its area, but does not attempt to interfere in the day-to-day running of that force. That is the responsibility of the chief constable, and constitutionally everyone understands that position and respects it. Comparisons can also be made elsewhere in areas of broadly similar activity.

There is obsessive secrecy in Britain, and an obsession with secrecy is a cancer which, if allowed to develop, destroys democratic society. When we argue for accountability, it is not because we want to get all the secrets that we can and post them off to Moscow, but because we believe that if the security services are to operate within and outside Britain—and we think that such services are necessary—they should be accountable to Parliament and the people in the way that any other force or sector of our democracy is accountable.

I spoke about an obsession with secrecy, and I shall give a small example. On the way into the Members' Cloakroom this evening, I saw on the table a Tory Whip marked "Secret". As I am not a gentleman, I read it just in case there was something there that could have been put to good use. Regrettably, there was nothing like that. There was nothing secret in the Tory Whip. Whips are readily available and Members tend to discuss the business on them.

7.45 pm

However, the Whip is marked "Secret". You will know, Mr. Hogg, from your previous incarnation as a Deputy Chief Whip, that the Labour Whip is marked "Confidential". I do not see why our business should be considered confidential while Conservative business should be looked upon as secret. Many people, of whom I am one, believe we live in the most closed society in the whole of western Europe.

Mr. Bermingham: Does my hon. Friend agree that the word "secret" seems to have some special meaning for Conservative Members? Would he not further agree, having heard the speech by the hon. Member for Somerton and Frome (Mr. Boscawen)——

Mr. Banks: It is pronounced "Froom".

Mr. Bermingham: I apologise, Mr. Hogg. I do not understand that part of the country. It is south of the Wash. The hon. Member for Somerton and Frome conceded to me that a metamorphosis seems to occur when someone becomes Secretary of State or Prime Minister. Perhaps there is a reverse metamorphosis when one loses office. Some former Home Secretaries and some former Prime Ministers are still Members of the House. Can my hon. Friend give his attention to that, because it is worrying me greatly? I do not know how this great gift descends; perhaps it is from heaven.

Mr. Banks: I think perhaps the source is someone close rather than celestial. I have just spoken to my right hon. Friend the Member for Morley and Leeds, South (Mr. Rees) who tells me that, as a former Home Secretary and Privy Councillor, he is bound by the Privy Council oath. We have heard that oath explained. What I admire most about my right hon. Friend the Member for Morley and Leeds, South is that on more than one occasion he has told the House that he was wrong in some of the things that he did when he was Home Secretary. I cannot remember all of them because the list is perhaps too long. He had the honesty and integrity to say that, which is refreshing, because most politicians seem to believe that it is a sign of great weakness to admit that decisions that they had taken in the past were wrong. Such an admission by my right hon. Friend is a sign of great strength. We can learn from the strength that allows right hon. Members to say, "I made a mistake when I was in Government." I certainly respect that approach.

The hon. Member for Lancashire, West, who is unfortunately no longer in the Chamber, spoke about the Opposition's obsession with secrecy. He said that it was paranoia and had no basis in fact or reality. We come back to the allegations made by Peter Wright in his incredibly turgid and overpriced book. Peter Wright owes the Prime Minister an enormous debt of gratitude, because she boosted sales of that boring book. It would have gone the way of many other books, and would have remained with W. H. Smith if the Prime Minister had not stepped in and insisted that this man be pursued around the courts of the world at great expense to the taxpayer. That was unnecessary. It did not do us any good and it made the Government look fairly stupid.

The one thing that emerged time and again was the accusation that during the 1970s systematic attempts were made to undermine—or there were discussions by various people in MI5 about undermining—Harold Wilson's democratically elected Government. Those accusations have been made too often, by too many people, in too high places of authority and with too much knowledge for us to disregard them.

The hon. Member for Lancashire, West said that we were being paranoid, and that in any case these matters were investigated by Jim Callaghan when he was Prime Minister, and he found nothing untoward. I understand from my right hon. Friend the Member for Morley and Leeds, South that he, as Home Secretary, and Jim Callaghan investigated the issues subsequently raised by Peter Wright and others. I do not know how many more times hon. Members want to hear someone who was there at the time giving an authentic account of what happened before they start to believe that, far from being paranoid, we are concerned with the fact that a democratically elected Government could have been undermined by the illegal activities of MI5.

Mr. Allason: Has the hon. Gentleman read the book by David Leigh called "The Wilson Plot", which is the most detailed analysis of all the allegations that have been made about the undermining of the Wilson Government? When one examines it in detail, it turns out that all the allegations are that a defector identified John Stonehouse as having been a probable source, that Lord Kagan was investigated because he was playing chess regularly with a suspected KGB officer and that an individual who was to be recommended for high Government office by the then Prime Minister had been denounced as having been a member of the Communist party and a possible KGB recruiter. When David Leigh examined all these allegations, they turned out to be true, but that cannot be described as undermining the Wilson Government. Surely the job of the security services is to investigate allegations, and that is what happened.

Mr. Banks: The point at issue is that it was the undermining of Harold Wilson, and, as he happened to be Prime Minister, the undermining of a democratic Government was linked. I do not believe that Mr. Leigh had access to the sort of information that my right hon. Friend the Member for Morley and Leeds, South, a former Labour Home Secretary, has had access to. If he tells me that there are grounds for a parliamentary inquiry into the various allegations that have subsequently been made, I am convinced that we need to have an inquiry. Let us get it out.

If the hon. Member for Torbay (Mr. Allason) is correct, and if it turns out that we are overly concerned, then such an inquiry will reveal it, and we shall have more confidence. Conservative Members do not seem to want to allow us to have our confidence in the security services restored. At the moment, it is at an all-time low. Many of us may not have had a high regard for them in the past, but now we have none at all. We are asking only for an inquiry into various allegations, and it seems strange that Conservative Members are not prepared to accede to that request. I am sure that if we were talking about a Conservative Prime Minister and a Conservative Government, Tory Members would be making the demand that we are making now. I only hope that their demands would have received a more ready acceptance than we have received.

Mr. Rees: I agree with my hon. Friend. The plain fact is that the inquiry did not include what came out later in the Wright book, whether it was right or wrong. There is more than that in what has happened in the past year or so. I have here some photostats of documents. One of them was printed in 1972, before there was a Labour Government, and deals with Northern Ireland. At that time, I was the shadow Secretary of State for Northern Ireland. The document is

"Published by Merlyn Rees, Stan Orme, David Owen and Paul Rose."

This is an interesting document, although whoever wrote it was a political nincompoop. It is all about the Ulster Defence Association, the assassination of civilians, the Long Kesh concentration camp and why Britain cancelled local elections under the Heath Government. I wonder who published this. It was sent to me through the post. I

had nothing to do with it. I read economics at university after the war, and if I had written this thing and handed it in, I would not have got a CSE in anything.

Another interesting document is entitled:

"The Labour Movement. Economics: Master or Servant of Mankind".

It claims to be by

"Denis Healey, Tony Benn and Stan Orme".

My right hon. Friend the Member for Salford, East (Mr. Orme) gets into it all. Somebody wrote these documents. It has been suggested to me that it was part of a move in the early 1970s to denigrate the Opposition as well as the Government of the day, for reasons that I will not go into now. There is need to inquire into books such as these.

Mr. Banks: My right hon. Friend underlines yet again the need for accountability. More and more, as I listen to these debates, I believe that MI5 has a dirty tricks department and those who run it allow their political priorities to determine their actions. That means that they will always be looking at Labour Members and, increasingly, Conservative Members. They are allowed to set the priorities for their activities. They are allowed to intervene with their interpretation of the world as a way to influence and determine what they do.

That is unacceptable in a democracy. MI5 and MI6 are supposed to protect the national interest. They are supposed to be protecting our security, not indulging in dirty tricks against eminent Labour politicians. How anybody could believe that my right hon. Friend the Member for Morley and Leeds, South is a dangerous subversive, I do not know. When I was not a Member of Parliament, I remember coming to see my right hon. Friend, when he was Home Secretary, about section 2 of the Official Secrets Act. I have always wanted to tell my right hon. Friend that I came away disappointed with his response and thinking, "Another typical old Right-wing Labourite Home Secretary." That is what he was, but, in the years since, he has done a great deal to atone for those sins. Now, I am one of his staunchest admirers.

One of the problems that Conservative Members have is that they do not trust Labour Members because they see us as attempting to undermine their system, and in that they are absolutely correct.

Mr. Anderson: Is not the point far more fundamental? It is not just that the Conservatives do not trust us as an Opposition. By their response, they have shown that they do not trust Parliament.

Mr. Banks: They cannot trust Parliament unless they trust us, and because they cannot trust us they cannot trust Parliament. If Parliament consisted of 650 Conservative Members of Parliament——

The Minister of State, Home Office (Mr. John Patten): It soon will.

Mr. Banks: Perish the thought—no doubt they would quickly move to have parliamentary scrutiny of the secret services. They would then declare that Parliament had become non-political. I have always noticed, Mr. Hogg —my God, you look ill. I am sorry, it is not Mr. Hogg.

Mr. Bermingham: Does not the Minister's comment, made jokingly, give away the secret? When my hon. Friend said that if Parliament were made up of 650 Conservative Members they might trust us, the Minister clearly said, "It soon will." Perhaps we are heading towards a dictatorship, and that is all that the Government will accept.

8 pm

Mr. Banks: I apologise to you, Mr. Rhodes James. I did not realise that you had slipped into the Chair in place of Mr. Hogg. It came as a bit of a shock to me. My teeth are dropping out and my eyes are going as well. I hope that you will understand.

There is a lack of understanding and an intolerance in Government. We are not prepared to allow the Home Secretary to be our point of accountability to the House because he will see the national interest as being essentially the Government's interest, and that means the Conservative party's interest. It would be a strange Home Secretary who could disaggregate national interest from the party's interest and, in many ways, no Home Secretary could be required to do so. When we have a larger forum in which to hold the security services accountable, those interests will tend to cancel each other out.

We have no great complaint about confidentiality with regard to Select Committees. Perhaps some of the matters on which they deliberate are not as crucial as the security of the nation, but they often touch on areas of high political controversy where an element of national security is involved. Apart from the occasional leak, the system works efficiently. All Members of Parliament know their duty, but we will not be told that a group of people who have a view of politics that is not subject to any form of accountability or scrutiny in a meaningful sense—the security services—can decide what they will do and how they will do it and may place themselves above the law.

The Bill makes previous acts of illegality legal. In many ways, it is a piece of retrospective legislation. It is scandalous that we have tolerated for so long the possibility of people operating outside the law which is supposed to control and govern us all and on which our democracy is supposed to be established. I cannot accept that the Home Secretary is an adequate source of accountability to the House in respect of the security forces.

We heard a great deal earlier about comparisons with the United States. I said to my hon. Friend the Member for Paisley, South (Mr. Buchan) that, although I have been a stern critic of the policies of the United States Government, particularly in respect of central America, I have a great admiration for the openness of that government system because it is a democracy that is confident in itself. It is prepared to have those nasty skeletons in the cupboard pulled out from time to time for all to see. When people see that, the system moves on to a stronger level of accountability and becomes a better democracy. There are many faults in the United States system. I would make mainly economic complaints from a Socialist standpoint, but we can learn much about Government accountability from the United States model. I should be happy to attain its level of accountability because it would be leagues in advance of anything that we have now or are likely to have as a result of the Government's proposals.

As my hon. Friend the Member for Liverpool, Walton (Mr. Heffer) said, we can support new clause 5. We support the idea of a Committee consisting of

"10 Members of Parliament representing each party having at least 12 members in the House of Commons and

[Mr. Banks]

these Members of the Committee shall be appointed by the Prime Minister after consultation with the Leader of each party".

I accept that because it is the main thing on offer, but I can see some weaknesses and inadequacies. I should like to think that, if the amendment were carried, the Prime Minister would not be able merely to overrule the Leader of the Opposition and to say, "I have consulted, but I have decided to reject the names that you have put forward." We all know the Prime Minister's attitude towards appointments; she applies the dictum, "Is he one of us?" If he is, that person is appointed. We can see all sorts of dangers in the growing accretion of prime ministerial patronage as this Prime Minister, who at one time made great play of devolving power and of taking the apparatus of the state away from its interfering role, particularly in local government, has given more power to the centre and taken more power for herself. In many ways, I consider her to be the greatest threat to democracy in this country.

My hon. Friend the Member for Walton said that it would be better if we allowed the House to decide who would be the 10 members of the Committee. That would be an improvement on the amendment of my right hon. Friend the Member for Birmingham, Sparkbrook (Mr. Hattersley), but I must disappoint my hon. Friend and say that I doubt whether he or I would be elected under that system. We have been trying for a long time to have ourselves elected to the committee of the parliamentary Labour party, the shadow Cabinet, and have not yet succeeded, so our chances in a wider forum to become part of the committee responsible for overseeing the security services would be doomed to failure. However, as good democrats, we are prepared to keep on trying.

I would have far more confidence in a Committee made up of Members of this House and elected by the House because I would feel more certain that they would look after the interests of our parliamentary democracy. That is what it is all about. Our case is based on an argument in which we believe. We believe passionately in parliamentary democracy and that anything that strengthens parliamentary democracy, through greater accountability, must be for the betterment of this place and of society. That is why we support the amendments. The Bill is testament to the fact that no one considers the system to be satisfactory. Although the Government's proposal is a minor improvement, it is not acceptable to us. That is why we have tabled the amendments.

Some Conservatives Members, including the hon. Member for Somerton amd Frome, said that they did not believe us when we said that we accepted the need for the security services. We accept that need, but, equally, we do not accept that those security services should set their own policies or that they should decide who is an enemy of the state or which foreign country or home politician should be destabilised. That is not their right. That should not be tolerated in a democratic society. I cannot accept that, merely because we cannot guarantee that we will be 100 per cent. successful if we have accountability through a Committee of the House, we should accept no accountability at all. I should prefer something that was almost perfect rather than something that did not even make the effort.

We cannot accept the idea that the security services should be a law unto themselves, acting illegally. The Government now also accept that position and we welcome their late conversion to our cause, but, equally, we do not believe that the Bill goes far enough. We do not want to see the security services becoming nothing more than an extension of the Tory party because they are accountable to a Conservative Home Secretary. We do not believe that effective accountability is exercised through the Home Secretary. The Home Secretary has only to come to the Dispatch Box and say, "In the interests of national security I do not believe that I should disclose that information." We do not have proper accountability at present. We have tabled the amendments because, through them, we believe that the House will have the accountability that it deserves and that will greatly strengthen our democracy.

Mr. Andrew F. Bennett: The first question that the House must ask is why the Government have introduced the Bill. It seems overwhelmingly clear that they have done so because they feel that society lacks confidence in the Security Service. That is the prime reason for the Bill. I know that one or two of my hon. Friends have suggested that the Government want to have a better defence at the European Court and that there is a wish also to have more effective control over the security services generally, but I adhere to the view that the Government realise that the public have lost confidence in the Security Service. They believe that the Bill will restore some of that confidence, but only a much stronger Bill will do that. If they fail to introduce such a measure, they will only fuel demands for further legislation and greater scrutiny by the House. It would be far better if at this early stage the Government were to go for an effective system of scrutiny instead of having a continuing debate for the next two or three years that in many ways will further undermine the public's confidence in the security services.

It seems that the Government have set out to minimise debate rather than to maximise it. That will fail to restore the public's confidence in the security services. Not one Government amendment has been tabled.

If I am right in assuming that the Government will resist most if not all of the Opposition's amendments, the Bill will not be considered on Report. It is a constitutional matter and the House has been allowed to debate it on the Floor of the House in Committee, but it seems that the Goverment are trying to eliminate consideration on Report. I hope that the other place will take note of the way in which the Bill proceeds through this place, take the time to scrutinise it effectively and ensure that it returns to this place with amendments so that we shall have the opportunity further to examine it. I regret that the Government have not been prepared to table their own amendments, and I shall be surprised if an eight-page Bill proves to be perfect. Have no drafting errors come to light?

It has been argued strongly by some Conservative Members that the Home Secretary is not the appropriate Minister to issue warrants for the undertaking of what otherwise would be illegal activities such as bugging, telephone tapping and burglary. I have strong sympathy with that argument. With the Home Secretary's long list of responsibilities, he does not have the time fully to examine all the possible occasions on which a warrant might be needed. He is often presented with a clash of interests. Being responsible for so many Government functions, there is often strong public pressure upon him to achieve results. If an outrage occurs, the pressure on the

Government to arrive at a solution is considerable. If at the same time the Home Secretary has a warrant placed in front of him that seeks his permission for some illegal activity to go ahead, it is only human nature that he will be inclined to grant it, especially if at the back of his mind there is the possibility that someone in the security forces will leak to a journalist that he, the Home Secretary, is not over-sympathetic to a certain warrant coming forward for approval. There is considerable pressure on any individual who has a political role in governing the country and who has also to decide whether someone's civil rights should be revoked.

There is another problem for the Home Secretary in separating reasonable political intelligence from intelligence on illegal activities. Some of my hon. Friends have become extremely upset at the suggestion that there has been any bugging of organisations such as CND or other interference with them. Perhaps some of my hon. Friends are somewhat naive. In most protest groups there are those who want to pursue their process by legal democratic means, but there are sometimes smaller groups who feel equally strongly about the same issues but believe that they should be pursued peacefully through passive forms of resistance. There is, for example, the relationship between CND and the Committee of 100. In many instances there is a third and smaller group which believes that its cause is so correct that it is permissible to engage in violent forms of protest to pursue its ends.

8.15 pm

Mr. Tony Banks: There is another category that might be included in any one of the groups that my hon. Friend has listed. I refer to the agent provocateur who is put into an organisation to try to discredit it.

Mr. Bennett: I accept that. What I have said goes beyond CND and other such organisations and embraces groups that are concerned with the rights of animals. It seems reasonable and legitimate for a security service and for the police to be concerned with those who are at the far end of the spectrum who involve themselves in violence and breaking the law generally. Equally, the security services are not entitled to be involved with those whose activities remain within the law.

When a member of the security forces asks for a warrant to enable an illegal activity to be carried out, it must be extremely difficult to know whether the person whose telephone is to be tapped or whose home is to be burgled has been involved in illegal activity. If illegal activity is authorised by the Home Secretary, he must know the results of that authorisation. If he is told that he has unearthed a crime as a result of the illegal activity that he has authorised, the officer's action in seeking the warrant will have been justified. If no crime is discovered as a result of the illegal activity, considerable political intelligence might well be gathered concerning those who are behaving legitimately and democratically. That places someone such as the Home Secretary in an extremely difficult position. He is likely to be able to gather information as a result of actions that the security forces should not have taken that will be of great importance politically. I do not see how a Home Secretary can separate his judicial role in deciding whether telephone taps, burglaries and other such actions should be committed from his political role. It would be far better to place the duty in the hands of someone else who is not in a position to use any political intelligence that results from a misuse of the power to carry out investigations.

Is the Security Service cost effective? It is extremely difficult to judge whether we would be better to put the money into open government, for example, rather than to try to maintain great secrecy when there is no need to do so since the service is cloaked in total secrecy.

Many of my hon. Friends seem to assume that telephone tapping is widespread. That assumption is one that the Government would like to encourage. It encourages some who are involved in legitimate trade union activities to assume that their telephone is being tapped. Having arrived at that assumption, they go to considerable lengths not to make telephone calls but to pass on information in other ways. They are involved in protest, not illegal activities, but they assume that their protest activities will be reported back to the Government. Many of them would not wish such information to be reported back to the Government at a certain time. It would be amazing if anyone involved in illegal or subversive activities regularly transmitted information over the telephone. It would be far better if we knew clearly how many warrants were being issued. That would eradicate many myths and rumours.

Is this amendment absolutely necessary? As I understand it, the Select Committee on Home Affairs is entitled to ask questions about these matters. According to "Erskine May," it is clear that the Select Committee on Home Affairs is entitled to investigate any activities of the Home Office which are paid for from public funds. It seems that there is absolutely nothing in the Standing Orders to prevent the Home Affairs Select Committee investigating secrecy matters.

Since the departmental Select Committees were set up in 1979, the Home Affairs Select Committee has on one or two occasions hedged around the question whether it should investigate security issues. On almost every occasion, by using their Whips and their majority on the Committee, the Government have made it clear that it would be a waste of time for the Committee to investigate these matters because Ministers were not prepared to answer any questions and the inquiry would not make much progress,. Therefore, Members are encouraged to consider other areas for investigation.

We should not need to pass this amendment now. Instead, the members of the Select Committee should make up their minds whether they want to carry out their scrutinising role. If they were prepared to act, as some people hoped that the Select Committees would when they were established in 1979, the Committee members would be demanding that Ministers answer questions about the security services. No doubt Ministers would come to the Committee and say that they could not answer, just as they come to the Chamber and refuse to answer such questions. I suspect that a Select Committee has the power to take on the Government with a sustained and challenging assault to demand papers and information.

Mr. Buchan: I hate to destroy such optimism, but I believe that my hon. Friend is being rather sanguine. We have already experienced the way in which Select Committees can question Ministers in the case of the Select Committee on Defence and the Westland affair. Instructions were given to Ministers that no answers were to be given. On five pages of that report, a Committee

[Mr. Buchan]

member put questions to the former right hon. and learned Member for Richmond, Yorks (Mr. Brittan) who would not answer them. Unless we change the nature of Select Committees so that there are occasions on which the Committee, perhaps with the imprimatur of the House, can put Ministers and civil servants under oath, I cannot see a substitute for the kind of Committee suggested in the amendment.

Mr. Bennett: My hon. Friend highlights the fact that our Select Committees are not working particularly well at the moment. That is not because they do not have the powers. If the House was to assert that it wanted the Select Committees to carry out their inquisitive roles, they could. Not only did the Select Committee back down over Westland, the House backed down as well. Part of the problem lies in the Government's majority. To a certain extent, in the amendment we have built in the Prime Minister's veto over appointments and there is still the problem with the Government majority.

It is most important that the House has the confidence to demand that the Executive is accountable. Although I will support this group of amendments together with the slightly weaker amendments of Conservative Members, at the end of the day the House must have the confidence to assert its right to control the Executive.

Until it does that, the situation in this and many other areas will continue to be unsatisfactory.

Mr. Anderson: I agree with my hon. Friend the Member for Denton and Reddish (Mr. Bennett) that this issue is fundamental to the relationship between Parliament and the Executive.

The strongest and stoutest defence of the Government's response to public concern about the security services was made by the hon. Member for Lancashire, West (Mr. Hind). His thesis was that, as a whole, the package, proposed by the Home Secretary is radical. He said that for the first time the Bill puts the security services on a statutory footing and warrants will have to be sought from High Court judges. He explained that there will be a tribunal with a right of appeal for members of our security services and that there will be a report from the commissioner. He said that the apex of the whole system is supervision by the Home Secretary and the Prime

However, the problem is where, if anywhere, Parliament enters that grand structure. It is clear that when faced with substantial public concern about the role of the security services, the Home Secretary has not responded by trying to find a role for Parliament and the elected representatives of the country. Instead, he has responded with a bureaucratic solution which bypasses the role of Parliament and effectively gives no role to Parliament in our democracy in the oversight of our security services. Effectively, the Home Secretary is not saying, "How can I look at the problem through democratic spectacles and see how I can build in some oversight and accountability of the security services with all the proper safeguards?" His response has been, "I must give something. What is the least I can get away with?" The Bill is his response. It represents the divide between the two sides of the House and between the parliamentarians and authoritarians in Parliament. There are clearly good parliamentarians on both sides of the Chamber as we have seen from the speeches today.

During this interesting debate we have addressed one of the key problems of democracy, which is who guards the guards—Quis custodiet ipsos custodes? I agree that "guards", however defined, are necessary in our democracy. However, those "guards", with statutory powers, in the security services pose a potential danger. There are indeed substantial dangers from forces seeking to subvert our democracy and we are never sure from which quarter those threats will come.

I recall being lectured as a very young diplomat by a very senior diplomat. He told me in a very avuncular way, "When you go abroad, young man, you will never know who the chief Soviet agent will be in the post to which you are assigned. In my first post the chief Soviet agent was my head of chancery, Donald Maclean." That caused a certain response from a young diplomat.

Let us accept that there is a need for secrecy. Clearly the right-to-know principle is relevant. However, should certain parliamentarians who have the confidence of this House be brought within the veil, taken to the other side of the curtain to perform a proper role within our democracy? During my time in the public services, I had to deal with a number of members of the security services. I can generalise about them. Certainly they were patriotic, but it was unlikely that people would be attracted to the security services who were of a radical disposition or who would easily find themselves broadly on the Left of politics in this country. Indeed, for the most part they had their déformation professionelle.

As the right hon. Member for Old Bexley and Sidcup (Mr. Heath) said on Second Reading, they would have a certain suspicion about the man reading the *Daily Mirror* on the Underground. They believed they were playing a role as centurions in our society against all the dark forces seeking to subvert our society. Perhaps a rather extreme example of that individual is Mr. Wright. Unfortunately, as a result of his role in "Spycatcher," he is deemed by some people to be a democrat. He was the most nasty, authoritarian Fascist imaginable. Any organisation that allows such a man, with his known views and weaknesses, to be recruited certainly needs a degree of accountability.

Mr. Bermingham: My hon. Friend fascinates me, as always. Does he agree that history has shown that democracy across the world has been attacked as often from the Right as from the Left?

8.30 pm

Mr. Anderson: That is precisely my point. In so far as there is deformation by those in the security services who believe that they are being patriotic, they believe that the threat to our democracy comes from the Left. They have a world view that identifies generally with the Right.

I accept that many problems surround the question of security in our democracy. There are the problems of pursuing policies, which have been set out by authors from de Tocqueville onwards, and how, in a democracy, one exerts any control over foreign relations or whether one leaves everything to the Executive. The United States, with all its problems, has solved the problem reasonably satisfactorily, as have Canada and Australia. They have in different ways sought to address themselves to the problems of scrutiny in a democracy and oversight of their

security services. They have arrived at a form of oversight, however imperfect, so why do our country and Government feel that they must stand outside other democracies, which not only perceive the need for control but have done something about it?

Why is it that the Home Secretary, with his excellent democratic credentials, is prepared to wear the bureaucratic garb that comes with the present proposed solution? The existing accountability and oversight is inadequate. I shall listen to arguments about the precise form of parliamentary participation, whether it be individual parliamentarians who, along with other outsiders, are taken within the veil, or a Select Committee. There should be a role for Parliament, or at least for some right hon. and hon. Members.

I am not wholly persuaded by the amendment in the names of my right hon. Friend the Member of Birmingham, Sparkbrook (Mr. Hattersley) and my hon. Friends which proposes that the Prime Minister should have a veto over the selection of members of the Select Committee. That would be wrong. However, I shall listen to arguments about how one should choose the Committee's membership. I am not persuaded that all members should be Privy Councillors. The right hon. Member for Plymouth, Devonport (Dr. Owen) said that anyone appointed to the Committee who is not already a Privy Councillor should be made one, and therefore be subject to all a Privy Councillor's responsibilities. I believe that those appointed to the Committee should submit themselves to positive vetting. It would be absurd to go so far as to suggest that they should undergo a polygraph test; that would be wholy intolerable. However, Committee members should at least be subject to positive vetting, which would help overcome problems that might otherwise arise.

My view of the size of the Committee is the fewer the better. The "need to know" principle is valid, and if the Committee has a small number of members there will be less likelihood of leaks. When the hon. Member for Lancashire, West defended the Government, he did not mention the precedent set by the Falklands committee, when a distinguished parliamentarian such as my right hon. Friend the Member for Morley and Leeds, South (Mr. Rees), who served on it, was taken within the veil of secrecy. That gave a credibility to the inquiry's conclusions that they might otherwise not have enjoyed. That is not a bad precedent for involving Parliament in some way.

I also listen carefully to arguments about whether there should be a small Committee comprising only right hon. and hon. Members of this House, or whether Members of another place should be included. A number of distinguished former Members of this House now sit in another place, and I see no reason in principle why they should not be invited to join a form of small joint committee. I hope that the Home Secretary will accept the valid points made by my right hon. Friend the Member for Morley and Leeds, South concerning continuity. It is one that can be addressed, whether or not the Home Secretary meets the arguments we are deploying about parliamentary accountability or a parliamentary component.

The hon. Member for Caithness and Sutherland (Mr. Maclennan) suggested that no form of parliamentary component is appropriate—as if there were no right hon. or hon. Members suitable to carry out such functions democratically and on behalf of the House as a whole. I do not accept his argument that, because of the partisan nature of our politics, such a Committee will necessarily be polarised and that its members will feel bound to reveal —although he did not go as far as to say this—information they learnt and to play the party game. That has not been the case in the US committee, nor was it the case in the Falklands committee. It will depend on the personnel. There are individuals who enjoy the confidence of their colleagues in the House, who clearly understand the need for national security, and who in no wise can be deemed likely to breach security during their service to the Committee.

The Government's response shows a lack of confidence in Parliament. If we are to have textured democracy that really works, we must have a series of intermediary bodies between the Executive and the citizen. Over a whole range of issues—the trade unions, the media in some cases, and certainly local government—the Government, sad to say, have sought to neuter intermediary bodies. The most important among them is Parliament itself. By giving Parliament a role in security, the Government could show a confidence in Parliament that has been regrettably lacking in other areas. The Government have betrayed a negative view of Parliament and of parliamentary sovereignty.

Does anyone seriously believe that this Government package is likely to last? My view is that it will have a relatively short life, not because of any lack of confidence in the present Home Secretary but because he is, by definition, overburdened with a vast range of responsibilities. I say with respect that any Home Secretary, because of the nature of his work, is likely to become rather remote and be drawn into the bureaucracy of the great and the good—the kind of people who serve on the Security Commission. It is a serious point, and I hope that the Home Secretary will address himself to it.

When one chooses for the Security Commission former diplomats and former judges, all of whom are no doubt patriotic, one should also look at what the French call the formation—the personal development and background of those individuals. They may not have their beginnings in a gilded background, but they develop a certain bureaucratic feeling. They become, almost necessarily, out of touch with how ordinary folk feel about issues of this nature. Part of the argument for parliamentary democracy is that we are indeed kept in touch with how ordinary folk think, move and have their being, and are able to make an input which is valuable in itself and which, almost by definition, is impossible from the great and the good—the judges who have been robed and cloistered over their career development or the diplomats who have spent a substantial part of their careers—perhaps two thirds—outside Britain and out of contact with ordinary folk in this country.

If the Government really wish to address the matter democratically and to gain the confidence of the public, they will not do so by avoiding a parliamentary component in the accountability of the security services. I am not arguing for a bureaucratic solution or for one that is the least that I can get away with at present. I urge the Government to reconsider their response. Parliament and the public will not for long be content with the plea from the Home Secretary, "Trust in me, and trust in my successors."

Mr. Bermingham: It is interesting to watch what is happening on the Government Benches—although I am

[Mr. Bermingham]

sad that my hon. Friend the Member for Swansea, East (Mr. Anderson) does not entirely agree with new clause 5, for reasons that I shall return to in a moment.

The Home Secretary said a short time ago that someone with a safe Labour seat would become cocooned from life. Little does he know. The Minister of State—who earlier made the faux pas that he would only be happy when there were 650 Conservative Members of Parliament, showing his usual simultaneous combination of arrogance and ignorance—was heard to comment, "Of course, he is a barrister as well." Apparently, if someone has a Labour seat and is a barrister as well—I must declare an interest as I am both—he is cocooned and rendered utterly unsafe to others. What rubbish. That shows the conceit and arrogance of the Government once again.

Let us not mince words. The hon. Member for Somerton and Frome (Mr. Boscawen) was kind enough to let me intervene in his speech. I said, "Everyone comes to the House as an ordinary Member. None of us comes here with anything special, magical or mythical about us; we are ordinary men and women elected by the British public." Some rise to great things, becoming Speaker of the House or a Minister of the Crown. A few rise to become Secretaries of State; the odd one or two rise to be Prime Ministers. Of course there are those who rise to become Whips, but I have nothing to say about them—nothing good, that is.

I asked the hon. Member for Somerton and Frome whether, when an hon. Member became Home Secretary, Secretary of State for Northern Ireland or Prime Minister —to be fair, I did not mention the Secretary of State for Northern Ireland then, but I mentioned the other two posts—a metamorphosis took over, and he became something even greater, not just an ordinary human being who was a Member of Parliament. Yes, he said, such a metamorphosis did take over.

The following question then crossed my mind. When a Home Secretary ceases to be Home Secretary, as surely the current Home Secretary one day will—through disagreement with the Prime Minister, through age or through some other misfortune such as getting it wrong—can the metamorphosis reverse? Does that person cease to be someone who can be trusted with secrets of state?

If that is the Government's attitude, it is arrogant and conceited. There are many right hon. Members on both sides of the House who have held high office and whose integrity is without question—who certainly kept secrets of state in their years of office, and who certainly in retirement would never dream of breaching the Official Secrets Act.

8.45 pm

Many Members of Parliament have, through being in one occupation or another previously, signed the Official Secrets Act. When they were made Members of Parliament, they all took an oath of loyalty to the Crown. Some of us have had to take more than one such oath. Those of us who were not born with an English passport took one when we were naturalised. Those of us who have practised as solicitors, as I did years ago, took an oath when we were admitted, as did those of us who were called to the Bar. The secrets that lawyers carry to the grave—because that is the rule—are secrets at least as grave and great as many of the minor secrets that the secret service seeks so jealously to guard.

What of the doctor and his oath of secrecy and loyalty to his patients? What of the clergyman and his oath on confessions or the lawyer and his oath of loyalty to the Crown? The Home Secretary may say that there is a lawyer preaching on behalf of his own game. My point is that in this land of ours there are many human beings who are utterly loyal to the Crown, and that within the House are a considerable number of people who have had to be keepers of others' secrets which could often have done great damage if they had got out. Is it to be said that those persons are not to be trusted, and that unless the metamorphosis has descended on an hon. Member and he has been Home Secretary pro tem—or Prime Minister pro tem, although in the current instance the time is getting rather long—he cannot be allowed to be privy to the actitivies of our most secret service?

Is not the reality that most of the secrets of our secret service are known to everyone bar us—certainly to the Americans and to the Russians? Is it not a farce that, in the latter part of the 20th century, our secret service, still clad in the cloak of the 18th century and with the thinking of the 19th, is allowed to burrow and to tunnel?

I agree with what was said earlier about Mr. Wright's book. It is the greatest load of rubbish that I have read for years. It is boring and dull. I shall not repeat the comments about its being the British Government who became the supersalesmen and made Mr. Wright a fortune. Nevertheless, is it not right that we, the British people, should know the truth? If that sort of activity is going on, does it not need to be disciplined and curtailed? If it is not going on—and I have no way of knowing whether it is or not—surely it is in the interests of the British secret service to have a committee of respectable or respected persons to whom they can report to show that the lies and slanders are not true. One must ask why the Government are frightened that anybody else should be involved.

Over the past ten years there has been a creeping erosion of freedom in one form or another. So as not to go outside the ambit of the new clause, I merely propose to give a few examples. There has been an attack on the right of silence and a curtailment of broadcasting freedom. It is lunacy. If German commentators want to ask a supporter of an idiotic cause about that cause, they can do so and it can be broadcast all over Europe and shortly it will come down out of the sky on satellite television. However, the BBC and ITV cannot be trusted. The great British public cannot be trusted to make up their own mind. The Government decided that juries could not be trusted, so the right to challenge was removed. The Government decided that juries should not be let loose on certain types of case, so they were removed.

Those are just examples of a disease. The Government fear that, if the public or the House have any say, that will somehow erode Government power. They do not want to let anyone else near the heart of our society. They do not want anyone to know the secrets. They want to huddle them away. They will have their guardians to protect the secret service and will not let anyone near it.

The Government's suggestion is circular. A will report to B who will report to C who will then report to A. It will go round and round but will never go outside the circle. I hope that when the Home Secretary speaks to the new clause he will confirm or deny—I put the question to him

—the report that appeared in the newspapers over Christmas. The report said that the Government intended to agree that the telephones of Members of Parliament should not be tapped. It suggested that the undertaking of old would be given again. I hope that it is. If it is not, that report was as illusory as the report stating on 30 December that police cells were open and that there were no more prisoners in them. On 31 December the prisoners were back, and they are still there. I hope that the protection of the rights of Members of Parliament will be reinstated tonight.

There are those who seek to subvert, and we must have real accountability. My hon. Friend the Member for Swansea, East talked about the threat from extremes. I like to think that all hon. Members are democrats; we believe in democracy. We fear the threat from those who believe they are always right and extremists from both sides. My hon. Friend mentioned that, generally, the secret service seems to recruit from the Right because it fears that problems will come from the Left. During this century history has taught us that the threat comes from extremists on either the Left or Right. Both are enemies of democracy. If a service recruits from only one philosophical persuasion, there is the risk that anything standing in its way or anyone who does not believe in its philosophy will be seen as a danger to society. That is a load of nonsense. History has shown that extremism, be it Left or Right, arises when people think that power at any price is a worthwhile tactic.

The history of the 20th century shows that some people did not believe in democracy and thought that they had a divine right to rule and never made a mistake. They reached a point at which they were afraid of ideas that did not agree with theirs. They may genuinely have believed that they were always right. However, the doctrine of infallibility has no merit in history because we are all capable of making mistakes. I do not think that all Labour Governments have been right. Some of them have been horribly wrong on occasions. When the history of the 1980s is written, the Home Secretary and the Minister will look back at some of the decisions they have taken and find them to be wrong because events will have proved them to be so. That is human nature.

One of the decisions that will prove to be wrong is their decision to oppose new clause 5. It is not perfect, but it is a step in the right direction. It simply says that we believe that the body to whom the Security Service should be accountable is composed of men and women from this place who can be trusted. The Government do not seem to trust Parliament. That is a tragedy. I hope that the House will support new clause 5.

Mr. Cryer: I will not detain the Committee because many of the points that I wished to make have been made already. The Opposition have bent over backwards to accommodate the Government. No doubt, the Government will, as usual, kick them in the teeth at the vote. Their plea for allowing the House to be the judge and allowing Parliament to play a part in the process has been arrogantly brushed aside by the Government because they do not believe in democratic accountability or in Parliament. If Parliament had a part to play in democratic accountability, the Government would seek to burn the place down to get rid of it. Therefore, it is easier to ensure that it does very little.

The Government are attempting to bring about this cynical manoeuvre because of Peter Wright who bugged and burgled his way around London. He was able to influence the choice by a Prime Minister of the head of MI5, as he recounts in his book. I disagree with my hon. Friend the Member for St. Helens, South (Mr. Bermingham) because I found Peter Wright's book fascinating. It is always fascinating to look behind the locked door of Whitehall and find out what is going on. Peter Wright's book has never been challenged on its authenticity. It has been challenged on its revelations and on the grounds of Peter Wright's lifelong oath of secrecy.

Now that the information that Right-wing extremist elements were operating in MI5 is out—and I shall come to other examples in a moment—the Government seek to legitimise that, and that is all they want to do. The notion that the amendments are likely to find favour is improbable.

I have always been in favour of open government and I resigned from the last Labour Government on two counts. The first was the Government's decision to close a worker co-operative with the loss of 500 jobs and they wanted me to do their dirty work for them, which I refused to do. Secondly, they were not carrying out party policy on open government. The then Prime Minister sent round a memorandum saying that we should not discuss or reveal the Cabinet system of government. Under that, 80 Cabinet committees make various decisions and are labelled by civil servants. All the labels are changed when a new Government come to office so that there can be no accountability outside or any lobbying, so the machinery of government remains isolated. I disagreed with that and showed my disagreement by resigning, so I am following a consistent line in saying that more open government is good for democracy.

Amendment No. 73 proposes scrutiny by a Select Committee. I do not want to go over the arguments about hon. Members being reasonable, decent people. When one steps through the portals of this place, one abandons certain radical attitudes because as soon as one is inside the House, one is part of the establishment.

9 pm

Mr. Tony Banks: I am not part of the establishment.

Mr. Cryer: It is true. My hon. Friend the Member for Newham, North-West (Mr. Banks) may protest and cherish the illusion that he will lead the revolution at some stage, but, I am afraid, we are all tarred by the parliamentary brush to some extent.

There is, therefore, a fair range of potential candidates for the Select Committee. There is, after all, a Select Committee on Defence, and the Home Secretary knows full well that if the Government feel that somebody might be a bit radical for the Defence Committee, they get hold of the Opposition Whips and have a little chat through the usual channels. The usual channels say that they will get some safe people on to the Committee and will not have on the Committee people who might raise a few awkward questions.

I do not know what the Government are worried about. They can always fix things. They can almost always deal with the problem of an awkward customer who seems likely to become a member of the Select Committee. They cannot always do that, which is why they have some modest reservations about the system, but they usually

[Mr. Cryer]

have a good chance of ensuring that the people who become members of Select Committees are pillars of the establishment.

Mr. Tony Banks: I realise that often, in the past, good red Socialist meat has been turned into bourgeois sausages as it has gone through this place, but surely my hon. Friend would not include in his strictures about selling out to the establishment his hon. Friend the Member for Bolsover (Mr. Skinner) or, I should have thought, himself. I do not want to shatter the view that I have of him as a principled Socialist.

Mr. Cryer: I am sure that, as a principled Socialist, my hon. Friend the Member for Newham, North-West would not want to put words into my mouth that I never uttered. I never said anything about selling out to the establishment, but I said that the inevitable consequence of following the conventions of being elected to Parliament was, to some degree, to be touched by the establishment, because Parliament is, basically, an establishment institution. I agree that we should use the place to improve society and to produce a Socialist and fairer society. We must take a few leaves out of the Government's book and show as much determination for our people as the Prime Minister and her cronies have shown for their people.

The House is open to change. However, there are 650 hon. Members who are all within the establishment framework to some extent and who could all be candidates for the Select Committee to scrutinise the mysterious area of Box 500, MI5 and all the rubbish and gubbins that goes with that. The truth is that our security activities need to be within a fairly narrow area. I am referring to activities such as those that would have prevented the terrible tragedy to the Pan Am aircraft over Lockerbie, for example. No one would dispute that, but I dispute the uncontrolled flights of fancy, the soaring into political and trade union areas by MI5, which are revealed in Peter Wright's book. When one realises that but for an argument over a parsimonious pension settlement that book would never have been published, one realises how narrow is the line between maintaining secrecy and allowing the complete picture to be produced.

New clause 2 suggests a review committee of Privy Councillors and I would vote for it as a second best. However, I do not think that there should be any difference between one hon. Member and another. Privy Councillors are only people who sucked up to some Prime Minister in the past, long enough to get a job. The notion that they are transmogrified into superb beings who are more trustworthy than others is absolutely nonsensical.

The notion of different ranks in Parliament is demonstrated by the deep resentment that prevails among many ordinary Back Benchers when Privy Councillors are called early in debates and given preferential treatment. If any Privy Councillor said at a general election, "I am a Privy Councillor, I get called early so I deserve your votes", it would be nonsensical. That relatively trivial matter, which rankles with many hon. Members, applies also to membership of Select Committees. Every hon. Member should be equally eligible to serve on a Select Committee. The difficulty over Privy Councillors, with some distinguished exceptions, is that they tend to be more subservient to the establishment than are other hon. Members. When Members of a Select Committee are chosen, I should prefer Privy Councillors to be ignored so that the proper scrutiny that is necessary can be achieved.

I support new clause 5. It makes accountability a little more democratic. Curious circumstances surround what MI5 has done. For example, Mr. Peter Shipley worked as an adviser at No. 10 Downing street. According to *The Guardian*, he was a member of the National Front. Did MI5 give him clearance? I have asked questions about that, but in the usual tactful way in which answers are blandly distorted to reveal nothing at all, the question was pushed to one side. I should have thought that those who work at No. 10 Downing street ought to be given clearance. Either MI5 was singularly inefficient in not knowing what *The Guardian* discovered or it acquiesced, which would be very disturbing.

Mr. Allason: Anybody who has regular access to top secret or atomic information has to be positively vetted. The fact that somebody works in a lowly position in an office at No. 10 Downing street or anywhere else does not mean that he or she is automatically clear or vetted by MI5. The Security Service does not conduct positive vetting. That is conducted by the Procurement Executive of the Ministry of Defence.

Mr. Cryer: I have been positively vetted. I do not know whether the man who arrived at the Department of Industry wearing his NHS specs—who at first refused to reveal his name because it was all very secret, so we had to insist that he provided us with a name so that he could be allowed into the building—was from the Procurement Executive. I was disappointed to discover that he warned me not against blondes or brunettes but against going on steam train excursions to Eastern Europe in case I revealed Department of Industry secrets. I wished that there had been some Department of Industry secrets to guard, but there did not seem to be many of them at the time.

I do not believe that those who work at No. 10 have not been subjected to scrutiny. It casts a reflection on MI5's political attitude that a person who was subsequently listed as a member of the National Front was able to work at No. 10.

My second point about that individual is that he was taken on as an assistant to the chairman of the Conservative party for the 1987 election. He pursued a number of dirty tricks during the campaign. I suspect, therefore, that he may not have been the kind of lowly clerk that the hon. Member for Torbay (Mr. Allason) suggested. *[Interruption.]* Does my hon. Friend want to leave the Chamber?

The Temporary Chairman (Mr. Robert Rhodes James): Order. I hope that the hon. Gentleman will not pursue that argument any further.

Mr. Banks: Why not?

Mr. Cryer: I shall give way to my hon. Friend.

Mr. Banks: I should never wish to leave the Chamber while my hon. Friend was speaking. He must know that. Has my hon. Friend shattered another illusion this evening—that he actually passed the positive vetting test?

Mr. Cryer: I apparently did.

My second example of the strange relationship is simply an anecdote. Somebody who was not a constituent came to

see me. He had pursued a protest about a book not being published and had gone out to paint slogans "Justice for Adrian Tibbetts." on a wall in Leeds. An unmarked police car circled him twice and he, his parents and a man who worked with him on the task called Peter Maranchenko were arrested by plain clothes officers. Peter Maranchenko was connected with the British National party. The Tibbetts, who were involved, were arrested and prosecuted, but Peter Maranchenko slipped away from the police headquarters in Leeds with the agreement of the police, and was never prosecuted. To this day, the Tibbetts believe that he was an agent provocateur.

That information was given to me in good faith by people who were prosecuted for causing criminal damage whereas the person who encouraged them was not. Such problems would be dispensed with if there were more democratic accountability. The Home Secretary will brush that idea to one side because he likes to keep everything within his own little ambit. He is not much of a democrat, truth to tell, or he would accept a Select Committee of fellow Members of Parliament, with the Government having power of selection over its operation.

We shall just have to keep pressing the case until the next Labour Government institute proper, comprehensive accountability as part of a pattern of open government. We shall have to be as radical in a progressive way as the Tory Government have been radical in their attacks on ordinary people. We shall have to give ordinary people open access behind the closed doors of Whitehall.

Mr. Hurd: I was about to congratulate you, Mr. Walker, on your first appearance in the Chair, but I do not think that that would now be entirely appropriate.

The debate has been of high quality, ascending to the heart of the questions concerning responsibility for the Security Service. The Committee has considered two schemes of amendment, both of which were, I thought, ably proposed—by the right hon. Member for Birmingham, Sparkbrook (Mr. Hattersley) and by my hon. Friend the Member for Aldridge-Brownhills (Mr. Shepherd). It has emerged that both schemes are woven out of a good many shades and patches, with a certain amount of American and Canadian cloth, and an agreeable controversy developed between the two, stoked by the hon. Member for Caithness and Sutherland (Mr. Maclennan).

My hon. Friend the Member for Aldridge-Brownhills is not here at the moment. His scheme draws on the Canadian experience, as did he in his speech. I have no desire to crab or rubbish the Canadian or New Zealand models. The Canadian model has been in operation for about four years and a review is expected to be undertaken fairly shortly.

There must be some possibility of overlapping between an inspector general and a security intelligence review committee, each conducting reviews in the same area. The arrangements may or may not be sensible for Canada—that is not a matter for me or for the House. The responsibility of our Security Service and the threats to our citizens from which it seeks to protect us and the duties of Ministers in the House are not the same as those in Canada. Nor do I think it sensible to force the United Kingdom system into a Canadian mould.

There is a curious suggestion, which my hon. Friend the Member for Aldridge-Brownhills did not dwell on, but it is in his amendment that all Executive responsibilities should be transferred to the Solicitor-General.

In Canada, the Solicitor-General has a good deal of executive responsibility. I know that because I meet him at the Trevi meetings—the European security meetings which Canada sometimes attends for preliminary discussions. The Solicitor-General in Canada is responsible for the Royal Canadian mounted police, the prison service and so on. The idea put forward by my hon. Friend the Member for Aldridge-Brownhills that by transferring responsibility to the Solicitor-General we would be transferring it to some leisurely fellow does not reflect the experience in Canada. Of course, there would be a major difficulty here, because, as the right hon. Member for Sparkbrook knows, the Solicitor-General helps the Attorney-General in deciding on prosecutions which could raise questions of national security or relate to members of the Security Service.

9.15 pm

It is difficult to explain, but as all right hon. and hon. Members know such decisions are independent of Government. That has been misunderstood enough already and if we were to add to the confusion as to the existing role of the Law Officers by giving executive responsibilities over the security services to the Solicitor-General, the confusion would become absolute.

The real question before the House tonight is not whether we follow Canada, or New Zealand which has robustly declined to follow that route, but whether it would benefit us, in addition to the reforms proposed in the Bill, to have a system of parliamentary oversight alongside the responsibility of the Home Secretary and the Prime Minister, as defined in the Bill. One merit of the way in which we discuss legislation is that critics have to put forward alternative schemes. They have to leave aside generalisations and propose particular schemes.

The Opposition had an option. They did not do what I expected them to do, or what I would have done had I been in their place. I had rather expected that they would table amendments which would have produced a Select Committee concerned with broad questions of policy and perhaps finance and not with the actual operations of the Security Service. The hon. Member for Walsall, North (Mr. Winnick) thought that that was what they had proposed. I presume that he will not be voting for the new clause now that he has read it and realises that far from making the decision to which he attached considerable importance, the Opposition go the whole hog and require that the Select Committee should see everything.

As the debate has developed, it seems that the Labour party would have been in a better position to push its proposals had the debate finished at about 7 pm. With the exception of that of the hon. Member for Swansea, East (Mr. Anderson), most of the speeches in the latter part of the debate have illustrated quite convincingly the difficulties of the Select Committee which the Labour party has proposed. Through the Opposition's general approach to the matters, the cloak of responsibility donned by the right hon. Member for Sparkbrook when he moved the amendment became rather motheaten and disintegrated as his supporters took the Floor.

The Select Committee which he proposes would be able to examine any aspect relating to the Security Service. The

[Mr. Hurd]

amendment suggests that the very existence of the Security Service would depend on that examination. The Select Committee proposed by the Opposition would be able, at any time and in any way, to question all the actions undertaken by the Security Service. All its individual operations and all its most sensitive and secret techniques, all its information, all its expenditure and management decisions would be open to investigation. In practice, by the definition in the amendment, next to nothing could be kept from the Select Committee, which would not only receive information, but be required to compile and analyse it.

Although I am probably not quoting the right hon. Gentleman correctly, I think that he used a phrase which is not in new clause 5 about sharing or taking part of the responsibility for the service. We shall see exactly what he said in *Hansard* tomorrow, but his speech went even further towards divided responsibility than the new clause itself. The Select Committee will be able to direct reviews by the Security Service and by the commissioner and conduct their own reviews on any matter.

These are not matters of a general nature; they involve the collection of information or the capacity of the service to protect our security, and they could be compiled and analysed only by those who were party to all the acts of the Security Service. Then the information, so far as one can follow the argument, would appear in an annual report. Obviously, there is not much point in compiling and analysing statistics on operational data if they are not largely to be published, and publication, under the Opposition's proposals, would not be a matter in which the Government would have a decisive say. They would be consulted, but it would be for the Select Committee to decide what it should publish. Ministers could make representations but the members of the Select Committee would decide.

So the Opposition propose a Select Committee which would, in effect, be completely inside the barrier of secrecy that the House has often discussed, and there would be no hold on the use that it made of the information that it acquired. To answer the hon. Member for St. Helens, South (Mr. Bermingham), I do not say that hon. Members of any party would deliberately use this information to undermine the Security Service or the nation. That could happen, but I do not say that it is likely. I am saying that the risk of the service and the nation being undermined as a result of information passing into the Select Committee's hands would be substantial.

I also say that responsibility for the disclosure of information about the work of the Security Service should rest with the Executive and nowhere else; otherwise, the situation would be thoroughly confused and risky. A parallel with Lord Frank's committee, which was a single inquiry into a single set of dramatic events in the past, cannot be prayed in aid on this occasion.

Mr. Bermingham: Will the Minister be kind enough to explain why someone who has held high office of state and been entrusted with the state's secrets should, when he becomes an ordinary Member of Parliament and serves on such a Select Committee, change his attitude to the duties and responsibilities that he has had previously?

Mr. Hurd: There are many answers to the hon. Gentleman's point. One is that there is no guarantee under the Opposition's proposal—I am not talking about that of my hon. Friend the Member for Aldridge-Brownhills—that such persons would serve. Secondly—I put this politely—the passage of time makes an enormous difference. Opposition Members would not conceivably have adopted many of the attitudes that they now express when they held office themselves or even, perhaps, when the memory of office was still fairly recent. The third answer is that which I have just outlined. I do not suggest that there would automatically be a deliberate desertion of responsibility. I merely suggest that if all this information were in the hands of the Select Committee, with no bar on the way it was used—leaving aside ill will—the position would be risky and confused. For those three reasons, the hon. Gentleman is on to a poor point.

Mr. Stuart Randall (Kingston upon Hull, West): Does the right hon. Gentleman accept that whether there would be breaches of security would depend on the type of people on the Select Committee? Does he recognise that new clause 5 includes a veto that the Prime Minister could exercise to reject anyone thought to be unsuitable?

Mr. Hurd: I understand that—I read the Opposition's proposal with care—but it does not dispose of my first argument, or touch on the other two at all. Even if the Select Committee defied the sort of advice that it might receive from the Opposition Members who spoke in the latter part of this evening and behaved entirely responsibly—in their view—it would still get itself into a remarkably difficult position. What would be the purpose of a report from the Select Committee if the Secretary of State did not respond to it? Its members would get into difficulties: they would be pressed by people such as Opposition Members to reveal information that they had highly secret operational matters; and if they did not, they would find themselves accused by most Opposition Members who spoke in the latter part of the debate of not doing their job. *[Interruption.]* That is the critique that we have made of this philosophy for at least two years, and it has not been answered. It has been sharpened in the Opposition proposals.

Mr. Anderson: It is wrong to ignore the Falklands precedent or to say that it was just a one-off operation. Is the Home Secretary aware of any pressures from any Labour Member on my right hon. Friend the Member for Morley and Leeds, South (Mr. Rees) who sat on the Falklands committee?

Mr. Hurd: I am not, and that is why I say it was a one-off operation for a single dramatic set of events in the past and is not in any way comparable to what the Opposition now propose.

I shall now turn to the proposition by my hon. Friend the Member for Aldridge-Brownhills. His is a more sophisticated proposition and, as my hon. Friend acknowledges, it is a less parliamentary one. He proposes a body of Privy Councillors or hon. Members who might become Privy Councillors as a result of their appointment to this committee. Since the debate in 1986 on this subject we have looked seriously at the different proposals for a committee of Privy Councillors or for some other body to oversee and review the work of the Security Service.

The point about the confusion at the heart of the nation's security remains the same whether one is talking about my hon. Friend's proposal or about the Opposition's proposal. As my hon. Friend said, he borrows from the Canadian wording and, like the proposed Select Committee, his review committee would have access to any information in the control of the Security Service. When one looks at the duties that it is expected to perform, one finds that it would be able to carry out those duties only if it had access to all the information. We would then find, although in a diluted form, the same risks and confusions that I mentioned when I spoke about the proposed Select Committee.

A review committee would cut across the line of responsibility and it would come close to what the Opposition have described as divided responsibility. It would put the director-general and the Security Service in a difficult position. If it were doing its job, it would be constantly pressing for the revelation of operational secrets to show the House and public that it was an effective watchdog.

One point becomes more relevant when we come to the complaints part of the Bill. Unlike the Opposition, my hon. Friend the Member for Aldridge-Brownhills tries to sweep up under the scope of the review committee the complaints procedure that is embodied in the Bill. His proposal would provide a worse service for the complainant with more hurdles than are proposed in the Bill. Instead of having his complaints investigated at once by the tribunal, the aggrieved citizen would not be able to turn to the Security Service review committee in lieu of the tribunal until he had first made a complaint to the director-general and had received no satisfaction. On reflection, my hon. Friend will find that that would put the director-general of the Security Service and the aggrieved citizen—the complainant—in an impossible position.

Mr. Richard Shepherd: The amendments have not just sprung out of our heads. There has been some practice and some experience of the amendments in the operation of the Canadian system. None of the objections advanced by the Home Secretary has pertained there. There have been no objections or complaints and it is a working system in situ. The hypothesis that it may not be right has to be based on something. What evidence does the Home Secretary have for saying that the Canadian system does not work?

Mr. Hurd: I am not criticising. My hon. Friend was not in the House when I dealt with this point earlier.

Mr. Buchan: The Home Secretary did not deal with it.

Mr. Hurd: I dealt specifically with what I described as the Canadian cloth from which my hon. Friend's proposal was woven. I am presently dealing with the handling of complaints. Under our proposal the aggrieved citizens would go straight to the tribunal. I think that I am right in saying that under my hon. Friend's proposal there would be no tribunal. There would be a Security Service review committee, but the aggrieved citizen would have to go to the director-general before he could go to that committee. That is a less direct and less satisfactory means of dealing with a possible grievance than that proposed in the Bill.

9.30 pm

As I listened to the debate, it became increasingly clear that there are deeply different basic approaches to the Security Service. The approach of the Opposition is not entirely that of my hon. Friends the Members for Aldridge-Brownhills and for Thanet, South (Mr. Aitken), although the same thought came into their speeches. It is that the Security Service is basically an untamed and possibly dangerous animal that needs to be caged, that a searchlight needs to be trained on the cage, that keepers be employed to enter the cage and announce to the world at every stage what the animal is doing because the main fear is that the animal will escape and pounce on innocent citizens. That is a caricature of the portrait of a Security Service being built out of the speeches of Opposition Members.

The debate has been of high quality, and the only time that I felt a flicker of anger was when I listened to the hon. Member for Paisley, South (Mr. Buchan) describing the work of the Security Service. My hon. Friend the Member for Torbay (Mr. Allason) is on to a good point. I come into contact with the Security Service almost every day for various reasons, but partly as result of the Interception of Communications Act and the duties that that has laid upon it. I see a body of people who, in one way or another, are daily trying to use their ingenuity to protect us from espionage, subversion and terrorism, and the greatest of these threats is terrorism. My contact with the Security Service concerns its efforts to protect the hon. Member for Paisley, South, and me, and our constituents, from terrorism, day by day and week by week. But the hon. Gentleman showed no understanding of that dimension. When I hear him going on with all the old stories, I see that there is a substantial difference between the concepts of the two sides of the House of the work of the Security Service.

Mr. Winnick: The Home Secretary knows full well that we do not question the bravery of MI5 officials who combat terrorism and protect the security of our citizens. However, three factors give rise to our concern. The first has been put by the person for whom the Home Secretary used to work—the right hon. Member for Old Bexley and Sidcup (Mr. Heath), who said that there were some officials in MI5 who did not seem to understand their responsibilities. Secondly, there are Peter Wright's allegations, and, thirdly, and perhaps most important of all, what Cathy Massiter, the former MI5 official, said, which has not been challenged in any way. Should we not be concerned about such matters?

Mr. Hurd: I have heard the hon. Gentleman make his speech several times, and he has just ecapsulated it again. As to his only new point, about my right hon. Friend the Member for Old Bexley and Sidcup (Mr. Heath), I learnt a good deal of what I know about these matters from my right hon. Friend, and I had a fairly rigorous upbringing from him when he was in a position of responsibility. The truth about several speeches——

Mr. Winnick: Answer the question.

Mr. Hurd: I am answering the point made by the hon. Member for Walsall, North (Mr. Winnick). What has come through in several speeches from the Opposition—from the hon. Members for Swansea, West (Mr. Anderson, for Caithness and Sutherland, the right hon. Member for Morley and Leeds, South (Mr. Rees) and from parts of the speech of the hon. Member for Walsall, North—is that there is a tension and a difficulty in the fact that the service that has the job of protecting us can do it

[Mr. Hurd]

effectively only to the extent that its operations remain secret. That difficulty is not addressed in the Opposition's solution.

Until fairly recently, we managed to get on fairly well with many of these matters in a certain obscurity, with tension coming to the surface only occasionally.

In the last year or so, we came to the conclusion that the time had come to make a substantial move forward, to put the security service on a statutory basis, to establish a system of authorisation of any interference with property by the Secretary of State and to put that warrant system under the supervision of a commissioner, who would be a judge, and to establish a system of remedy for any aggrieved citizen.

We have heard several aggrieved citizens in today's debate. The hon. Members for Liverpool, Walton (Mr. Heffer) and for Paisley, South gave us long dissertations about how they believed themselves to have been aggrieved by the activities of the security services. It is no good their waiting for a Labour Government to give them any remedy. I recall no sign of movement and no effective pressure from the last Labour Government, but perhaps I am wrong about that. The two hon. Gentlemen were in and out of Government, so it was difficult to tell. There was no sign of movement, reform or democratic responsibility at that time. They have had to wait until we put forward this Bill to have an opportunity to remedy their alleged grievances.

I hope that those hon. Members will recognise, in the middle of their radicalism, that this is the first time for a long time that it has been possible to discuss these matters in any detail. I hope that they will recognise that we are putting forward three radical changes and are now deciding whether there should be a fourth. Those hon. Members should give us credit for the movement which is taking place and which provides a remedy for the first time for the particular grievances to which they devoted so much of their speeches.

Mr. Heffer: I agree with the Home Secretary. The Labour Government did nothing of any consequence to deal with this question. We argued the case time and again, but the present Government have acted only after all the revelations and the upsurge of feeling among the masses of people in this country that something had to be done.

Mr. Hurd: You could fool me, Mr. Walker, about the upsurge. The hon. Gentleman told us how he created demonstrations in Liverpool and how much difficulty he had in doing that. There has been no upsurge of popular feeling. We introduced this Bill and we are defending it on its merits because the time has come to make this substantial move forward. The idea that we have done so as a result of overwhelming popular pressure shows how out of touch the hon. Gentleman is with public opinion.

The Bill contains three substantial proposals. We are discussing whether there should be an additional scheme and, if so, whether it should be that put forward by the hon. Member for Sparkbrook or the more sophisticated one put forward by my hon. Friend the Member for Aldridge-Brownhills. I advise the House to resist both schemes and both sets of amendments which are attempts to add a fourth major element to the Bill. If the House took that course, it would certainly blur responsibility in an area where responsibility should not be blurred and it could create substantial dangers.

Mr. Randall: I shall direct my remarks to amendment No. 73 and new clause 5 in the name of my right hon. Friend the Member for Birmingham, Sparkbrook (Mr. Hattersley).

There are three main elements in the Labour party's policy for the Security Service which it has held for some considerable time. First, the service should be on a statutory footing, secondly, its functions should be properly defined and, thirdly, the service should be accountable to Parliament. The Bill proposes putting the Security Service on a statutory footing and we welcome that. On the other two elements of our policy, the Bill fails miserably and that is why we oppose it.

Amendment No. 73 and new clause 5 deal only with scrutiny and accountability. Our belief that the operation of the Security Service should be more democratic lies at the core of the debate. The basis and fundamental guiding principle that I tend to use is that all power in our democracy must be accounted for. Without proper accountability we make the Security Service susceptible to inefficiency, ineffectiveness, corruption and abuse. More importantly to Labour Members, there is the danger of loss of freedom for some individuals in entirely unacceptable ways. A key characteristic of our democratic approach is that it would lead to more openness for the service.

It is important to add that we accept that a characteristic of the Security Service is that some of its operations must remain secret. If we intruded on that secrecy, the usefulness of the service would be impaired. I think that all hon. Members accept that. Certainly that was recognised when we formulated amendment No. 73 and new clause 5. We believe emphatically that it is possible to improve accountability while retaining necessary levels of secrecy. That assertion can be substantiated by experience in the operation of the security services in other countries on a more open and democratic basis than ours.

Our motive in tabling the amendment is twofold. We want greater democracy and we want to see improvements in the operation of the Security Service. We believe that that would be inevitable if the amendment were carried.

I am sure that improved accountability would be welcomed by the many members of the Security Service who feel that its reputation has been besmirched by various scandals over many years. The amendment would help to prevent such damaging scandals for the service in future.

The operation of the Security Service must adhere to three important criteria. First, the service must be effective and efficient in carrying out its functions. Secondly, it must both recognise and protect the civil liberties of the British people. Currently, the service is, in practice, a powerful and insular organisation which operates outside the law and, to all intents and purposes, is unaccountable to Parliament. That leaves it open to various abuses that can and have damaged the civil liberties of many of our citizens. Thirdly, and most importantly, we believe that the service must command the trust and confidence of the British people.

Our contention is that the three criteria can best be met by the Security Service if it becomes accountable to the

House by means of the Select Committee that has been advocated in the amendment and the new clause. The proposal to introduce parliamentary accountability was advocated by the Labour party during the passage of the Interception of Communications Bill, which received Royal Assent in 1985. The right hon. and learned Member for Ribble Valley (Mr. Waddington), the Government Chief Whip who was then a Home Office Minister, felt that it would undermine ministerial responsibility as well as the responsibility of the senior management of the Security Service. Consequently, he rejected it. He said that there was no need to add

"another parliamentary dimension to the existing arrangements for control and accountability."—[*Official Report*, 17 April 1985; Vol. 77, c. 298].

The amendment would do exactly the opposite to that which was argued by the right hon. and learned Gentleman. Rather than undermine the positions of the Home Secretary and the senior management of the Security Service, it would strengthen them. The performance of the service would be enhanced through improved accountability. In response to the right hon. and learned Gentleman's argument that another parliamentary dimension to the existing arrangement is not needed, I must state that that is the same as saying that the existing system of parliamentary accountability is working satisfactorily. I firmly reject that.

9.45 pm

In reply to a question on the need for an oversight body from my right hon. Friend the Member for Islwyn (Mr. Kinnock) following the statement on the Security Commission's report on the Bettaney affair, the Prime Minister said that the existing arrangements were the best way to run the Security Service because, she said, the service must be run under "unified management."

We all understand the principles under which the Select Committee system works. It is absurd to suggest that accountability to Parliament through a Select Committee along the lines proposed in amendment No. 73 would impair the unity of management of the Security Service. I have spent 35 years in business and industry and as a Member of this House. From my experience I reject the arguments put forward by the Prime Minister and the right hon. and learned Member for Ribble Valley as hollow and wrong.

Anyone who has a good grounding in management and who, through experience, understands basic human nature will appreciate the benefits that can arise through good and effective accountability. I believe that the existing arrangements are disgracefully inadequate and quite antiquated. I wonder whether when the Prime Minister and the right hon. and learned Member for Ribble Valley made their statements they had given even the most superficial consideration to the notion of improved accountability, or did they simply accept another brief from the Security Service chiefs and Permanent Secretaries without question?

It is ironic that the Government hold such rigid and out-of-date views while some of our allies, with whom we co-operate most closely, have oversight systems to improve the performance of their security and intelligence services. What is supposed to make Britain so different from the other countries? Perhaps the Minister will tell us. In particular, perhaps he will comment on remarks made by Stansfield Turner, the former CIA director, who said:

"It is not good enough for intelligence agencies to be accountable to the Executive. There is a need for a responsible body outside the Executive branch to make sure that Executive is not overenthusiastic in seeking to obtain information important to the national interest. Over-enthusiasm, we have seen, may lead to excess."

Mr. Turner added that he believed that oversight improved the quality of CIA operations and provided against future mistakes due to the lack of accountability.

On a similar note, Harvey Barnett the former head of the Australian security and intelligence organisation said: "it would be a sign of political health and commonsense to have at least occasional external scrutiny of a body which may be required for national purposes to intrude into the private lives of individuals."

Those quotes come from people with considerable experience of running organisations similar to our Security Service. The message is clear. Scrutiny and accountability along the lines proposed in amendment No. 73 and new clause 5 are vital to the effective operation of security and intelligence services and would protect the civil liberties of our people.

Perhaps the conclusion that we should draw from the Government's position is that they do not care about civil liberties and the freedom of the individual. They have wasted opportunities to introduce changes during the passage of the Bill. However, it is a minimalist Bill, designed merely to get the Government off the hook with the European Court of Human Rights now that that court has declared admissible alleged abuses or civil liberties by the Security Service. The Government have no intention of trying to achieve anything more.

What is wrong with the existing system of accountability? Why do we suggest through amendment No. 73 and new clause 5 improvements to those arrangements? The existing system relies on the Home Secretary monitoring the service on behalf of Parliament. Right hon. and hon. Members are unable to obtain from him any information about the service, except in general terms. The arrangement is shrouded in secrecy, and right hon. and hon. Members must rely on the Home Secretary doing his job efficiently.

The impression I have gained from the debate is that under the existing system of accountability the Home Secretary does not really know what is going on in the Security Service for much of the time. Perhaps the Minister will confirm whether my impression is correct by answering four basic questions. First, does he accept that power over the Security Service is concentrated away from the lines of ministerial responsibility? Secondly, will he confirm that, with security and intelligence, there are no parallel committees of Ministers and civil servants, as often happens, but only committees of officials? Thirdly, will he confirm that those committees of officials are served by Cabinet Office staff whose accountability, such as it is, is through the Cabinet Secretary and the Prime Minister? Finally, does the Minister accept that the effect of those organisational arrangements is to remove Ministers and Parliament from an opportunity to direct the Security Service?

I shall be grateful if the Minister will answer a number of additional, short questions. *[Interruption.]* We are in Committee, so he can do so. The information I seek is in the public domain, and I want only brief answers for the record. We must find out what the Minister thinks.

Will the Minister confirm that the various aspects of security are co-ordinated at Civil Service level, and there is

[Mr. Randall]

no equivalent function at ministerial level? Is it true that the Minister does not direct long-term planning or become involved in short-term operations, or even in the service's budgeting? Will he confirm that he is merely fed with information according to need-to-know criteria decided by the Security Service itself? Does he agree that when Ministers are given information, they are not necessarily involved in any decision-making process?

In the context of that last question, I shall be grateful if the Minister will comment on the words of George Young, ex-deputy head of MI6, in Command 8787, "Falkland Islands Review":

"The higher reaches of the Civil Service undoubtedly make most of the decisions for Ministers. They put them in front of them and say, 'Minister, do you agree?' The ethos of the higher reaches of the Civil Service is not one of stirring up hornets' nests, particularly if some of your best friends are hornets, but in my experience of dealing with Ministers—and I have met a fair amount off and on over some 12 years—they don't hear what you say; you tell them something, it goes in one ear and it is out of the other, and they are busy thinking up the next Parliamentary answer to the next Parliamentary question."

Clearly Mr. George Young, who was very experienced in security and intelligence affairs, did not think much of ministerial accountability. It is a matter of great concern that the so-called system of ministerial accountability, which we are told works satisfactorily, seems to add up to Ministers receiving reports from the Security Service that say, "Everything is fine, Minister." That is quite unacceptable. Only the House has the power to introduce a system of effective accountability. That is why we tabled an amendment and a new clause to establish a Select Committee for the Security Service. I hope that it will be supported by right hon. and hon. Members on both sides of the House.

Mr. Aitken: I think it essential that we make a more determined attempt to probe my right hon. Friend the Home Secretary and to challenge some of the sweeping assertions that he made in his winding-up speech. From the point of view of dealing with the Opposition, he could be said to have made a skilful speech: it was not, after all, very difficult to pick off, one by one, some of the sitting Left-wing ducks by attacking their sillier remarks. I believe, however, that he misjudged the mood of the House and the country in ignoring some of the serious arguments put forward by, for example, the right hon. Member for Plymouth, Devonport (Dr. Owen) and the minority parties, and indeed by the libertarian wing of his own party. Although there is tremendous support for the security services, there is also considerable unease about some of the things that have gone wrong, and to make no answer to some of the major criticisms made in the debate was a glaring omission.

First, my right hon. Friend did not answer the point that a busy Secretary of State whose responsibilities span broadcasting, immigration, the police and the Channel islands might not have quite enough time to give the security services the detailed attention and monitoring demanded by the modern world. Secondly, there was not a single good argument to explain what he sees as the flaws of the Canadian system of supervision—referred to in the amendment of my hon. Friend the Member for Aldridge-Brownhills (Mr. Shepherd)—which is in situ and working well. Although we heard some lofty disdain, we heard no serious criticism of the system.

My right hon. Friend also did not explain why he is so complacent about the fact that Britain is the only democracy in the English-speaking world with no independent system of oversight of the security services. I find it offensive to the House for the notion of a parliamentary Select Committee to be dismissed with the attitude that "We cannot trust parliamentarians." It is wrong that my right hon. Friend should brush aside the precedent set by the Falklands committee, and suggest that that precedent in no way suggests that a similar Committee could also keep secrets well.

My right hon. Friend has emerged tonight as the King Canute of the oversight argument. Parliamentary or Privy Council oversight of the security services is an idea whose time is here now and will stay here, despite tonight's disappointing ministerial response.

Mr. Maclennan: The Home Secretary has given the debate a most disappointing conclusion. He has completely failed to address the central issues of the amendment tabled by his hon. Friend the Member for Aldridge-Brownhills (Mr. Shepherd), which draws to his attention the experience of a country in our Commonwealth with a constitution very similar to ours.

The right hon. Gentleman may argue that there is something peculiar about the conduct of the Security Service that makes accountability unimportant. If there is something more important to the country than security, it is war and peace. Ministers of the Crown have always been held to be responsible to Parliament for their decisions and the exercise of their prerogative powers over war and peace. Not only was the Falklands inquiry subjected to consideration by a Committee of the House, but even when we were engaged in total war against the might of imperial Germany it was thought appropriate to establish a committee of inquiry into the Gallipoli disaster. The Committee——

It being Ten o'clock, THE CHAIRMAN *left the Chair to report Progress and ask leave to sit again.*

Committee report Progress.

BUSINESS OF THE HOUSE

Ordered,

That, at this day's sitting, the Security Service Bill may be proceeded with, though opposed, until any hour—*[Mr. Fallon.]*

Security Service Bill

Considered again in Committee.

Question again proposed, That the amendment be made.

Mr. Maclennan: The Home Secretary has argued that accountability means shared responsibility, but that is not an argument for excluding oversight by those to whom Parliament has given the task of scrutiny. We can accept the argument that Parliament cannot deal with questions of security in the same way that it deals with other matters. We accept that there has to be a narrower consideration by fewer hon. Members. However, as the right hon. Member for Plymouth, Devonport (Dr. Owen) said, Parliament must be satisfied by the arrangements that are made. We cannot be satisfied by an arrangement that allows the Home Secretary the sole responsibility for these matters, backed up in this narrow question of the issue of warrants

by a judicial officer appointed by him. That excludes from proper judicial review the common law rights of citizens not to have their liberties infringed by otherwise illegal activities.

The Home Secretary did not give the House an answer to the fact that the system we have recommended works. It works in Canada where there has been no problem of leakage. It has not called into question the effectiveness or secrecy of the Canadian security service. The right hon. Gentleman has not given the House any evidence to support the thesis that we alone of democracies should have no scrutiny by our Parliament. Nowhere did he explain why this country has to be out of step with other democracies in the rest of the world.

Mr. Richard Shepherd: My right hon. Friend the Home Secretary will not be surprised to hear that I am disappointed by his response to our considered amendments. Hon. Members have concentrated on the concept that, sometimes, the Security Service may get it wrong. Can we not evisage circumstances in which a Minister gives an incorrect instruction to the Security Service? Our amendments are designed to ensure that by a dual approach—having independent oversight—the Security Service would know if an improper instruction were given to it, and by a complaints system the matter could be remedied. When we legislate on the matter, internal control and accountability and external controls are fundamental for guaranteeing our democracy.

The Home Secretary did not mention the subtle balance necessary between the defence of democracy and our security. The theme running through our amendments is that the rule of law must be paramount. I am sorry that my right hon. Friend cannot conceive of circumstances in which that would be of assistance to the Government, the service and the House. That is why we tabled the amendments.

Mr. Buchan: On a point of order, Mr. Walker. A series of questions has been put to the Home Secretary, which he acknowledged clearly, and on which he has been making notes.

The Chairman of Ways and Means: Order. It is entirely a matter for the Home Secretary whether he wants to speak again.

Mr. Buchan *rose*——

The Chairman: Order. I am dealing with the point of order that the hon. Gentleman raised.

Mr. Buchan: I did not know whether you were addressing me, Mr. Walker.

The Chairman: I am addressing the hon. Gentleman. There is no obligation on the Home Secretary to speak a second time, nor do I have the power to require him or any other hon. Member to do so.

Question put, That the amendment be made:—

The Committee divided: Ayes 163, Noes 232.

Division No. 33] **[10.05 pm**

AYES

Abbott, Ms Diane
Aitken, Jonathan
Allason, Rupert
Allen, Graham
Anderson, Donald
Archer, Rt Hon Peter
Armstrong, Hilary
Ashdown, Rt Hon Paddy
Ashton, Joe
Banks, Tony *(Newham NW)*
Barnes, Harry *(Derbyshire NE)*
Barnes, Mrs Rosie *(Greenwich)*
Barron, Kevin
Battle, John
Beckett, Margaret
Beith, A. J.
Benn, Rt Hon Tony
Bennett, A. F. *(D'nt'n & R'dish)*
Bermingham, Gerald
Biffen, Rt Hon John
Blair, Tony
Boateng, Paul
Boyes, Roland
Bradley, Keith
Bray, Dr Jeremy
Buchan, Norman
Buckley, George J.
Caborn, Richard
Callaghan, Jim
Campbell, Ron *(Blyth Valley)*
Campbell-Savours, D. N.
Carlile, Alex *(Mont'g)*
Clark, Dr David *(S Shields)*
Clarke, Tom *(Monklands W)*
Clelland, David
Clwyd, Mrs Ann
Cohen, Harry
Corbett, Robin
Corbyn, Jeremy
Crowther, Stan
Cryer, Bob
Cummings, John
Darling, Alistair
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Ron *(Caerphilly)*
Dewar, Donald
Dixon, Don
Eadie, Alexander
Evans, John *(St Helens N)*
Ewing, Harry *(Falkirk E)*
Fatchett, Derek
Fearn, Ronald
Field, Frank *(Birkenhead)*
Fisher, Mark
Flannery, Martin
Flynn, Paul
Foot, Rt Hon Michael
Foster, Derek
Foulkes, George
Fyfe, Maria
Galloway, George
George, Bruce
Godman, Dr Norman A.
Golding, Mrs Llin
Gordon, Mildred
Gould, Bryan
Grant, Bernie *(Tottenham)*
Griffiths, Nigel *(Edinburgh S)*
Grocott, Bruce
Harman, Ms Harriet
Hattersley, Rt Hon Roy
Haynes, Frank
Heffer, Eric S.
Henderson, Doug
Hinchliffe, David
Hood, Jimmy
Howarth, George *(Knowsley N)*
Howell, Rt Hon D. *(S'heath)*
Howells, Geraint
Hoyle, Doug
Hughes, John *(Coventry NE)*
Hughes, Robert *(Aberdeen N)*
Hughes, Sean *(Knowsley S)*
Hughes, Simon *(Southwark)*
Illsley, Eric
Ingram, Adam
Janner, Greville
Jones, Barry *(Alyn & Deeside)*
Kennedy, Charles
Kinnock, Rt Hon Neil
Kirkwood, Archy
Leadbitter, Ted
Leighton, Ron
Lestor, Joan *(Eccles)*
Litherland, Robert
Livingstone, Ken
Lloyd, Tony *(Stretford)*
Lofthouse, Geoffrey
McAllion, John
McAvoy, Thomas
McCartney, Ian
Macdonald, Calum A.
McFall, John
McKay, Allen *(Barnsley West)*
McKelvey, William
McLeish, Henry
Maclennan, Robert
McWilliam, John
Madden, Max
Mahon, Mrs Alice
Marek, Dr John
Martlew, Eric
Maxton, John
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Morgan, Rhodri
Morley, Elliott
Morris, Rt Hon J. *(Aberavon)*
Mowlam, Marjorie
Mullin, Chris
Oakes, Rt Hon Gordon
O'Brien, William
Owen, Rt Hon Dr David
Patchett, Terry
Pendry, Tom
Pike, Peter L.
Powell, Ray *(Ogmore)*
Prescott, John
Randall, Stuart
Redmond, Martin
Reid, Dr John
Robertson, George
Robinson, Geoffrey
Rogers, Allan
Rooker, Jeff
Ross, Ernie *(Dundee W)*
Ruddock, Joan
Salmond, Alex
Sheerman, Barry
Shepherd, Richard *(Aldridge)*
Shore, Rt Hon Peter
Short, Clare
Skinner, Dennis
Smith, C. *(Isl'ton & F'bury)*
Snape, Peter
Soley, Clive
Spearing, Nigel
Strang, Gavin
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Matthew *(Truro)*
Thompson, Jack *(Wansbeck)*
Turner, Dennis
Wall, Pat
Walley, Joan
Welsh, Andrew *(Angus E)*
Welsh, Michael *(Doncaster N)*
Wigley, Dafydd
Williams, Rt Hon Alan
Williams, Alan W. *(Carm'then)*
Wilson, Brian
Winnick, David
Wise, Mrs Audrey

Tellers for the Ayes:
Mr. Ken Eastham and
Mr. Jimmy Dunnachie.

NOES

Adley, Robert
Alexander, Richard
Alison, Rt Hon Michael
Amos, Alan
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Tom *(Hazel Grove)*
Ashby, David
Aspinwall, Jack
Atkins, Robert
Atkinson, David
Baker, Rt Hon K. *(Mole Valley)*
Baker, Nicholas *(Dorset N)*
Banks, Robert *(Harrogate)*
Batiste, Spencer
Beaumont-Dark, Anthony
Bennett, Nicholas *(Pembroke)*
Benyon, W.
Blaker, Rt Hon Sir Peter
Boscawen, Hon Robert
Boswell, Tim
Bottomley, Peter
Bottomley, Mrs Virginia
Bowden, A *(Brighton K'pto'n)*
Bowden, Gerald *(Dulwich)*
Bowis, John
Brandon-Bravo, Martin
Brooke, Rt Hon Peter
Brown, Michael *(Brigg & Cl't's)*
Browne, John *(Winchester)*
Bruce, Ian *(Dorset South)*
Burns, Simon
Burt, Alistair
Butcher, John
Butler, Chris
Butterfill, John
Carlisle, John, *(Luton N)*
Carrington, Matthew
Carttiss, Michael
Channon, Rt Hon Paul
Chapman, Sydney
Chope, Christopher
Clark, Hon Alan *(Plym'th S'n)*
Clark, Dr Michael *(Rochford)*
Clarke, Rt Hon K. *(Rushcliffe)*
Colvin, Michael
Conway, Derek
Coombs, Anthony *(Wyre F'rest)*
Coombs, Simon *(Swindon)*
Couchman, James
Cran, James
Currie, Mrs Edwina
Davies, Q. *(Stamf'd & Spald'g)*
Dickens, Geoffrey
Dicks, Terry
Dorrell, Stephen
Douglas-Hamilton, Lord James
Dover, Den
Dunn, Bob
Durant, Tony
Eggar, Tim
Emery, Sir Peter
Evans, David *(Welwyn Hatf'd)*
Evennett, David
Fallon, Michael
Favell, Tony
Field, Barry *(Isle of Wight)*
Fishburn, John Dudley
Fookes, Dame Janet
Forman, Nigel
Forsyth, Michael *(Stirling)*
Forth, Eric
Fowler, Rt Hon Norman
Fox, Sir Marcus
Franks, Cecil
Freeman, Roger
French, Douglas
Fry, Peter
Gale, Roger
Garel-Jones, Tristan
Gill, Christopher
Glyn, Dr Alan
Goodhart, Sir Philip
Goodlad, Alastair
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Gow, Ian
Gower, Sir Raymond
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Gregory, Conal
Griffiths, Peter *(Portsmouth N)*
Ground, Patrick
Grylls, Michael
Gummer, Rt Hon John Selwyn
Hamilton, Hon Archie *(Epsom)*
Hanley, Jeremy
Hargreaves, Ken *(Hyndburn)*
Harris, David
Haselhurst, Alan
Hayward, Robert
Heathcoat-Amory, David
Hicks, Robert *(Cornwall SE)*
Higgins, Rt Hon Terence L.
Hind, Kenneth
Hunt, David *(Wirral W)*
Hunter, Andrew
Hurd, Rt Hon Douglas
Irvine, Michael
Johnson Smith, Sir Geoffrey
Jones, Robert B *(Herts W)*
Kilfedder, James
King, Roger *(B'ham N'thfield)*
Kirkhope, Timothy
Knapman, Roger
Knight, Greg *(Derby North)*
Knowles, Michael
Lang, Ian
Latham, Michael
Lawrence, Ivan
Leigh, Edward *(Gainsbor'gh)*
Lennox-Boyd, Hon Mark
Lester, Jim *(Broxtowe)*
Lightbown, David
Lilley, Peter
Lloyd, Peter *(Fareham)*
Luce, Rt Hon Richard
Lyell, Sir Nicholas
Mactarlane, Sir Neil
MacKay, Andrew *(E Berkshire)*
Maclean, David
McLoughlin, Patrick
McNair-Wilson, Sir Michael
McNair-Wilson, P. *(New Forest)*
Major, Rt Hon John
Malins, Humfrey
Mans, Keith
Maples, John
Marlow, Tony
Marshall, Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Maxwell-Hyslop, Robin
Mayhew, Rt Hon Sir Patrick
Mellor, David
Meyer, Sir Anthony
Mills, Iain
Miscampbell, Norman
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David
Moate, Roger
Monro, Sir Hector
Moss, Malcolm
Moynihan, Hon Colin
Mudd, David
Neale, Gerrard
Nelson, Anthony
Neubert, Michael
Nicholls, Patrick
Nicholson, Emma *(Devon West)*
Norris, Steve
Onslow, Rt Hon Cranley
Oppenheim, Phillip
Paice, James
Patten, Chris *(Bath)*
Patten, John *(Oxford W)*
Pattie, Rt Hon Sir Geoffrey
Peacock, Mrs Elizabeth
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Portillo, Michael
Powell, William *(Corby)*
Price, Sir David
Raison, Rt Hon Timothy
Redwood, John
Renton, Tim
Riddick, Graham
Roe, Mrs Marion
Rowe, Andrew
Ryder, Richard
Sackville, Hon Tom
Sayeed, Jonathan
Scott, Nicholas
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shaw, Sir Michael *(Scarb')*
Shephard, Mrs G. *(Norfolk SW)*
Shepherd, Colin *(Hereford)*
Shersby, Michael
Sims, Roger
Smith, Tim *(Beaconsfield)*
Speed, Keith
Speller, Tony
Spicer, Sir Jim *(Dorset W)*
Spicer, Michael *(S Worcs)*
Squire, Robin
Stanbrook, Ivor
Stern, Michael
Stevens, Lewis
Stewart, Andy *(Sherwood)*
Stradling Thomas, Sir John
Sumberg, David
Summerson, Hugo
Taylor, John M *(Solihull)*
Tebbit, Rt Hon Norman
Temple-Morris, Peter
Thatcher, Rt Hon Margaret
Thompson, D. *(Calder Valley)*
Thompson, Patrick *(Norwich N)*
Thorne, Neil
Thurnham, Peter
Townend, John *(Bridlington)*
Townsend, Cyril D. *(B'heath)*
Tracey, Richard
Trippier, David
Twinn, Dr Ian
Waddington, Rt Hon David
Wardle, Charles *(Bexhill)*
Warren, Kenneth
Watts, John
Wells, Bowen
Wheeler, John
Whitney, Ray
Widdecombe, Ann
Wiggin, Jerry
Wilkinson, John
Wilshire, David
Winterton, Mrs Ann
Winterton, Nicholas
Wood, Timothy
Yeo, Tim
Young, Sir George *(Acton)*
Younger, Rt Hon George

Tellers for the Noes:
Mr. Kenneth Carlisle and
Mr. Alan Howarth.

Question accordingly negatived.

To report Progress and ask leave to sit again.—[Mr. Chapman.]

Committee report Progress; to sit again tomorrow.

Education

10.19 pm

Mr. Derek Fatchett (Leeds, Central): I beg to move,

That an humble Address be presented to Her Majesty, praying that the School Curriculum Development Committee and Secondary Examinations Council (Designation of Staff) Order 1988 (S.I., 1988, No. 2171), dated 12th December 1988, a copy of which was laid before this House on 13th December, be annulled.

Mr. Deputy Speaker (Sir Paul Dean): It will be for the convenience of the House to discuss with this the second motion:

That an humble Address be presented to Her Majesty, praying that the School Curriculum Development Committee and Secondary Examinations Council (Transfer of Property) Order 1988 (S.I., 1988, No. 2172), dated 12th December 1988, a copy of which was laid before this House on 13th December, be annulled.

Mr. Fatchett: The two orders are somewhat narrow. They are consequent upon the Education Reform Act 1988 and involve the transfer of staff and property from the Secondary Examinations Council to the School Curriculum Development Committee.

Hon. Members who have read the orders will have been fascinated by the detail and no doubt will have seen a long list of names of people and another list of property about to be transferred from one body to another. They may well ask why we are praying against the orders. Perhaps it is worth my while offering an explanation. I know that the hon. Member for Pembroke (Mr. Bennett) will be interested in the answer. The fact that he is still here at this time of night suggests a rare interest.

We wish to raise a number of points about the transfer of staff. Hon. Members can now discount further intellectual and academic interest in their property as we are concentrating on the order relating to staff. We do not seek to divide the House on the order. As that news may be of some importance to Conservative Members, I have announced it early in the debate. I hope that that is a sign of populism on my part or realism on the Conservative Benches. We seek a brief debate on the issues, and wish to raise one or two important points. When we initially prayed against the order we were concerned about the way in which one or two members of staff were being treated. Since then substantial progress has been made, but we wish to allow the Minister to deal with those matters and to raise one or two other issues.

I shall broaden the subject briefly and offer our congratulations to the Secondary Examinations Council on its work over the years. It has developed a substantial educational representation, and it is appropriate that we show our support for its work in the past and our respect for what it has been able to achieve in education.

The debate also gives us the opportunity to look forward to the work of the School Curriculum Development Committee and its various bodies which will make an important contribution to the development of education in Britain. We have had differences with Conservative Members about the detail of the national curriculum, but they will recall that at no stage did we vote against the principle of the national curriculum. The Secretary of State even criticised us for not putting up sufficient opposition. He has now recognised that we put forward constructive opposition and make constructive suggestions in the hope of turning his national curriculum into a vehicle that improves education quality and standards.

To achieve that shared objective of improving education, and of the various bodies of the School Curriculum Development Committee contributing towards that process, it is important that staff are transferred amicably to the new bodies. That will contribute to their well-being and their efficiency. With that in mind, I should like to ask the Minister three specific questions that she may well be able to answer when she replies to the debate.

First, according to information that I received this afternoon, four members of staff have not been offered what they would deem to be suitable alternative accommodation and employment. We are all aware of the difficulties in finding suitable alternative employment. What further additional steps will be taken so that those four members of staff can be taken on board and can make a contribution? I understand that that is what they would like to do.

Secondly, if the four members of the SEC are taken on board the new organisation, will there be a need for a supplementary order to the existing statutory instrument, or will they be covered by it in some way? I gather from the Minister's glance across to other sources that the answer may well be that a supplementary order will be needed.

Thirdly, I ask the Minister about the present legal status of the Secondary Examinations Council. According to paragraph 48 of its articles of association, there seems to be a procedure that allows a voluntary wind-up of the organisation, but for it to be activated there must be a members' meeting. I understand that there has been no such meeting, so there can be no voluntary wind-up under article 48. If the SEC has not been wound up on that voluntary basis, it could, alternatively, be subject to a compulsory wind-up under section 652 of the Companies Act 1985. As I understand those procedures, three months' notice must be given—and they have not been given.

Clarification of the SEC's legal status has a bearing on the status of individual employees who have not yet been satisfactorily transferred to the new bodies.

Mr. Tim Devlin (Stockton, South): Just before we finish the questioning session, perhaps I can ask the hon. Gentleman whether he realises that there will be a widespread welcome in the north of England for the projected move of the new curriculum council to York. Many people will look forward to the new opportunities afforded by the Education Reform Act 1988, and the way in which the new council will work from York, which is in the middle of the north of England.

There will be a certain amount of surprise at the Labour party's praying against an order such as this; it has always been thought that Opposition Members were very interested in the regionalisation of Government offices.

Mr. Fatchett: I recognise that I gave the hon. Gentleman an opportunity to make a useful intervention that could get him some local publicity. I am a little surprised that he took the opportunity to try to score a cheap party-political debating point. I expected better of him. As a matter of information, I tell him that the educational assets board is also to be located in the centre of the north of England—in Leeds.

Conservative Members who served on the Standing Committee that dealt with the Education Reform Bill will

[Mr. Fatchett]

recall the extensive and efficient way in which I lobbied on behalf of Leeds for that new institution to be located in my constituency. So great was the power of my persuasion, so eloquent were my arguments, that the Secretary of State, despite counter-lobbying for London and Blackburn by one or two of my hon. Friends, almost immediately afterwards announced that the board was to be in Leeds. He was right to do so, because a report was published only a couple of weeks ago showing that Leeds is now regarded by many as the second city in the country, following its growth under an effective Labour-controlled council. It will not be long before it takes over as the first city. I am grateful to the hon. Gentleman for the opportunity he gave me to make those points.

We look forward to the work of the new body, which is an important one. We shall monitor its work; it will have a real opportunity to shape educational content, delivery and process in this country for many years to come. We wish it well and hope that all the staff are on board and that there will be good relations in the future.

10.29 pm

Mr. Simon Hughes (Southwark and Bermondsey): When my leader told me that I was to be transferred to shadow the Secretary of State for Education and Science and to join the old triumvirate that he and the hon. Member for Blackburn (Mr. Straw) and I enjoyed in shadowing the Department of the Environment Ministers, I decided to prepare long and hard for my maiden speech on education as my party's official spokesman. This is it. I scratched my head a little wondering why we have to debate the two orders.

I am sure that it is very important for Christine Ann Coles that she is transferred with her friends and others from the School Curriculum Development Committee to the new body. I am sure that it is vital that the Sony 3000 camera, registration No. 215270, and the Ferguson cassette No. 19132 be vested in the National Curriculum Council. That Parliament, this centre of democracy, should allocate an hour and a half of debate to such details is somewhat surprising. It may be a sad commentary on the intervention of central Government in minutiae. If we had regional government, this matter could be debated somewhere else.

Mr. Nicholas Bennett (Pembroke): Surely we are debating the central core of Liberalism—pavement politics, the community.

Mr. Hughes: I have sparred with the hon. Gentleman in Committee and would hate to disappoint him, so I thought of something substantive to say about the detailed issue. I shall make three points of substance to the Minister. I hope that she will reply to them.

Mr. John Bowis (Battersea): Will the hon. Gentleman give way?

Mr. Hughes: Yes, but I do not want to extend matters of small detail into a long nocturnal debate.

Mr. Bowis: The hon. Gentleman has raised some detailed points. Has he seen the mention of a hot letterpress machine? Does he think that the hon. Member for Leeds, Central (Mr. Fatchett) has consulted satisfactorily with the hon. Member for Birmingham, Ladywood (Ms. Short) to make sure that she approves of such things being handed out for education?

Mr. Hughes: A hot letterpress machine is just the sort of thing that is necessary for pavement politics because it can be used to print leaflets.

Mr. Dafydd Wigley (Caernarfon): Section 28 stops all that.

Mr. Hughes: The hon. Gentleman says that section 28 of the Local Government Act 1988 stops all that, but that is a subject for another day.

I come to my three substantive points. I and people in education are troubled about the composition of the National Curriculum Council. Perhaps the Minister will give us her views on that. It has produced advice on mathematics, science and English. The Secretary of State and his ministerial colleagues say that they have consulted the National Curriculum Council, but most of the staff, and certainly the principal staff, have not yet taken up their appointments. I understand that the post of principal officer for primary education, first advertised in December, has not yet been filled.

There is some concern that at the speed at which national curriculum development is proceeding it anticipates the appointment to posts and the full functioning of the NCC. I am happy that the NCC is in York. That seems to have been a good move. None the less, it is another sign of the haste with which the Government are proceeding. It is unwise haste, and I should be grateful for the Minister's assurance that things will slow down so that the people who are meant to give advice are in post before advice is given. If the orders for attainment targets and programmes of study in mathematics and science are presented to Parliament before the NCC is fully staffed and we are told that NCC advice has been sought and taken, that would be a misrepresentation.

My second point may overlap with the debate that will take place on Wednesday about schoolchildren aged under five. There is often a mix of under-fives and over-fives in the same classes. I have asked parliamentary questions about that. If the national curriculum is meant to apply to children of five and upwards, there is a risk that it will reach down below that.

I understand that in circular 1, issued by the National Curriculum Council last month, the advice given is that the law should be ignored, and that in the first year—1989-90—the national curriculum should not be applied to children other than by the year after they attain statutory school age—that is, not by term, but by year. That is inconsistent with the Act. Will the Minister confirm that the Act has been superseded, and that the curriculum will apply only from the year after children become five so that there is no risk that children under five will become subject to the national curriculum?

There is ground for concern about the independence of the NCC. The calculations of the Department for the inquiry into teacher shortages by the Select Committee —which is going on at the moment, and at which evidence will be given tomorrow—have finally revealed the official view that properly qualified maths and science teachers will not be available until 1995, even on an optimistic view

of present trends, to teach up to the age of 16 all subjects in the national curriculum. The Department has not previously admitted that.

The NCC appears now to be accepting the Government's response to that projected—and actual—shortage, and its response has been to say that, instead of the original approximately 20 per cent. of curriculum time for science, it should be 12·5 per cent. I am worried that the NCC will always agree with the Government's view, and I should be grateful for a resounding commitment from the Minister to the complete independence of the NCC. If that is true, she must give an explanation of why, in this case, the NCC appears so easily to have accepted that one should reduce expectations rather than do what I am sure the public would demand—aim to get the teachers in place to teach the amount of science, and other course subjects, that we need rather than teaching less of those subjects.

There is some substance behind the orders, but I do not think that there will be a Division on them.

10.36 pm

The Minister of State, Department of Education and Science (Mrs. Angela Rumbold): I am grateful to the hon. Member for Southwark and Bermondsey (Mr. Hughes) for clarifying his reasons for debating the orders. It has been of immense help to me. I am also glad to hear the views of hon. Members on both sides of the House about the possibilities and virtues of regional government.

It may help the House if I outline the background to the orders, which have been made under section 15 of the Education Reform Act 1988. The Act provided for the establishment of three independent councils to advise my right hon. Friends the Secretaries of State for Education and Science and for Wales on the curriculum in schools and on examinations and assessment. The new councils are the National Curriculum Council, the Curriculum Council for Wales and the School Examinations and Assessment Council. The functions of the councils are set out in some detail in section 14 of the Education Reform Act and, apart from giving advice, include keeping the curriculum and examinations under review, assisting the Secretaries of State to carry out research and development relevant to the curriculum and examinations, and the publication and dissemination of information.

The SEAC is also responsible for advising the Secretary of State on the approval of qualifications under section 5 of the Act and has been designated as having statutory responsibility for approving the associated syllabuses and syllabus criteria.

Naturally, the councils also have specific responsibilities related to the national curriculum and its associated assessment and testing arrangements. The NCC, for example, is required under section 20 of the Act to conduct consultations on the Secretary of State's proposals for attainment targets and programmes of study in core and other foundation subjects and report the results, with its own advice, to the Secretary of State. SEAC's functions include making arrangements with appropriate bodies for the moderation of assessments. The three councils are, indeed, among the Government's principal sources of advice and support in the introduction, development and maintenance of the national curriculum.

Mr. Wigley: Although I accept what the Minister says about the importance of those bodies, why is it necessary to go into the minutiae of these orders? Will such orders be necessary whenever an item of hardware or an indiyidual is transferred from one department to another? Is that the implication of the Education Reform Act?

Mrs. Rumbold: I am interested in the hon. Gentleman's observation. The orders were laid, but we did not pray against them. If Opposition Members wish to make inquiries about the nature of such orders, they are exercising their rights as democratically elected Members of Parliament. The hon. Gentleman must address himself to the safeguarding of those rights. I am happy to answer the points that have been raised

It might be appropriate to elaborate a little about the advice and information that we have received from the National Curriculum Council about the amount of science that will be taught in our schools. The NCC has advised my right hon. Friend that, for the majority of students taking science, it would be appropriate for 20 per cent. of their time to be spent in the study of science as a double subject so that science becomes more generally studied by as many students as possible up to the age of 16.

The hon. Member for Southwark and Bermondsey will know that, over the years, we have been anxious to prevent youngsters who have been persuaded, for one reason or another, not to continue the study of science—that applies particularly to girls and we are anxious that it should not continue—from dropping science early in their secondary school years. With the advantages of the national curriculum coming on stream, we saw this as a good opportunity to ensure that double science would be taken as a general principle for all students.

However, there may be cases—it is important to enable such cases to be recognised—where students, because they were at one end of the spectrum or the other, found it less valuable to study the full percentage of science. We thought, therefore, that it was right to accept the advice given to us that 12·5 per cent. might be acceptable to students who perhaps had taken subjects early in GCSE and wanted to study other sciences individually, or to students who perhaps found the double science so exacting that they were unable to concentrate on other parts of the curriculum that are just as important.

Mr. Simon Hughes: The Minister's explanation is helpful. She touched on the concern that young girls in some schools might be discriminated against because the school felt it was obliged to fulfil only the 12·5 per cent. rather than the 20 per cent. requirement. We should guard against such unintentional discrimination, particularly in respect of those who are traditionally discriminated against in such subjects.

Mrs. Rumbold: I take the hon. Gentleman's point. We are anxious to guard against that and I hope that he will accept my reassurance on that point.

The National Curriculum Council and the Curriculum Council for Wales have inherited an active programme of curriculum development projects from the SCDC and its Welsh committee. The projects include work on mathematics, writing, art and economic awareness, all of which should contribute usefully to the implementation of a broad and balanced national curriculum.

Both our new bodies have made an excellent start and have done a great deal of work in a short time. It is important that the Government's consultative document, "The National Curriculum 5–16", which was published in July 1987, made it clear that the work of the SEC and the

[Mrs. Rumbold]

SCDC would be taken over by the proposed new statutory councils. In the case of the SCDC, which was part-funded by the local authorities, the consultative document announced that the Government would take complete responsibility for funding from April 1987. The hope was expressed that the great majority of staff would transfer to the new council and, accordingly, the Education Reform Act contained a provision in section 15 for the transfer, first, of all the property, rights and liabilities of the SEC and SCDC which, in the opinion of the Secretary of State, were required by the new councils in order to perform their function; and, secondly, of the contracts of employment of any SEC or SCDC employees designated by the Secretary of State. The transfers are accomplished by means of statutory instruments under the negative resolution procedure.

I join the hon. Member for Leeds, Central (Mr. Fatchett) in his expression of gratitude to the SEC and the SCDC for their work. Both bodies, which were non-statutory, have contributed greatly to the underpinning of the new statutory bodies. The work of the SEC on the GCSE should be especially commended. It undertook an enormous amount of the hard work that produced such a good grounding for the successful introduction of the examination. It is important that that should be on the record.

I shall not dwell on the order that transfers property, rights and liabilities. I think that it is generally agreed that hot letterpresses, for example, involve matters on which we need not concentrate too much.

I shall comment on the NCC's move to York. It made good sense for one of the councils to leave London as both were to need more staff and more office space than their predecessors. The move to York has made it easier for the NCC to recruit new staff of good quality. I am told that nearly all the NCC's key staff took up their posts at the beginning of January. We need not be overconcerned about the staffing of the council, but we must not be complacent until it has been completed. It seems that the council's move to York will assist in the recruitment of staff of good quality. It will provide local employment opportunities outside the south-east of England, which in turn will make the council's independence from Government more manifest. We expect also that location in York rather than in London will bring some recurrent savings to the taxpayer, which will amount to about £1·5 million a year. That is a not inconsiderable sum and it is a saving to be welcomed.

The order transferring rights and liabilities under contracts of employment was also drawn up in the light of advice from the chief executives who, in turn, have sought to accommodate the wishes and aspirations of the employees of the SEC and the SCDC. Following the establishment of the councils and the approval by the Department of new and expanded staffing structures to cope with the expected additional workloads, the chief executives consulted staff informally about the vacancies that needed to be filled. Wherever possible, individual preferences were taken into account so that, for instance, SCDC officers who did not wish to relocate to York with the NCC were offered jobs in London.

For officers in grades below principal professional officer, a joint staffing committee comprising representatives of the SEC, the SCDC and the DES was established to advise the chief executives on the alternative possibilities for any staff who were unhappy with initial offers of jobs. As a result of those efforts by the new managements of the NCC and the SEAC, all but one member of the SCDC's staff were found suitable jobs in London or York. All but one of the SEC's staff have been offered jobs on the same terms and conditions as their SEC jobs. In the opinion of the SEAC's chief executive, these jobs are suitable for their skills and experience. Formal offers of jobs were made in October.

Redundancy terms have been agreed for the two members of staff who could not be found jobs and they have now left. I believe that one of them is about to set up his own business. The order laid before the House on 13 December designates all 120 remaining employees of the SCDC and the SEC, with the exception of four employees of the SEC, to transfer to the NCC, the SEAC or the CCW with full credit for their service with the former councils and without the loss of any accumulated employment rights.

The order does not contain the names of four SEC employees who, despite having been offered jobs with SEAC which the chief executive of SEAC regards as suitable, have so far declined to accept those jobs. I understand that the four individuals concerned have had a series of discussions with the chief executive of SEAC and representatives of SEC. The latest discussions took place as recently as the end of last week. The Department has kept in close touch with the discussions. Consideration of the future of these staff continues and I do not know what the outcome will be. It would be wrong for me to prejudge what will happen.

The hon. Member for Leeds, Central asked specific questions and I hope that I have answered his first question. He also asked whether a new order would be necessary for the four members of staff. A separate order will be necessary for the transfer of those staff if they accept posts.

The hon. Member also asked about the status of the SEC. It will be wound up under section 652 of the Companies Act 1985. If it is no longer trading, there will be no need for a members' meeting because the three-month time limit will be set in motion once staff liabilities are settled. In other words, it does not ncessarily follow that an official winding up is necessary.

Reference was also made to under-fives. The Education Reform Act 1988 allows a phasing-in for particular subjects and children reaching the age of five during the school year 1989-90 will be subject to the national curriculum only if the school so desires. There is no conflict with the Education Reform Act. For those under five, the national curriculum can never be compulsory. I hope that that reassures the hon. Member for Southwark and Bermondsey. It would not make sense to deny rising fives an opportunity to start——

Mr. Simon Hughes: The Minister appreciates that there is widespread concern about this matter. There are many mixed classes with rising fives and over-fives. Many people believe that we should not put children into the mill of the curriculum until they are well past the age of five. Many heads and teachers feel that children need to find expression in different ways and not be tied to the

curriculum. The more children under the age of five whom we can protect from the national curriulum for their own self-development, the better. I hope that the Minister will encourage schools not to lump under-fives and over-fives together, but will encourage them to start the curriculum later rather than earlier.

Mrs. Rumbold: I take the hon. Gentleman's point. However, I hope that he is not suggesting that we should deliberately go out of our way to disadvantage young children. Many rising fives and slightly younger children are competent to start progress on the national curriculum. It would be a backward step for us not to allow schools that are adequately staffed with teachers who have completed the early-years training, which covers children aged three to seven—I am glad to say that an increasing number of staff fall into that category—to benefit some children before the age of five by beginning the first stages of the national curriculum.

All that depends on parental choice. There is no compulsory education before the age of five. There is compulsory education after the age of five and, therefore, the parents must decide whether they want their children to attend school early. If they choose a school which begins rudimentary work on the national curriculum before the age of five, we must assume that parents are aware of what they are doing.

Question put and negatived.

BUSINESS OF THE HOUSE

Ordered,

That, at tomorrow's sitting, notwithstanding the provisions of Standing Orders No. 14 (Exempted business) and No. 15 (Prayers against statutory instruments, &c. (negative procedure)), Motions in the name of Mr. Secretary Rifkind or of Mr. Neil Kinnock relating to Housing (Scotland) may be proceeded with, though opposed, for three hours after the first of them has been entered upon; and if proceedings thereon have not been previously disposed of, Mr. Speaker shall, at the expiration of that period, put successively the Question already proposed from the Chair and the Question on the remaining Motion which may then be made.—*[Mr. Garel-Jones.]*

Horticulture (Glasshouse Sector)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Garel-Jones.]*

10.55 pm

Mrs. Marion Roe (Broxbourne): I am most grateful for the opportunity in this Adjournment debate to discuss the state of British horticulture and, in pa:ticular, the part played by the glasshouse industry within it.

It is no exaggeration to say that horticulture is one of Britain's greatest unsung success stories. In 1987, the latest year for which figures are available, horticulture output rose by 5 per cent. to a value of almost £1·3 billion. To put that in perspective, that is equivalent to more than two-thirds of Rolls-Royce's turnover, or to about £25 for every man, woman and child in the United Kingdom.

We produce more fruit and vegetables than ever. Remarkably, Britain is more self-sufficient in crops that can be produced in the United Kingdom than at any time in our history. Overall, exports of foodstuffs have more than doubled since 1979. In contrast to the 19th century and to much of this century, Britain no longer has to trade goods and services in international markets to pay for massive imports of foodstuffs.

In the Lea valley in my own constituency, the strength of the glasshouse industry is indicative of that success. Over the past couple of years, a massive rebuilding programme has been under way, resulting in the construction of about 125 acres of modern, efficient aluminium glasshouses—replacing hopelessly ancient and obsolete timber-framed glasshouses. At the same time, growers have been switching to the latest hydroponic methods of growing, using sophisticated computerised controls and plant feeding systems.

Some indication of the strength of confidence about the future being shown by growers in the Lea valley is that they have invested about £15 million over the last year or so. There are probably three main reasons for that investment boom and for the industry's general optimism in my constituency. First, as with all industries, the fortunes of the glasshouse business are in part a function of the strength and vitality of the whole economy. With the economy in better shape than at any time since the war, with unemployment falling fast, and living standards up to record levels, the environment in which the industry operates is better than it has been for years. Coupled with the growth in real incomes, a more discerning, health-conscious consumer is emerging—able and willing to pay for fresh produce.

Secondly, the fall in the cost of fuel—especially oil—over the last two or three years has given an immense fillip to an industry whose profitability and viability depend to a substantial extent on fuel prices. Thirdly, the Government deserve great credit for the introduction of the enhanced rate of grant aid for replacement heated greenhouses. Until November last year, growers were able to claim grant aid of 50 per cent. of the cost of replacement heated glass up to an expenditure limit of £136,000, placing a maximum of £68,000 at the disposal of the investment-minded grower. For glasshouse heating systems, the level of grant was 20 per cent. up to the £136,000 limit. The implemention of that special scheme has proved enormously beneficial to British glasshouse growers as they prepare for the 1990s, the completion of the single European market, and the full accession of Spain and Portugal to the Community.

The new scheme for glasshouse growers provides for grant at a slightly lower level, with an investment ceiling of £74,000. Although that may seem a dramatic cut, it is important to bear in mind that the new arrangements give the highest level of grant and ceilings now permitted by EC rules, and compare very favourably with those in other sectors. Moreover, the old scheme was never intended to be anything but temporary. Its aim of giving a substantial boost to investment in the glasshouse sector now having been achieved, it is only right that the grant should revert to lower, although by no means ungenerous, levels.

Most growers were delighted that the Government kept the scheme alive, a recognition of both the importance of the sector and the need for the industry to continue raising levels of investment. When we consider that very few manufacturing companies are able to obtain comparable levels of grant for their capital investment, it is apparent that the glasshouse sector received a fair hearing from the Government. It would, however, be wrong to portray the industry as one entirely without problems, and perhaps the most sobering long-term threat comes from the full integration of Spain and Portugal in the European Community.

So far the industry has proved itself more than capable of meeting the challenge of foreign competition. That success is all the more remarkable when we consider that British growers are increasingly competing against overseas producers who have the advantage of lower labour costs and a more favourable climate. Moreover, the telescoping of distances by air travel and the reduction in the real cost of that travel have brought produce from the most distant corners of the earth into the average supermarket, and has strengthened the competition that British producers have to face.

Against that background, our growers have made increasing use of new and existing technology and research to lift output and to boost productivity. As the removal of the final barriers to trade within the Community in four years' time approaches, it becomes all the more crucial that British growers are at the very forefront of the development and exploitation of new production techniques, technology and research. The preparation for the next decade has already begun with the huge increase in investment in the glasshouse sector, thanks in no small part to the old agricultural improvement scheme. But, as manufacturing industry knows only too well, investment on its own is not enough. British producers need speedy access to first-class research and development and advisory services. Without such resources home producers will find it increasingly difficult to compete against the low-cost producers from Spain and Portugal in the 1990s. For, just as industry has found that it can hope to compete successfully only through the application of new processes and techniques, so our growers will come to rely ever more on scientific methods of production.

I believe that it is only right that the industry should make a substantial contribution to the cost of the research and development and advisory services on which its competitiveness so crucially depends. After all, who better to decide on and to fund such services than those who know what they want and how much they are prepared to pay for it?

That does not mean, however, that there is no role for Government. Although it is only right that research and development should be industry-led, I do not believe that Government should leave it entirely to growers. At a time when our competitors, notably the Dutch, are able to make use of the substantial resources provided by their Governments, we cannot afford to abandon growers entirely to the market. Without such assistance, I think that the long-term competitiveness of the industry could be threatened.

It is sobering to remember how effectively the Dutch have come to dominate the United Kingdom vegetable and seed industry over the past 20 years, thanks in large part to a substantial commitment of resources to seed research by both private companies and the Dutch Government. Today the cabbages, sprouts, carrots, lettuces and tomatoes in the greengrocers' shops are more likely to be of Dutch origin—possibly grown in the United Kingdom but grown from Dutch seeds developed by Dutch scientists. British glasshouse growers are of course determined to ensure that foreign competition does not have a similar impact on their industry. In doing so, they attach great importance to the roles of Government-supported research and development and the agricultural development advisory service in ensuring the continued success of the industry.

Growers have shown their commitment to the industry by investing in new glasshouses on a massive scale and by supporting important initiatives such as the Horticultural Development Council. However, within the industry there is great concern that the Government may go too far, too fast in trimming Government-sponsored research and development and reducing spending on advisory services at a time when the need for those services has probably never been greater.

The Government are right to expect growers to make a substantial contribution to so-called near-market research, the benefits of which are for the most part immediate and tangible. There are inevitably problems in defining what constitutes near-market research. I know that the industry is concerned that the Ministry of Agriculture, Fisheries and Food's proposals on near-market research will lead to a drastic cut in overall Government support for research and development. If the case for greater spending by the industry on near-market research is strong, the equally important although less commercially attractive—at least in the short term—basic research requires a more substantial financial commitment from the Government.

A current example of where research and development funding needs to be directed is the control and containment of pests and diseases in glasshouse crops. Western flower thrip—WFT—has now become a major worry to glasshouse growers, despite the fact that it has been notified in the United Kingdom for only a couple of years. It has spread to some important crops, both edible and ornamental, and new outbreaks continue to be confirmed. Fortunately, as yet there have been no notified outbreaks of WFT on cucumbers in the Lea valley, although there have been 11 outbreaks in that crop elsewhere in the country.

At present there are no proven biological controls for WFT and chemical controls are incompatible with existing biological control of other pests. Thus, glasshouse growers are faced with the possibility of relying ever more on chemical control methods for WFT despite the fact that it goes against the trend of reducing dependence on chemicals due to concerns about pesticide residues and environmental pollution.

Since chemical controls for WFT negate the impact of existing biological controls used against other pests, the use of chemicals against WFT could result in the waste of considerable amounts of work in recent years on developing the extensive biological controls now used. Fortunately, the Horticultural Development Council has recently made available extra funds to research the use of chemical and integrated controls for WFT. I believe that five chemicals are being tested by ADAS for control on crops at Reading and Wolverhampton. I hope that the Minister can assure growers that research into that pest will proceed rapidly and that, as far as possible, the speed of the development of effective controls for WFT will not be hindered by a lack of resources.

There is also some concern within the industry that MAFF approval of the chemical Dynamec, which is widely used in the United States and on the continent for the control of WFT, is being held up because the committees concerned have not yet been able to consider it. I know that the National Farmers Union has suggested that an extra advisory committee on pesticides should be set up, thereby helping to solve the bottleneck problems. I hope that the Ministry will give that idea close consideration. However, for reasons of cost alone it may prove difficult to implement.

The second major area of worry to growers is the level of funding for advisory services. The Lea valley has experienced the loss of the pathology unit at the ADAS Cheshunt advisory unit and the Lea valley experimental horticulture station is about to close down. The number of full-time senior advisers at the Lea valley local advisory unit is now down to one. Only a year or so ago there was a complement of three. The irony is that, thanks to the buoyancy of the glasshouse sector and the switch to hydroponic growing techniques, the need for professional advice has never been greater. So great has been the demand for advice contracts with the local ADAS that the unit has had to turn away applicants simply because it does not have the manpower necessary to cope with the demand. That is a great pity, especially at a time when growers are more than happy to bear the charges associated with ADAS services.

In contrast to this apparent weakening of ADAS, it is interesting to note that the Department of Trade and Industry is putting an ever greater emphasis on the provision of advice and consultancy services to industrial and commercial companies through its enterprise initiative, which was introduced in January 1988. That is a clear recognition of the importance of professional advice in important areas such as design, marketing and production and such advice is already proving of special value to small and medium-sized firms, especially independent businesses. I hope that the recent decline in the ADAS service in the Lea valley does not represent a break in the policy of the Ministry of Agriculture, Fisheries and Food of aiding the industry through the provision of advice to growers. Relatively low levels of Government assistance can bring substantial benefits to the industry and to the local economy. I hope that my hon. Friend the Minister can reassure the growers that the Government are committed to continuing the fine work of ADAS in advising growers.

[Mrs. Marion Roe]

The glasshouse industry is an increasingly high tech business, which is now in a strong position to meet the challenges of greater competition as we enter the 1990s. The Government have made a major contribution to the revitalisation of the industry through the generous levels of investment grant available to growers over the past five years. At a time when the industry is in such a strong position, I hope that it can look forward to the continuing support of Government, especially in research and development and advisory services. The Government are right to look to the industry to fund an increasing proportion of those services from its own pocket. The glasshouse sector has done that, notably through the Horticultural Development Council. However, it would be a false economy at this stage to reduce support for research and development and ADAS too drastically. To do so could risk the industry's not inconsiderable achievements over recent years.

11.13 pm

The Parliamentary Secretary to the Ministry of Agriculture, Fisheries and Food (Mr. Donald Thompson): I am grateful to my hon. Friend the Member for Broxbourne (Mrs. Roe) for bringing this important subject to the attention of the House. I notice that my hon. Friend the Member for Daventry (Mr. Boswell) is listening to the debate. The challenge facing the glasshouse sector of horticulture is important and I congratulate my hon. Friend on the well-informed and interesting way in which she has presented the matter to us. I hope that she will excuse me if my voice does not sound as interested as it should; I am suffering from a touch of flu. I endorse what she has said about the success achieved by our growers and welcome the opportunity to explain the Government's attitude to the range of issues.

I begin by offering my congratulations to the industry which, despite its fair share of problems in recent years, has made determined efforts to organise to meet the demands of today's market. I do not underestimate the problems encountered along the way, from the high fuel prices of the early 1980s—and I was pleased to hear my hon. Friend mention low fuel prices in the late 1980s—to the storm damage in October 1987, which none of us will easily forget. I have nothing but praise for the way in which those growers affected by the storm so quickly got their businesses back in production. Despite this setback, and often in the face of strong competition from overseas, glasshouse growers have adapted their production to become one of the most buoyant sectors of the horticulture industry.

I am particularly impressed by the efforts that so many growers of protected crops have made to improve the quality and presentation of their produce in recent years. They can now meet the multiples' stringent requirements and claim the high rewards that today's consumers are willing to pay for top quality goods. Thanks to the achievements of the British Quality Salad Association and the various crop associations, customers nowadays have a better choice of high quality fresh produce than ever before. Salad crop growers have taken advantage of the FEOGA marketing grants to invest in facilities to maintain produce at maximum freshness and in equipment to transform vegetables into increasingly popular new products, such as prepared salads.

For their part, the Government recognise the valuable contribution to the economy that is being made by the glasshouse sector and the need for it to adapt and modernise in order to maintain and improve its share of the market. My hon. Friend referred to the enhanced rates of grant for replacing heated glass and for heating systems that were introduced in 1983, initially for five years. I believe that it was part of our election manifesto. Following the storm, these favourable grants were extended for yet a further year. Now, under the new capital grants scheme that was announced by my right hon. Friend on 28 November, grant at a preferential rate is being continued until the end of 1993.

I was glad to hear of the extensive rebuilding programme that is being undertaken by growers in the Lea valley. I know that many other growers are anxious to replace and modernise their existing glasshouses, and I hope that they, too, will take full advantage of these generous grants. I am heartened by the increasing optimism among glasshouse growers, but I am also aware that there are a number of issues that are causing concern to the industry. My hon. Friend does well to bring those issues before the House. She referred to the challenge of foreign competition.

I know how concerned the glasshouse industry has been about the effect of Spanish and Portuguese accession to the European Community. It is at the beginning and end of our growers' marketing season for protected crops that problems are most likely, for it is at these times that there is an overlap with production in the Iberian peninsula. However, various measures have been taken to ensure a smooth transition to a Community of Twelve.

The transitional period for fruit and vegetables extends over 10 years, three years longer than for most other sectors. Tariff barriers are phased out over this period, and there is very little other change in the first four years. In the fifth year, some abatement of the reference price system is introduced, but for salad crops it does not fall below 80 per cent. of the minimum prices for third country imports until transition ends.

There is also provision in the treaty to prevent any market disruption from Spanish and Portuguese imports over the transitional period. Obviously, after that Spain and Portugal will be on an equal footing with the Ten and the ordinary provisions for trade between member states will apply. However, I am confident—as, I am sure, is my hon. Friend—that, given the enterprise shown by our leading producers in the areas of production storage and marketing, the challenges of competition from the Iberians will be met.

Growers, like other business men, are now looking ahead to 1992. With the coming challenge of the single European market, it is particularly important for the industry to realise its potential for further development. The object of the 1992 exercise is to weld the markets of the 12 member states into one and to ensure that this large single market is an expanding one. It is for our growers to take advantage of the 350 million customers who will then be available to us.

To compete in this new market will call for imagination and energy, but the opportunity is there for those who wish to seize it. It will be for individual businesses to rise to that challenge. The Government will make every effort

to ensure that the new terms of trade are fair and do not discriminate in any way against British growers or British interests. In addition, we shall seek to ensure that British producers have all the information that they need, as changes occur. In fact, the present well-developed Community régime for fruit and vegetables gives considerable advantage to this sector.

For growers, 1992 is, in a sense, already here—at least, within the former Community of Ten. We have free trade and generally accepted quality standards and labelling provisions. That is a positive advantage. However, I must add that any advantage that 1992 brings will apply equally to other Community producers. Thus, the industry must continue with its excellent track record of development and adaptation so that it may not just retain but enhance its future share of the market. To compete successfully in the Community and world markets, our growers recognise that they will have to keep abreast of technological change. The public funding of research and development is, I know, uppermost in growers' minds. The Government have announced progressive reductions in contributions, totalling about £30 million over three years, in research and development for near-market research—that close to commercial application. The readjustment should, however, be seen in perspective. The Government remain firmly committed to supporting work which is of public good and that which involves basic and strategic research.

Current funding of agricultural research by the Agriculture Departments is about £120 million. The Department of Education and Science contributes £40 million for more basic research, and a further £40 million is spent on food and fisheries research. That makes a total of more than £200 million, which puts the £30 million into perspective.

This support of the science base provides a platform for future exploitation by industry—and it is best exploited by industry. Like my hon. Friend, I believe that industry is the best judge of what, and how much, work should be done on near-market projects. It knows where the gaps are, and it can see what really needs to be done to meet the needs of the future. It will therefore see the need to invest more in near-market research and development for its own benefit.

My noble Friend the Parliamentary Secretary is holding consultations with every sector of the industry, including horticulture. Further meetings at official level and bilateral discussions are taking place between research establishments and industry representatives to consider what research industry would be willing and able to fund. I can assure the House that no final decisions on the future level of Government funding will be made until those discussions are complete.

The lead given by horticulture, and especially the support of the glasshouse sector, in voting for the establishment of a Horticultural Development Council was very encouraging. The HDC is to be congratulated on the progress that it has made in commissioning research and development work to benefit the horticulture industry, including work for the glasshouse sector.

My hon. Friend mentioned Western flower thrip, which is a serious pest that has been present in the United Kingdom since 1987. WFT is now widespread on a range of commercial flower and vegetable crops grown under glass. Nevertheless, I assure my hon. Friend that the Ministry's interest remains. We will find effective chemical and biological means of control of this pest. I know that the industry would like the pesticide product Dynamec to be more widely available for use on WFT, but it has approval under the control of pesticides regulations at only an experimental level. It cannot therefore be given off-label approval, allowing far wider use, now. Such approvals have already been given to a range of other products to control WFT.

We have grave doubts about using our limited manpower resources at the plant health and seeds inspectorate in continuing to try to hold the line against a pest which is now so widespread. We have therefore made it clear that the statutory campaign should continue for only a few months more. That will not affect the Ministry's interest in, or research devoted to, finding effective chemical or biological means of controlling the pest.

My hon. Friend expressed concern about the availability of ADAS advice in the Lea valley area. I understand the value that growers place on this advice, particularly in the light of the closure of Lea valley EHS, which they have proved by their readiness to take up ADAS contracts. We fully appreciate the need for a full-time experienced glasshouse adviser at the advisory unit and have every intention of filling the post. In the meantime, the regional protected crops adviser has taken on this role personally, which I think shows our recognition of the need for technical support for Lea valley growers.

The motion having been made after Ten o'clock, and the debate having continued for half an hour, MR. DEPUTY SPEAKER *adjourned the House without Question put, pursuant to the Standing Order.*

Adjourned at twenty-five minutes past Eleven o'clock.

House of Commons

Tuesday 17 January 1989

The House met at half-past Two o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

PRIVATE BUSINESS

PORT OF TYNE BILL *[Lords]*

Order for Third Reading read.
[Queen's Consent, on behalf of the Crown, signified.]
Read the Third time and passed, with amendments.

Oral Answers to Questions

EMPLOYMENT

Vocational Training

1. **Mr. Jim Marshall:** To ask the Secretary of State for Employment whether he has any plans to establish an inquiry into the effectiveness of vocational training for young people; and if he will make a statement.

The Secretary of State for Employment (Mr. Norman Fowler): The Government made clear in the recent White Paper, "Employment for the 1990s" that YTS has succeeded in training substantial numbers of young people for jobs. To ensure its continued effectiveness, the scope and role of the scheme will be kept under review as too will the developing inner-city compacts and the extension of the technical and vocational educational initiative to all secondary schools and colleges in Great Britain.

Mr. Marshall: I thank the Secretary of State for that reply but I could not help noticing an element of complacency in it. Does the Secretary of State accept that Britain continues to lag behind our main competitors in the provision of adequate vocational training for young people and that that is likely further to undermine Britain's competitiveness, especially after 1992? What further effective steps does the Secretary of State intend to take to ensure a better and adequate vocational training for young people?

Mr. Fowler: We are taking a whole series of steps to seek to improve training for young people, unemployed people and people at work. I entirely accept what the hon. Gentleman has said about the importance of that. The fact that YTS has been successful can be established from the figures in the hon. Gentleman's own city of Leicester. I am sure that he will be pleased to know that in the past two years in Leicester an average of 86 per cent. of people on YTS have gone into jobs, further education or training.

Mr. Ieuan Wyn Jones: Does the Secretary of State accept that what we really need in the provision of training for young people is a far more co-ordinated approach between schools, technical colleges, the careers service in particular and the employment and training agencies? How does the Secretary of State see that approach developing further?

Mr. Fowler: I agree with the hon. Gentleman that we need the greatest degree of co-operation and co-ordination that we can get. We have just begun the compact initiatives in inner cities, which are exactly in line with what the hon. Gentleman wants—co-operation between industry on the one side and schools on the other. I am glad to say that all the signs are that although they were begun only a few months ago they are already developing into what I believe will be an outstanding success.

Mr. David Nicholson: Is it not the case that more than three quarters of YTS leavers go into jobs or further training? How does my right hon. Friend see those prospects improving or shaping in subsequent months?

Mr. Fowler: My hon. Friend is right—about 76 per cent. of YTS leavers go into jobs, further training or education, and 80 per cent. of the leavers who were asked afterwards whether they were happy with their training said that it was worth while. In the next few years opportunities for young people will undoubtedly increase. Indeed, the opportunities and outlook for young people in this country have scarcely ever been better.

Mr. Meacher: But have not the Government created skill shortages by running down skills training in the past 10 years? Is the right hon. Gentleman aware that last year craft and technician qualifications in chemical and electrical engineering were down to only 30,000, which is less than a third of the number in France and less than a quarter of the number in Germany? Is he further aware that in the service sector the number of people gaining qualifications in retailing in this country is now less than one ninth of the number in France? Against that background, is it not perfectly clear that there is not a skills gap but a skills chasm, and that since this Government have been in office it has been widening?

Mr. Fowler: Typically, the hon. Gentleman is wrong in virtually everything that he says. In fact, there are now 428,000 people in training under YTS—*[Interruption.]* If the hon. Gentleman will listen to the figures, he will find out. There are now 428,000 people in training under YTS. That is a greater number of young people in training than ever before.

The hon. Gentleman referred to the German experience, which I believe has a great deal to teach this country. That is why, for the purposes of improving training we have put forward the proposal to have training and enterprise councils locally based, industry-run and employer-led. Training has already improved, but it will improve substantially more.

Tourism

2. **Mr. Tracey:** To ask the Secretary of State for Employment what contribution the tourism industry made to United Kingdom invisible earnings in 1988; and if he will make a statement.

The Parliamentary Under-Secretary of State for Employment (Mr. John Lee): Estimates published last week show that overseas residents spent more than £5·4 billion in the first 10 months of 1988.

Mr. Tracey: My hon. Friend has provided excellent figures, but how do they compare with other factors in the invisible earnings sector of our economy? Will he consult our right hon. Friend the Secretary of State for Transport on how much better they could be if London's traffic and transport were sorted out?

Mr. Lee: I take the point that my hon. Friend has made about London traffic and transport. That is an issue that we discuss with transport colleagues in the tourism ministerial co-ordinating group.

In the invisible earnings sector, overseas earnings from tourism amount to about 40 per cent. of the size of the separate financial services sector. In the first nine months of 1988, other overseas earnings were slightly larger than exports of road vehicles and aircraft combined.

Mr. Key: Does my hon. Friend agree that our cathedrals and cathedral cities have a central role to play in the development of the tourist industry? Will he speak to his ministerial colleagues to see whether there are ways in which the Government could take a positive role in helping the deans and chapters?

Mr. Lee: I know of the continuing interest that my hon. Friend takes in cathedrals. Of course, our cathedrals and churches are major national tourism assets. Indeed, I recently visited Winchester cathedral and saw what has been achieved there and its potential. Once again I make the point that that is just the sort of issue that I can consider with ministerial colleagues in our tourism ministerial co-ordinating group.

Mr. Kilfedder: The Minister will agree that, despite terrorism, tourism in Northern Ireland is doing reasonably well, but will he use his influence and ask tourist agencies to persuade people perhaps, to extend their visit to England and visit Northern Ireland, too?

Mr. Lee: That is an interesting point. I shall put that proposition forward to my ministerial colleague in charge of tourism in Northern Ireland, my hon. Friend the Member for Gosport (Mr. Viggers), to see if something can be worked out.

National Training Task Force

3. **Mr. Greg Knight:** To ask the Secretary of State for Employment how many representations he has received on his proposal to create a national training task force contained in the White Paper, "Employment for the 1990s", and if he will make a statement.

Mr. Fowler: I have received a number of representations on the proposal to create a national training task force. This has now been appointed and I am delighted that leading figures in industry and commerce, education, training, voluntary bodies and trade unions have agreed to serve on it.

Mr. Knight: Does my right hon. Friend agree that this is a most important body which will have responsibility for steering training in the future? Will he tell the House whom he has appointed to serve on the national training task force, or at least give us one or two names of those appointed, and how he envisages them carrying out their role?

Mr. Fowler: I will not set out all the people who are on the national training task force, but suffice it to say that they include the chief executive of IBM UK, the chairmen of the Scottish Development Agency, Tarmac plc, HTV Limited, and National Freight Consortium plc, and the president of the Amalgamated Engineering Union, whom I am sure the hon. Member for Oldham, West (Mr. Meacher) will recognise. The fact that such leading figures are taking part shows the importance that industry generally and the leaders of industry are placing on training.

Mrs. Mahon: Does the Minister have any plans to do anything about training for the growing army of homeworkers, which is an emerging subculture in our sweatshop economy? What training plans does he have for people currently earning 24p per hour as a result of the Government's policies? What instructions has he given to the task force to help those people?

Mr. Fowler: I do not believe that those people come under the remit of the task force. I shall, however, consider any evidence that the hon. Lady wishes to send to me. The whole purpose of the task force is to get the training and enterprise councils established to encourage training by employers throughout the country.

YTS

4. **Mr. Wood:** To ask the Secretary of State for Employment how many trainees have been on the YTS since its inception; and if he will make a statement.

The Minister of State, Department of Employment (Mr. John Cope): Since its introduction in April 1983, 2,320,000 young people have taken part in YTS, which shows that its value is recognised by young people and by employers.

Mr. Wood: Is my right hon. Friend aware that in Stevenage the success of the YTS is widely recognised? Will he tell me more about how many people have achieved jobs, further training or, alternatively, started full-time education compared with the position in Stevenage?

Mr. Cope: My right hon. Friend the Secretary of State said just now that 76 per cent. of the country's YTS leavers go into jobs or further education. That percentage is exactly the same in Stevenage, although, in Stevenage a slightly higher proportion of YTS leavers go into jobs and a slightly lower proportion into further education.

Mr. Nellist: Is the Minister aware that in the past eight years there have been 50 fatalities in YTS? I welcome the offer that the Minister made on Wednesday night concerning Derek Cain. Following his tragic death in 1982 on a youth opportunities programme in Sheffield, his father was offered £52 compensation, but three days before Christmas the High Court overturned that decision and awarded £20,000 compensation and costs of up to £100,000 against Plumb's, the Sheffield firm.

Will the Minister now give me, the House and the other 49 families who have suffered bereavements, a categorical assurance that when his Department considers the written judgment of 22 December in that case it will, where necessary, advise the other 49 families of the possibilities of similar legal redress for the deaths of their sons and daughters?

Mr. Cope: Since 1983, when YTS started, there have been 34 fatalities. Incidentally, 13 were road traffic accidents—such accidents do not count in the normal health and safety statistics, but we recognise them when they occur on YTS. Any accident, whether it occurs at the workplace or on the road, is to be deeply deplored. We must do what we can to avoid them.

When we were discussing the Cain case the other night I told the hon. Gentleman and the House that when we get the written judgment we shall certainly review the case carefully with two things in mind. The first is to see whether there are any lessons to be learnt from the health and safety point of view. We applied quite a lot of lessons immediately after the Cain case and in the early stages of YTS. In fact, the entire health and safety regime of YTS is quite different from what it was under the youth opportunities programme in 1982 when Derek Cain was tragically killed. We shall also consider the individual cases to see if we can learn anything with regard to compensation, as mentioned by the hon.Gentleman, or in other ways. In the judgment the judge said that in his view the case was not a precedent, but we shall study each case carefully.

Mr. Dicken: Dow my right hon. Friend accept that youth unemployment among the under-25s has fallen by 37 per cent. in the year to October? That is well below the European average. Does he also accept that about three quarters of those on YTS secured jobs at the end of their training and that there are 130,000 vacancies on YTS? Does that not sing the praises of the Conservative Government and their training schemes?

Mr. Cope: It does indeed. As a matter of fact there are 129,000 places available on YTS.

Mr. Fatchett: Does the Minister recognise that the answer he gave to my hon. Friend the Member for Conventry, South-East (Mr. Nellist) will do little to lessen many people's fears about the safety record of YTS? Will the Minister give a much clearer indication of the criteria that will be used when he comes to judge cases for possible compensation?

Mr. Cope: They will have to be the legal criteria; there are no others that I can responsibly use.

Tourism

5. **Mr. Bevan:** To ask the Secretary of State for Employment how many overseas tourists visited Britain in 1988; how much they spent; and if he will make a statement.

Mr. Lee: Figures are not yet available for the whole of 1988. Provisional estimates show that in the first 10 months of 1988 there were 13·8 million visits to Great Britain by overseas residents. During that period overseas residents spent some £5·4 billion on goods and services in Great Britain.

Mr. Bevan: American tourism is a major contributor to invisible earnings and the balance of payments. What effect does my hon. Friend think the unfortunate bombing of the Boeing 747 flight 103 at Lockerbie will have on it, and how does he assess the effect it will have on dollar earnings?

Mr. Lee: American visitors to this country are extremely important, but in normal years for every one American who comes here to visit about four visitors come from other countries. The air disaster at Lockerbie is bound to create a degree of apprehension, so the industry will have to work harder at selling itself in the United States. I must make the point, however, that the current fatality rate for United Kingdom fixed-wing transport aircraft, including the sad M1 tragedy, is one fatality per 3·4 billion passenger kilometres flown.

Mr. Cryer: Did the Minister see the delegation from the Settle-Carlisle area representing small businesses, whose members pointed out that if the Settle-Carlisle railway closes people will not be able to travel to cities such as Bradford and Carlisle, which will suffer a loss of turnover? They also said that in the Settle-Carlisle hinterland served by the railway hundreds of jobs in small businesses will be lost. In view of those representations from the small business sector, will the Minister tell his right hon. Friend the Secretary of State for Transport that the railway line should be kept open on the basis of keeping jobs?

Mr. Lee: As the hon. Gentleman knows, I know the Settle-Carlisle area well. With my hon. Friend the Minister of State at the Department of Transport I attended a presentation last week by the English tourist board and the consultants on the work that they have done. My hon. Friend the Minister of State is considering the future of the Settle-Carlisle line at this moment.

Mr. Nicholas Bennett: As the hon. Member representing the premier tourist area of Wales, may I ask my hon. Friend whether he agrees that what overseas visitors most want is all-weather, all-year, high quality accommodation and facilities? Will he direct his Department's policy to that end?

Mr. Lee: My hon. Friend is absolutely right. There is a tremendous amount of investment in the industry at present—about £2 billion worth of new construction is under way, and a goodly proportion of that is increasingly geared to all-weather leisure facilities.

Mr. Madden: Does the Minister realise that about 20,000 men, women and children from the Indian subcontinent, Nigeria and Ghana are being denied the opportunity to visit the United Kingdom because they have been refused visitor visas? Will he conduct an urgent inquiry into the often bizarre reasons why those people are denied visas, in the hope that many more overseas visitors from those countries will be able to make the visits that they urgently want to undertake in the United Kingdom?

Mr. Lee: The hon. Gentleman is a sufficiently experienced parliamentarian to know that that question should be directed to my right hon. Friend the Home Secretary.

Mr. Gregory: Does my hon. Friend agree that more overseas tourists would come here if our tourist information centres were better located? In particular, will he examine the situation in the biggest gateway into Britain, Dover, where the only way to find a tourist information centre is to travel on the road out of Britain?

Mr. Lee: No Question Time would be complete without my hon. Friend raising the subject of tourist information centres. I know how dear this subject is to him and how

important he believes it to be. We have about 560 tourist information centres. They are of increasing quality and are extremely important to our tourist industry. I take the point about Dover; I have had a number of representations about it and I am looking into the matter.

Restart

6. **Mr. Ian Bruce:** To ask the Secretry of State for Employment if he will make a statement on the progress of the restart programme.

The Parliamentary Under-Secretary of State for Employment (Mr. Patrick Nicholls): Since July 1986, more than 5 million interviews have been carried out under the restart programme, of which just under 90 per cent. have resulted in an offer of positive help being made. The restart programme now offers interviews at six-monthly intervals to everyone who has been out of work for six months or more. In addition, certain clients are now offered follow-up interviews in order to provide further guidance and support. Since September 1988, the programme has delivered the Government's guarantee to people aged between 18 and 24 who have been unemployed for between six and 12 months of the offer of a place on employment training, in a job club or on the enterprise allowance scheme.

Mr. Bruce: I thank my hon. Friend for that excellent reply and report. I am sure that all hon. Members will welcome the fact that so many people are being helped back into employment. Can my hon. Friend tell us the proportion of people going into employment training from a restart interview and the number going into direct employment from the interview? Does he have any figures on those matters?

Mr. Nicholls: I am grateful to my hon. Friend. He is entirely right. The purpose of restart interviews is to try to help long-term unemployed people to find a job or some other suitable opportunity instead of simply leaving them to languish out there. My hon. Friend asks about referrals to employment training. About 130,000 people have been referred since ET started in September 1988.

Mr. Haynes: Is the Minister aware that the Government's pit closure programme has encouraged people who worked in the industry for I know not how many years to accept redundancy? Now they are being told that they will have to go on to the restart programme. After all this time and after promises were made when redundancy was accepted, they are now told that if they do not sign on for restart they will have their benefit cut. The Minister should be ashamed of himself.

Mr. Nicholls: I am grateful to the hon. Gentleman for making his point so clearly. The terms and conditions of deals worked out with the miners are more properly matters for my right hon. Friend the Secretary of State for Energy. In general terms, it has always been the position that anybody signing on and claiming benefit has to be available for work. That is a general rule.

Mrs. Maureen Hicks: In testifying to the fantastic reduction in the number of unemployed in the west midlands—one of the best figures in the country and due in large measure to the restart programme—may I ask my hon. Friend whether he agrees that the main problem now is no so much one of finding jobs for the unemployed, because vacancies exist, but unfortunately in recognising that many of the unemployed are unemployable? Employers with vacancies are finding that prospective employees do not come up to the calibre that is required, and when they are taken on for employment training many of them lack basic numeracy and literacy skills.

Mr. Nicholls: All that I have seen during my relatively short time in this job leads me to the conclusion that very few people are unemployable. I accept, however, that many people need much care and help to get themselves back into the labour market, and the overwhelming majority of unemployed people want to take advantage of that. We are specifically spending about £1·5 billion on employment training so that we do not leave people to languish without the skills that they might need but help them to get back into the labour market.

Mr. Tony Lloyd: Why was the Minister so coy in responding to his hon. Friend the Member for Dorset, South (Mr. Bruce) about the number of people helped back into full-time permanent employment? Perhaps I can help him. Will he confirm that surveys show that perhaps only 1 per cent. of people in the restart scheme are going into full-time permanent employment? Given that the bulk of restarts lead people into the now discredited ET schemes, will the Minister tell the House when the Government will seriously begin the process of offering the long-term unemployed adequate skills training so that they can get back into real work?

Mr. Nicholls: I have been accused of many things at the Dispatch Box, but coyness has never been one of them. The whole point of a restart interview is to look at people who are either long-term unemployed or heading that way and to try to make some positive offer. In some cases, that could lead to a job right away but all sorts of other disposals can also help. It may be a question of referring people to job clubs, about 440,000 have been submitted to such clubs. It might be a question of referring people to the enterprise allowance scheme; and there have been about 200,000 referrals there. People may also be submitted for jobs; about 460,000 have been so submitted.

There is a whole range of options that long-term unemployed people need to help them. In saying that we cannot guarantee people a full-time job right away, the hon. Gentleman is like other members of his party—he is still living in the 1950s.

Centre for European Business Information

7. **Mr. Ian Taylor:** To ask the Secretary of State for Employment what use has been made by firms of the centre for European business information set up within the small firms service.

Mr. Cope: Over 2,400 inquiries have been made to the European information centre since it was set up in the London office of the small firms service in December 1987.

Mr. Taylor: I am grateful to my right hon. Friend. Is the part payment with the European Commission helping to set up other regional centres? Can he give us some more information about those centres so that more small firms can use them? That will enable them to defend their home

market and to expand in the European Community through a better understanding of the rules and regulations in the Community.

Mr. Cope: The Community is making proposals for a further 20 centres throughout this country and others overseas. Three other centres are already functioning in Birmingham, Newcastle and Glasgow. The four that operate at present are pilot centres. They can be contacted through our own small firms offices all over the country and it is extremely important that small firms in particular make use of them.

Mr. Soames: Is my right hon. Friend aware of the high degree of language skills that will be required by business men seeking to operate in the wider Community after 1992? What steps is his Department taking, through the small business service and its European assistants, to provide further teaching and guidance for small business men to help them expand their language skills?

Mr. Cope: The small firms service and the European information centre are not in the business of training; they are in the business of advice and counselling, but the Training Agency is paying attention to the problem of language training which, as my hon. Friend says, is extremely important as 1992 approaches.

Mr. Skinner: In view of the fact that more than 150,000 small firms have gone bankrupt or suffered company liquidation in the 10 years of this Government, including the small firm that succeeded in Alf Roberts' corner shop in Grantham, which went bankrupt last year, and in view of the 18 per cent. borrowing rate for small businesses, as declared by the *Financial Times* last week, what advice will the Minister be giving to small firms now to help them keep their heads above water?

Mr. Cope: The number of small firms which started up and succeeded exceeds the number of those to which the hon. Gentleman draws attention which did not succeed. It is most important to obtain proper advice and counselling. The advice that I would give to people thinking of setting up in business, or who are already in business, is to make sure that they obtain proper advice. It is widely availale both from our small firms service and from local enterprise agencies and others where expert counselling is available. The figures show that those small firms that take advice are much more likely to succeed.

Small Firms Service

8. **Mr. Hayward:** To ask the Secretary of State for Employment how many centres are now operated by the small firms service in the United Kingdom; and if he will make a statement.

Mr. Cope: The small firms service in England operates through 11 centres and six inner-city sub-offices. There are two centres in Scotland and one in Wales operated by the respective development agencies.

Mr. Hayward: My right hon. Friend referred to the six inner-city sub-offices. How successful are those offices and what efforts are being concentrated on trying to achieve a growth in the development of small firms in inner-city areas?

Mr. Cope: A number of our main offices are also in inner cities. About eight of the 11 are in inner cities in England, in addition to the six special offices to which I referred. Everyone in the inner cities is now within easy reach of a small firms centre as well as a local enterprise agency. We are also trying to build up the number of ethnic minority counsellors and special inner-city advisers and many of our counselling offices are also in inner cities.

Mr. Rowe: In view of the excellent record of the small firms service, it would not be at all surprising if my right hon. Friend was at times tempted to be complacent. Is he aware that the only criticism that I have heard is that the reliance on retired business consultants or business consultants who come from large firms occasionally leads to inappropriate advice? Is he keeping a close watch on those who have felt less satisfied with the service than the vast majority?

Mr. Cope: Inevitably, those who are retired or semi-retired are more likely to have the time and inclination to help small firms. That is understandable, but we want to get as much of a spread as we can.

Tourism (Casinos)

9. **Mr. Atkinson:** To ask the Secretary of State for Employment if he has included consideration of the casino industry in the current review on tourism.

Mr. Lee: The review team has consulted with a large number of people involved in all aspects of the tourism industry, including casinos.

Mr. Atkinson: Will my hon. Friend confirm the valuable contribution that the casino industry makes to British tourism, not least in my constituency of Bournemouth? But does he agree that that contribution is nothing compared with the contribution that the industry makes in Europe to tourism there? Will he now seek to remove all those petty restrictions, such as the 24-hour rule, which are proving so damaging to our casino industry?

Mr. Lee: I acknowledge the contribution that casinos make, although their importance can be exaggerated. I am conscious of my hon. Friend's constituency interest in the matter. When the review team received consultations and representations, no particular issues were raised by companies with casino interests, though obviously Home Office Ministers will receive and hear the comments of my hon. Friend regarding casinos.

Mr. David Shaw: Will my hon. Friend confirm that the current review will include a sufficient number of cases to enable it to examine small businesses and the contribution they make to tourism? Will he ensure that the review results in suggestions being made to encourage more growth in small businesses involved in the tourism industry?

Mr. Speaker: In the casino industry.

Mr. Lee: I hear the comments that my hon. Friend makes about the review. I am satisfied that the review team had adequate opportunity to hear a whole range of representations from large and small firms—including casinos.

Construction Industry (Deaths)

10. **Mr. Doran:** To ask the Secretary of State for Employment what action he intends to take to reduce deaths in the construction industry.

Mr. Nicholls: Prime responsibility for health and safety rests with employers and others in the industry. However, new regulations are being prepared which provide for the management and co-ordination of health and safety on multi-contractor sites; which increase the number of safety supervisors in smaller companies; and which amend the site notification procedure to identify sites where there are high risk activities. The introduction of regulations which would make the wearing of safety helmets compulsory on construction sites is also planned.

In addition to concentrating on the inspection of the more hazardous activities in the industry, Health and Safety Executive inspectors will also be paying more attention to the quality of site management and its ability to manage health and safety. They will be looking at the level of training and supervision that has been provided and the precautions that have been taken to prevent accidents. They will pursue their inquiries and any enforcement action to the highest levels in companies which do not measure up to the standards expected of them.

Mr. Doran: Is it not a fact that the number of deaths and fatalities in the building and construction industry is increasing dramatically and that two major contributory factors are the failure by the Government to deal with self-employed and lump labour and the great reduction in the number of health and safety inspectors? Considering the number of deaths, it is as though we have a Piper Alpha disaster in the building industry every year. Will it take a disaster of those proportions to encourage the Government to take real action to stop deaths occurring in the construction industry?

Mr. Nicholls: The hon. Gentleman is right to remind us that the number of deaths in the construction industry has risen and is rising and is at a wholly unacceptable level. But I do not accept his analysis entirely of the reasons for that. In terms of the number of inspectors employed, it must be remembered that merely employing inspectors does not automatically produce a reduction in fatalities, and there is no evidence to suggest that it does. *[Interruption.]* If the hon. Gentleman wants the figures—and at least he, unlike some of his hon. Friends, is paying attention to my reply—in 1979, for instance, there were 86 inspectors employed in terms of construction, at present there are 90 and HSE has plans to recruit another 10.

Mr. Simon Coombs: Is my hon. Friend aware that the Health and Safety Executive is experiencing difficulty in recruiting new inspectors in some parts of the country? That is not because of the overall lack of resources but because the wage levels offered are uncompetitive with the private sector in those areas.

Mr. Nicholls: There is always a problem about employing people of the right calibre. If my hon. Friend is concerned about resources, I can tell him that the Government gave an extra £6·7 million in 1988-89 and for 1989-90 provision will be enhanced by a further £8·8 million. That will result in an increase of about 10 per cent. in the number of inspectors employed as construction inspectors.

Mr. Heffer: Why does the Minister have to be so defensive? There is a growing number of deaths and serious injuries in the industry. There were about 157 deaths last year. Is it not clear that the growth of lump labour and self-employment is making a serious contribution to the level of deaths and injuries? Is it not also clear that we are not training the correct people in the industry because of a lack of apprenticeships and so on? Is it not clear that some people put profits before the interests of the workers in the industry? Whatever the Government are doing, it is not enough.—*[Interruption.]* I am talking about people dying.

Mr. Speaker: Order. The hon. Gentleman is having a long run.

Mr. Heffer: It might be long, but I am talking about the deaths of ordinary, honest working people who are dying in the industry because of the Government's lack of responsibility towards them.

Mr. Nicholls: The hon. Gentleman started better than he finished. I am not being defensive. When I replied to the hon. Member for Aberdeen, South (Mr. Doran) I said that the prime responsibility for health and safety must remain with those engaged in the industry. The hon. Gentleman suggested that the deaths are being caused by a growth in lump labour. There is more to it than that. It is true—the figures bear it out—that if there is a boom, one sees such figures. If the hon. Gentleman wants a standard of comparison—perhaps he does not—I shall provide it. He rightly referred to the 157 deaths occurring now but in the last boom in 1975—a date that the hon. Gentleman will remember—there were 182 deaths a year. Whether the figure is 182 or 157, I accept that it is too high.

Mr. Strang: Does not the report published last week by the Health and Safety Executive on its construction site safety blitz amply demonstrate that the proposed increase in the number of safety inspectors for the industry from 90 to 100 is inadequate to tackle the widespread dangerous working conditions in the industry? What is the Minister's response to the offer by the Union of Construction and Allied Trades Technicians to put its 160 full-time officials on loan to the Health and Safety Executive for one day a week to act as part-time safety inspectors, with their wages paid by the union?

Mr. Nicholls: The Health and Safety Executive has to consider any offers that it receives and decide how such offers fit in with the task it has to perform. The report, "Blackspot Construction" showed that 90 per cent. of deaths between 1981 and 1985 were preventable and 70 per cent. could have been prevented by positive management action. Information such as that points the way forward.

Employment Training

11. **Mr. Anthony Coombs:** To ask the Secretary of State for Employment how many people have taken places on the employment training programme in 1988; and if he will make a statement.

Mr. Fowler: Employment training has made a very successful start. Currently there are about 110,000 people

in training with training managers. Unemployed people clearly recognise the benefits the programme has to offer and the opportunity it provides to help them get a job.

Mr. Coombs: I welcome the figures given by my right hon. Friend and the fact that 12,000 people in the west midlands are on the employment training programme. Does he agree that one of the most important aspects of the programme is that it appeals particularly to older workers with large families who were previously on high state benefits? Given the coming demographic trends wth the fall in the number of school leavers, it is that group that British industry most needs to retrain and re-skill.

Mr. Fowler: I agree entirely with my hon. Friend. Unemployment is falling faster in the west midlands than anywhere else in the country. Employment training is a major programme for long-term unemployed people and it has been introduced at a time when there are 700,000 unfilled job vacancies in the economy. That is the opportunity for unemployed people.

Mr. Leighton: Is it not the case that the client group for employment training is 1,147,000 and that the target for the programme is 600,000 in one year, which means that it is 300,000 at any given time? Therefore is it not the case that the programme is reaching one in 10 of the client group and achieving only one third of the Government's target? Does the Secretary of State regard that as a success or failure.

Mr. Fowler: The programme is developing and reaching more long-term unemployed people than before. In addition, there are 700,000 unfilled vacancies, many of which can be filled without any training whatsoever. Therefore, there is a mixture of unfilled jobs and opportunities through employment training. However, I welcome the hon. Gentleman's support for employment training. I only wish that the hon. Member for Oldham, West (Mr. Meacher) would do the same.

PRIME MINISTER

Engagements

Q1. **Mr. Yeo:** To ask the Prime Minister if she will list her official engagements for Tuesday 17 January.

The Prime Minister (Mrs. Margaret Thatcher): This morning I had meetings with ministerial colleagues and others. In addition to my duties in the House I shall be having further meetings later today.

Mr. Yeo: Has my right hon. Friend seen today's press reports that the consultants Arthur Young who were commissioned by the Football League recommended that the Government's proposal for football should be welcomed and implemented in the interests of the game? Will she take steps to encourage Arthur Young to publish the full report and make it available to Members of Parliament?

The Prime Minister: Like my hon. Friend I have seen reports of the report. Of course it is for those who commissioned the report to decide whether it should be made available to hon. Members. I hope that they will do so. I recall that on 9 November the Government published the report of the working party under my hon. Friend the Minister responsible for sport. I hope that others will follow that advice.

Mr. Kinnock: The police, football supporters, players and administrators are all strongly opposed to the Prime Minister's compulsory identity card scheme. Just for once, why does she not listen to their voices of experience and knowledge, and scrap the idea now?

The Prime Minister: No. I do not accept what the right hon. Gentleman says. When one examines the record of hooliganism and the numbers of arrests which took place last year and during this season, it is time that we accepted the original recommendations of the Popplewell committee and introduced a national membership scheme for designated grounds.

Mr. Kinnock: The Police Federation, whose members, for obvious reasons, are acknowledged experts on this subject, say that

"This scheme is not going to work. When it breaks down, it will do so on match days and give rise to the threat of even worse disorder than it seeks to suppress."

Does the Prime Minister not understand that the problem of hooliganism is now not inside the grounds but away from the grounds? In the very course of completely missing that point, her scheme will add to the problems of the police and people living near football grounds and of the genuine fans without touching the thugs.

The Prime Minister: No. The fact that people can easily get into matches without membership cards of any kind attracts a particular type of hooligan to that place, both inside and outside the grounds. We have taken many steps to deal with that. We are now taking up the recommendation in the original Popplewell report that there should be a national membership scheme. Last year there were 6,147 arrests at football league matches and 6,542 ejections from the grounds. The taxpayer has to foot the substantial bill for the extra police presence outside the grounds every Saturday to limit the violence and aggression for which football provides a focus. Clubs that have introduced 100 per cent. local membership cards have had very much better records since they have done so and families can once again watch football in those grounds.

Mr. Kinnock: Anyone who knows anything about football realises that the Prime Minister is talking through the back of her neck. The number of arrests inside football grounds is a fraction of the number she gives. The mere supervision of the scheme that she is trying to introduce will incur, because of police presence and expense, a cost vastly greater than that incurred at present.

The Prime Minister: When it comes to speaking through the back of the neck, I cannot hold a candle to the right hon. Gentleman. *[Interruption.]*

Mr. Speaker: Order. Let us get back to the question.

The Prime Minister: Clubs that have introduced membership cards have a much better record inside their grounds, and find that hooligans are not attracted to the areas outside them. We should observe the enormous improvement that has come about among those clubs and take up the proposals considered by the working party, which were made by Mr. Justice Popplewell when he first addressed the problem.

Mr. John Carlisle: Will my right hon. Friend come to Luton Town football club on a Saturday afternoon, accompanied by the Leader of the Opposition? *[Interruption.]* Would she like to go through the middle of the town which, because of that club's membership scheme, enjoys peace and quiet, and where there is no intimidation of ordinary citizens, and where football hooligans do not exist? The people of Luton and of every town in the United Kingdom look forward to the introduction of the membership scheme.

The Prime Minister: We believe that Luton's example should be followed, to benefit football and its spectators.

Q2. **Sir Russell Johnston:** To ask the Prime Minister if she will list her official engagements for Tuesday 17 January.

The Prime Minister: I refer the hon. Gentleman to the reply that I gave some moments ago.

Sir Russell Johnston: Does the Prime Minister accept that her Minister's description of Prime Minister Shamir of Israel as a "reformed terrorist" was not meant as an insult but as a compliment? Will she use her influence to persuade him to talk to the other reformed terrorist, Yasser Arafat, in the interest of both their peoples and of peace in the middle east generally?

The Prime Minister: There has been no change in our middle east policy. Some years ago, we laid down three conditions to be met before we would talk to any PLO members. Those three conditions were met, so we thought it right that the Minister of State, Foreign and Commonwealth Office should talk to the PLO. I have asked Mr. Shamir to come here so that we can discuss the matter. It will take considerable time for any negotiations to get under way. Nothing can be started before the new United States Administration is well in position and have decided precisely what is their policy. Meanwhile, we believe that the answer to the deep-seated problems of the middle east is negotiations that honour the rights of all parties. It is our purpose to get those negotiations going under the United States' leadership.

Q3. **Mr. David Nicholson:** To ask the Prime Minister if she will list her official engagements for Tuesday 17 January.

The Prime Minister: I refer my hon. Friend to the reply that I gave some moments ago.

Mr. Nicholson: Is my right hon. Friend aware of the steadily worsening situation in the Sudan and of the resulting suffering and deaths there? Given Britain's historic ties with that country and the excellent administration that existed there in colonial times, will my right hon. Friend tell the House what assistance—whether material supplies or diplomacy—Her Majesty's Government are able to provide in the current emergency?

The Prime Minister: For the reasons that my hon. Friend gave, we are very much aware of the conditions in the Sudan. It has been very difficult to conduct relief operations there, particularly in the southern part of the country, although we have contributed to the world food programme's airlift into Juba in the southern part, and the recent International Red Cross operation. We provided £15·4 million in emergency assistance to Sudan last year, and are ready to give further help in 1989. *[Interruption.]* I would have thought that Opposition Members would be quite pleased that we had provided £15·4 million in emergency assistance. Not in the least: they could not care less.

Q4. **Mr. Robertson:** To ask the Prime Minister if she will list her official engagements for Thursday 17 January.

The Prime Minister: I refer the hon. Gentleman to the reply that I gave some moments ago.

Mr. Robertson: The Prime Minister referred to three conditions laid down for talks with the PLO. As the Government have now agreed in principle to a human rights conference in Moscow to be held in 1992, can we assume that when President Gorbachev comes to Britain —at the end of this month or next month—Mr. Bernard Ingham will be giving a different impression to the press about a possible royal visit to the Soviet Union?

The Prime Minister: I am not quite sure which point the hon. Gentleman expects me to take up from that somewhat muddled question, which started in the middle east and went on to the human rights conference. We have agreed in principle to a human rights conference in Moscow, but only provided that our demands for certain improvements are fully met, not only in particular cases but in Soviet law and in relation to basic guarantees of freedom. I believe that it was right to take that stance.

When Mr. Gorbachev comes here the arrangements that we had before will persist, under which, of course, Her Majesty the Queen has graciously agreed to receive him. We do not answer hypothetical questions about invitations before they have been received—not on this side of the House.

Mrs. Currie: Has my right hon. Friend read the remarks made by Mr. John Hickey of the Civil and Public Services Association, who has said that claimants will receive a worse service when social security jobs are moved out of London? Apart from the fact that the service could not be much worse in London anyway, does my right hon. Friend accept that my constituents are insulted at the notion that a job has to be done in London to be done well? Will she reassure us that the Government will make every effort to move public sector jobs out of the capital into the rest of the country, particularly the midlands, where they will be very welcome?

The Prime Minister: I agree wholeheartedly with my hon. Friend. I am frequently asked at this Dispatch Box whether we will make arrangements to move jobs from London and the south-east to areas where they are more needed. It is not always easy to do so, and it is very disappointing that when we make such arrangements to have those jobs the better carried out, the unions oppose us. I hope that they will reconsider the attitude that they have taken.

5. **Mr. Bradley:** To ask the Prime Minister if she will list her official engagements for Tuesday 17 Janury.

The Prime Minister: I refer the hon. Gentleman to the reply that I gave some moments ago.

Mr. Bradley: Has the Prime Minister read the report in today's *Daily Express* that her Agriculture Minister has met farmers 37 times and consumer representatives only twice? Will she now sack him and replace him with someone who represents consumer interests seriously?

The Prime Minister: I have not the slightest shadow of doubt that my right hon. Friend the Minister will receive representatives of consumer interests who wish to make representations to him. We must also remember that it is in the interests of farmers, and those of the entire food industry, for them to strive to produce food of the highest possible quality. Of course, farmers too are consumers.

Mr. Boswell: Has my right hon. Friend noticed the suppression of democratic opinion in Prague that took place at the weekend? Does she agree that it has made no contribution to either the image or the reality of the common European house?

The Prime Minister: I expect that many of us saw scenes on television in which peaceful demonstrations in Prague in memory of a student who had taken his own life were forcibly broken up, and were somewhat dismayed. I think that that fully justifies the approach that we took—that we would not attend a human rights conference in Moscow unless certain strict criteria were met. Although much is said and many improvements have been made, such things are still going on, and we could not possibly attend a human rights conference in Moscow unless we observed improvements in what actually happens, as distinct from good speeches.

Q7. **Mr. Nigel Griffiths:** To ask the Prime Minister if she will list her official engagements for Tuesday 17 January.

The Prime Minister: I refer the hon. Gentleman to the reply that I gave some moments ago.

Mr. Griffiths: Does the Prime Minister think it is fair that cleaners in hospitals in Edinburgh should be robbed of their pension rights and of all sick pay because of her policies?

The Prime Minister: I do not accept that that is the case. Those who work in the National Health Service have had a far better deal under this Government, because of increased resources, than they have ever had before.

Mrs. Maureen Hicks: As a representative of an inner-city area, could I have the reassurance of my right hon. Friend that in view of the worsening problem of the availability of cocaine, and in particular crack, the Government have taken every possible step to eradicate the problem in its infancy before it is allowed to increase to the state it has in America, where it is proving impossible to curtail?

The Prime Minister: Yes, of course that is our aim. It is indeed a very dangerous drug and we shall do everything possible to see it does not get the kind of hold here that it did in America. Of course, that is more easily said than done. We shall strive to do everything possible to achieve that objective.

Tunis (Ministerial Visit)

3.31 pm

Mr. Gerald Kaufman (Manchester, Gorton) (*by private notice*): To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the visit of his Minister of State to Tunis.

The Minister of State, Foreign and Commonwealth Office (Mr. William Waldegrave): I visited Tunis from 12 to 16 January for meetings with Tunisian leaders and to chair a meeting of the heads of British missions in the region. While there I met the PLO Chairman, Mr. Yasser Arafat. This meeting followed the statement made in London on 9 December by Mr. Bassam Abu Sharif, a senior PLO adviser, and the commitments made by Mr. Arafat in Geneva on 14 December. Both these met our long-standing conditions for further ministerial contact with the PLO.

Mr. Kaufman: Does the hon. Gentleman agree that the continued death toll in the Israeli occupied territories, including daily shootings of Palestinian children and teenagers as well as the deaths of Israeli Jews, is unacceptable and must be stopped? Will he agree not only with me but with the senior Israeli army officer and with the Israeli Minister of Defence, Yitzak Rabin, whom I met during my visit to Israel from which I returned earlier this month, that the Palestinian intifada, now in its fourteenth month, can be brought to an end only by a political solution? That remains true even with the harsher measures announced today by the Israelis. They may kill more Palestinians; they will not kill the intifada.

Will the hon. Gentleman agree further that Yasser Arafat's statements in Geneva last month have made a political solution available? Did Chairman Arafat say to him last week in Tunis, as he certainly did to me, that at an international conference the Palestine Liberation Organisation would be ready to compromise in order to reach a negotiated settlement and that the PLO would be ready to consider participating in a joint Arab delegation to such a conference? Will he therefore reaffirm that an international conference under the auspices of the five permanent members of the Security Council is by far the best mechanism for solving this tragic problem of providing both security for Israel and justice for the Palestinians?

It is inevitable that sooner or later Israel will speak to the Palestine Liberation Organisation. The Israeli Government should see sense. They should be willing to test the good faith of the PLO. They should choose peace by negotiation. They should agree to talk now. It is time to end the spilling of blood in the Holy Land.

Mr. Waldegrave: It is seldom, I think, that I have faced a series of propositions put by the right hon. Member to which I can answer yes with such confidence. The truth is that we believe British Government policy remains the same. It remains as the right hon. Gentleman has just stated it, that we believe that there should be a political solution, and we also believe that conditions now are propitious for steps towards such a solution. It is easy to understand why the Israeli people have deep anxieties. Our belief is that the steps taken by the PLO should, in the words of the noble Lord Rothschild, now be tested by searching negotiations.

Mr. Michael Latham (Rutland and Melton): I wholly endorse my hon. Friend's last remark.

For the avoidance of doubt, following my hon. Friend's worthwhile meeting with Mr. Arafat, will he confirm that it is not British policy to support without any question the setting up of an independent Palestinian state on the West Bank or Gaza?

Mr. Waldegrave: I can give my hon. Friend the assurance that he seeks. It remains our belief that some kind of confederative state with Jordan is the right outcome and, as the right hon. Member for Manchester, Gorton (Mr. Kaufman) said, one of the positive steps that has been taken by Mr. Arafat, affirmed in the clearest terms to me, is to say that that is not an option for the PLO; it is the objective of the PLO.

Sir Russell Johnston (Inverness, Nairn and Lochaber): First, is the Minister aware that hon. Members on both sides of the House would congratulate him on the way in which he conducted the meeting? Secondly, was it his clear impression that Mr. Arafat was willing to have negotiations on the firm basis that the reality and the security of the state of Israel would be recognised? Thirdly, did he have any talks about the difficult question of Jerusalem?

Mr. Waldegrave: I am grateful to the hon. Gentleman for what he has just said and for the terms of his question to my right hon. Friend the Prime Minister earlier. The PLO is stating—this is what should now be tested—that it has made an historic shift from a one-state solution to a two-state solution, which assumes that there will be a home for Israel behind secure boundaries and that, in confederation with Jordan, there should be territory in which the Palestinians live. That, surely, is a great step forward.

It would not be right at this stage to start to explore the issues that we can all see should be negotiated between the principal parties at the conference for which we are all working.

Sir Peter Blaker (Blackpool, South): Is my hon. Friend aware that Conservative Members will join with the hon. Member for Inverness, Nairn and Lochaber (Sir R. Johnston) in congratulating my hon. Friend on the efforts that he is making to ensure peace between Israel and the Arab countries? Has not the time now come for the friends of Israel to make it clear that the world will also expect Israel to explore the possibilities of peace, otherwise a great opportunity may be missed?

Mr. Waldegrave: The seriousness with which the House and many people in Britain take these issues is due to the fact that there are so many genuine friends of Israel in the House who fear for the long-term security of that nation and its people if the right steps are not taken. In that I would strongly associate myself with what my right hon. Friend said. Surely in the long term Israel can exist, as all Israeli leaders past and present know, only if she has secure borders that are agreed with her neighbours.

Mr. Greville Janner (Leicester, West): On the day after a savage letter bomb intended for Israel's ambassador in London was intercepted, does the Minister not see that this issue is highly sensitive? Does he appreciate that he is more likely to succeed in what we all want, which is bringing people to a negotiating table, through private

persuasion rather than by publicly lecturing and tactlessly attacking Israel's democratically elected leaders while sitting beside the man who, until recently, was responsible for a series of savage terrorist attacks on Israel's people?

Mr. Waldegrave: I lectured no one and the Government are second to none in their opposition to all forms of terrorism. Let me try once again to leave with the House and the hon. and learned Gentleman the message that I was trying to get across. Let me use words which come from a book which the majority of hon. Members share with the majority of people in Israel—the book of Ecclesiastes—which says that there is

"A time to kill, and a time to heal . . . a time of war, and a time of peace."

We believe that there is just now a concatenation of events which might lead to peace.

Sir Geoffrey Finsberg (Hampstead and Highgate): Will my hon. Friend accept that what he has been saying is utter common sense and that it is time that the Government of Israel sat down, under these new conditions, to see whether there is as much in it as most of us hope? Does he agree that the recent initiative of the Council of Europe to try to bring together the disparate nations in the middle east may be worth pursuing?

Mr. Waldegrave: I agree. Although I reaffirm that the central part in these matters must lie with the United States, Europe—and Britain within Europe—has an important role. We welcome also the steps that will be taken by the troika of the past presidency, the present presidency and the next presidency of the European Comunity at the end of January, which will be helpful.

Mr. Ernie Ross (Dundee, West): I congratulate the Minister on his successful discussions with the Palestine Liberation Organisation, which followed the discussions I and my right hon. Friend the Member for Manchester, Gorton (Mr. Kaufman) had with that organisation. The Minister should feel confident that he speaks for not only both sides of the House when he is speaking to the PLO and in subsequent statements, but for the overwhelming majority of people in this country, who believe that if one is to be a proper friend one must tell the truth. The Palestinians want peace, and they want to sit down with the only people with whom peace is possible—the Israelis. It is the responsibility of any sensible politician to make that clear on each and every occasion possible.

Mr. Waldegrave: Both in the terms of what the hon. Gentleman has said and in the terms and content of what the right hon. Member for Gorton said, we are surely sending a message from the House that there is a basis of all-party support for our approach. The hon. Gentleman is right in a further matter. We would not bother to speak in such terms—I hope that everybody will realise that they come from the heart—unless we cared about the future of Israel.

Sir Dennis Walters (Westbury): Does my hon. Friend accept that his meeting with Mr. Arafat has been greatly welcomed and that his perfectly sensible and accurate comments about the Israeli Prime Minister should not be allowed to obscure the reality, which is that the PLO has now accepted resolutions 242 and 338 and agreed to renounce any form of violence? What is Israel's response? Does Israel accept the resolutions, and is it prepared to talk about peace and a two-state solution?

Mr. Waldegrave: My hon. Friend is right. It is because the PLO has met the long-standing tests that the British Government have laid down for ministerial contact that I met Mr. Arafat. The British Government have been among those who have been most careful, and often difficult in the eyes of some Arabs, about contact with the PLO. We hope, therefore, that our friends in Israel will note that and note that we are unlikely to have taken that step unless we had considered it carefully. We hope that Israel will take that as some reassurance that it too should take further steps.

Mr. David Winnick (Walsall, North): Is it not clear that if Israel refuses to negotiate in any circumstances, two results will flow from that? One is that Israel will become increasingly isolated even from its friends in western Europe. The second is that it will be a victory for those in the Arab world who decisively reject what the PLO has decided to do. It will be the Gaddafis of this world who will be victorious. Is it also not the case that what the Minister said was right? There is no need for us to be critical of the Minister. I speak as one who has not wavered for a moment since 1948 in my support for the right of Israel to exist, although I have certainly never supported many of its policies. I supported Israel in the war of independence in 1948, and I supported, in the House, Israel's actions in 1967.

Mr. Waldegrave: There have been occasions in the past when I have agreed with the hon. Gentleman's first sentence or two, but I have never before had a question from him with which I could agree throughout.

Mr. Tony Marlow (Northampton, North): Have the Government qualified their support for Palestinian self-determination by saying that they accept it only if it is in confederation with Jordan? This surely is a decision that the Palestinians must be allowed to make. Many people will be very interested in my hon. Friend's answer.

Mr. Waldegrave: It is not a matter of our accepting or not accepting a solution. Mr. Arafat himself made it clear to me—and, I think, to the right hon. Member for Gorton —that that is the objective of the PLO. It seems to us a very sensible objective, and we support it.

Mr. Harry Cohen (Leyton): I congratulate the Minister on his fruitful visit, and my right hon. Friend the Member for Manchester, Gorton (Mr. Kaufman), who also had a succesful visit. I accept that Mr. Arafat's statements at Algiers and Geneva represent a step forward. While urging Israel to come to the negotiating table, however, will the Minister also urge it not to push ahead with proposed new settlements in the occupied lands as that proposal is immensely provocative and would be a backward step in terms of achieving peace?

Mr. Waldegrave: I am grateful to the hon. Gentleman for the first part of his question. On his latter point, there is indeed a problem. I understand that the new Government in Israel have proposed greatly to slow down the creation of new settlements. That is welcome in itself, but I suppose that every new settlement produces an additional problem ultimately for the negotiations that we hope will come about in the end.

Mr. Ivan Lawrence (Burton): Is my hon. Friend aware that everyone applauds his good intentions and the good sense of what he has had to say today? Is he also aware that

[Mr. Ivan Lawrence]

it is a very odd kind of diplomacy in which the honest broker begins by humiliating and offending one of the parties to the dispute? Will he please be more careful in future?

Mr. Waldegrave: I certainly did not intend to humiliate anybody. The state of Israel and its leaders are powerful and confident. As I said earlier to the hon. and learned Member for Leicester, West (Mr. Janner), the great gift of statesmanship is surely to know when to lay down arms and move to peace.

Mr. Stuart Bell (Middlesbrough): As one who has recently been in Israel, will the Minister confirm that the question of secure borders is a question of life and death for Israel and that there must therefore be some reluctance on the Israelis' part to deal with the PLO? Does not the Minister agree that 1·2 million Israelis nevertheless voted at the last election for discussions about the future of the west bank? Does he further agree that, now that we have been discussing Palestine in the House for about 60 years, only an even-handed approach to both parties can have any constructive effect in the middle east?

Mr. Waldegrave: I strongly agree with what the hon. Gentleman has said. Even-handedness is the objective of our policy. I hope that I shall be visiting Israel shortly and no doubt I shall say things to the Israelis that may be unpalatable to some on the Arab side. There are sensitivities on both sides, but we should not be so careful to avoid offending everyone's sensibilities that we say nothing.

Mr. Andrew MacKay (Berkshire, East): Is my hon. Friend aware that many of us who have been associated with, and indeed are officers of, the Conservative Friends of Israel strongly endorse his meeting with Mr. Arafat in Tripoli last week and look forward to the Israeli Government shortly finding themselves able to explore negotiations directly with the PLO?

Mr. Waldegrave: The support of my hon. Friend is particularly valuable as his work on this issue is well known. I believe that he is right about what is needed and that the job of those who wish Israel well is to help to map out strategies that can lead ultimately to the conference which we all support.

Mr. Rupert Allason (Torbay): Is my hon. Friend aware that, in the wake of the Lockerbie air disaster, Yasser Arafat allegedly offered to supply information and assistance to help the American authorities to track down the terrorists responsible? Can he assure the House that that was one of the topics that he took up with the Chairman of the PLO when he met him?

Mr. Waldegrave: Yes. I thanked Mr. Arafat for what he had said, which was welcome in this country, and said that if any help could be given it would help to still those who doubted his sincerity. That must be true, although I am in no position to know whether he can give any help.

Mr. Anthony Beaumont-Dark (Birmingham, Selly Oak): Does my hon. Friend accept that it is widely to be welcomed that there is a spirit in the House that Israel and the Arab nations need to talk about the future of the middle east? Does he recall the wise words 20 years ago of Mr. George Brown, the then Foreign Secretary, who said, "The Arabs can afford to lose more than one war; Israel cannot afford to lose one"? Does my hon. Friend agree that if we are to have peaceful talks, the nation of Israel, which shines as a beacon of people who have been oppressed throughout the ages, should say, "Whatever talks take place, we must have more than paper promises that we shall be allowed to exist"?

Mr. Waldegrave: I wholly agree with the sentiments quoted by my hon. Friend, which emphasise two points. The first is the importance of achieving a peaceful settlement from Israel's point of view, and the second is the fact that we should test and work with those in the Palestinian movement and in the Arab states who are talking the language of diplomacy, not the language of terrorism. My hon. Friend is quite right: more than words will ultimately be needed, and Israel must ultimately have secure frontiers that are agreed and guaranteed.

Mr. Peter Shore (Bethnal Green and Stepney): If Mr. Arafat has agreed to a confederal solution with Jordan, which is a welcome and important step, does that mean that the PLO is abandoning its previous insistence that the capital of a new PLO-based or PLO-agreed state would have to be Jerusalem?

Mr. Waldegrave: In answer to the hon. Member for Inverness, Nairn and Lochaber (Sir R. Johnston), I said that I did not think that it was right in that meeting to ask the PLO—any more than I would ask the Israelis—to put its position on the central issues that will need to be negotiated at the peace conference on the table in too much detail. The issue to which the right hon. Member for Bethnal Green and Stepney (Mr. Shore) has referred will clearly be one of the most thorny issues facing that peace conference. It would not be fair to the negotiating teams that we hope to see emerging on both sides to press them now to lay all their cards on the table.

Mr. Ian Taylor (Esher): My hon. Friend is absolutely right to take the lead in this matter, given the difficulties that the United States has traditionally had in coming out clearly. Will my hon. Friend confirm that he has the support of the 11 other members of the European Community for his initiative? When he goes to Israel, will he continue to remind the Israelis that the foundation of the state of Israel was not without violence and that we must therefore try to look at Mr. Arafat in the terms that he is now putting forward?

Mr. Waldegrave: I agree with my hon. Friend. Members of the European Community are taking parallel positions on this issue, and the troika will meet Mr. Arafat later this month. In response to the latter part of my hon. Friend's comments, yes, we are saying that the PLO seems to be saying that it wants to lay aside the gun, so surely we must test whether that is sincere. If it is, nothing could be more important.

Mr. Richard Alexander (Newark): May I commend my hon. Friend for pointing out that those with a history of terrorism should not stress too much the terrorist aspects of their opponents? Would it not help the peace process considerably if both sides could sit around the table without attempting to hang perjorative labels around each other's necks?

Mr. Waldegrave: The hon. Member for Inverness, Nairn and Lochaber saw most clearly what I was trying to say in my comments on the past—that in the history of the world it is unusual for people to have the courage to lay aside their weapons, and that when they do we should pay tribute to them. The PLO says that that is what it is now doing, so surely we should test its sincerity to see whether what it is saying is true. We believe that it is, but I quite understand that the Israelis will not take my word for it, and that is why we need real negotiations.

Mr. Simon Burns (Chelmsford): I welcome my hon. Friend's trip to Tunis this weekend. Does he accept that opportunities must be given to the PLO so that it can prove that it has transformed itself from a belief in the use of violence to a belief in the use of peace? Will he convince the Israeli Government that any intransigence on their part that might forestall the beginning of the peace process, which would have been unheard of five years ago, will gravely damage the prospects of peace in the middle east and severely damage Israel's reputation with its numerous friends who wish it well?

Mr. Waldegrave: Of course, it was part of my objective —as I believe it was part of the objective of the right hon. Member for Gorton—in meeting Mr. Arafat to urge on him the importance of the maintenance of this moderate and clear position and to explain to him the need for some patience, because these matters will not be settled in a few weeks. Equally, it is important that the message should go from all Israel's friends that what it does can have a crucial impact on Arab and Palestinian opinion—for example, in relation to the Lebanon.

BREL (1988) Ltd.

The Minister for Public Transport (Mr. Michael Portillo): With permission, Mr. Speaker, I shall make a statement concerning BREL (1988) Ltd., formerly known as British Rail Engineering Ltd.

As the House knows, the Railways Board has selected a consortium of the management and employees of BREL, Trafalgar House plc and Asea Brown Boveri Ltd. as preferred bidder for the purchase of its engineering subsidiary BREL (1988) Ltd. The board's choice follows a competitive tender for the business. Bids were received from two groups.

The board and its advisers, Lazard Brothers, have undertaken extensive negotiations with both bidders over the past three months. The board's evaluation of their final offers showed that the bid from the consortium was the more attractive in financial terms, and that it also offered clear financial advantages over the option of the board retaining ownership of BREL. The board has also secured fair arrangements for the BREL staff, who will be transferring to the new owners, including provisions for pension rights and concessionary travel facilities.

The Government have taken independent advice from Lloyds merchant bank. We are satisfied that the board has followed normal commercial procedures in reaching its decision and has fully tested the market for potential purchasers.

At this stage, there are no grounds on which the Government wish to interfere with the board's commercial judgment. Subject to the final terms of the sale and purchase contract being satisfactory to the Government, we would expect to give consent to the sale in due course. Final clearance is also subject to approval by the European Commission and to the decision which my right hon. Friend the Secretary of State for Trade and Industry will take once he receives advice from the Director-General of Fair Trading. Subject to those points, I would hope that the sale could be completed as soon as possible.

BREL has been through a period of major change, reflecting the new investment being made in modern rolling stock and the reduction in repair work which follows from this. BREL has made good progress towards a modern, competitive railway engineering business. The people who work at BREL have played a major part.

The time is now right for BREL to move on into the private sector. BREL will now have more opportunities to diversify and compete for new business. The company should derive technological and commercial benefits, and access to the advanced engineering techniques of a world leading manufacturer.

As my right hon. Friend the Secretary of State said in November 1987, when he announced the decision to offer BREL for sale, privatisation will be good for the railway, good for the railway supply industry and good for BREL itself. I hope that the House will join me in wishing the company and its work force every success for the future.

Mr. Peter Snape (West Bromwich, East): Does the Minister accept that almost 20,000 jobs have been lost in British Rail Engineering Ltd. in the past five years and that the work force has been reduced by approximately 75 per cent., that the company has been systematically run down and starved of orders, that the state has picked up the financial bill necessary to achieve such a massive reduction and now the private sector is to gain all the assets?

[Mr. Peter Snape]

Does the Minister accept that four railway Bills are due to come before the House in the current Parliament; that great interest has been expressed in many of our cities in developing light railways as the people-movers of the future; and that at a time when people are increasingly looking to the railways to help solve the problems of traffic congestion and overcrowding, the Government continue to contract our capacity for railway building and to sell off what is left? What guarantee do we have that the new company will be able to cope with the orders that are likely to emerge in the next few years?

The Minister referred to the deal being "attractive in financial terms" and he talked about the "final terms of the sale". What do those two phrases mean? Has a price been agreed or has it not? If so, what is it? Is that a final statement about the future of BREL or just an interim one? What happens if someone else, whether GEC or a third party, makes a better offer? When does the Minister expect the sale to be finally completed?

Does the Minister accept that his statement today could lead, within two or three years, to the end of all railway engineering in this country? How can that be good for anyone other than our industrial competitors? How will that help us to meet the transport needs of the 1990s? What effect will it have on our balance of payments problem? Does it mean that the Chancellor of the Exchequer will castigate us all for overspending and hike up mortgage rates once again in an attempt to remedy our balance of payments problem?

We reject the idea that privatisation will be good for the railway industry or for BREL. On the contrary—*[Interruption.]* Conservative Members may think that this is funny, but the Labour party does not. *[Interruption.]* The hon. Member for Dover (Mr. Shaw) would not know a railway if he fell on the tracks. We believe that, once again, the Government have made a major costly error that in time the railway industry and the nation will reject.

Mr. Portillo: I am sorry that the hon. Gentleman could not be a bit more fulsome in his welcome for the announcement.

The hon. Gentleman began by saying that many jobs have been lost. I recognise that, and it is a serious matter. We are now trying to address the question of how the company can have a future. I hope that he will join me in trying to find the best solution.

The hon. Gentleman said that the company has been starved of orders, but its order book is at present worth £400 million and it was awarded a new order only last Wednesday, which I announced then. Recently, it has been gaining about 70 per cent. of the orders which it has been offered by British Rail.

The hon. Gentleman wanted to know what was the sense of the sale. The best thing that I can do is to refer to the managing director of BREL, who said that there would be considerable

"management continuity during a very important phase of the company's development.

I think the other factor is the technical strength of the technology package which ABB is going to bring with it. We also have sound financial backing and good marketing opportunities."

This sale represents an injection of major technology into BREL. Now there is the opportunity for BREL to join a European consortium and bid for orders not only in this country but elsewhere.

The hon. Gentleman asked me whether this was an interim statement. I am not prepared to reveal to him the price—[HON. MEMBERS: "Why?"]—because it is a commercially confidential matter. I assure the hon. Gentleman that the price was superior to the other bid, but negotiations will continue.

I do not believe that there should be any bid from any other person now because I regard the bidding as closed. If for any reason the negotiations could not be completed satisfactorily, it would be a different matter.

The problem in which the hon. Gentleman finds himself, which I appreciate, is that it is difficult for him to welcome a privatisation. I believe that, in his heart of hearts, he recognises that the news that I have given today is good news for BREL. I believe that he should welcome, as the trade unions have welcomed, the fact that the bidder has been successful.

Mrs. Edwina Currie (Derbyshire, South): My hon. Friend should ignore the twitterings of Labour Members, who, in the words of one of their hon. Friends, could not run a whelk stall.

My hon. Friend's statement will be extremely welcome in Derby, where we already have a magnificent example of a privatised engineering company that has gone on to beat the world. Does my hon. Friend agree that the consortium could do a Rolls-Royce job on BREL and that its future will be far sweeter in the private sector than it ever would have been with British Rail?

Mr. Portillo: I am most grateful to my hon. Friend, who is right to say that the statement will be broadly welcomed in Derby. My hon. Friend recognises, as I do, that it is a combination of BREL with the expertise of Asea Brown Boveri—which sees scope for extensive co-operation with BREL in product development marketing and production technology—that gives the group tremendous strength for the future.

Mrs. Margaret Beckett (Derby, South): Is the Minister aware that the work force in Derby and throughout BREL remains opposed to its privatisation? It shows how little the hon. Member for Derbyshire, South (Mrs. Currie) has to do with the work force that she is unaware of that opposition. Is the Minister further aware that the work force certainly hopes that his announcement signals a period not only of stability but prosperity, since, in the past few years, BREL has substantially suffered as a result of the Government's policies?

Does the Minister intend to take cognisance of the fact that the work force strongly believes—as it made clear to him only last week—that its past loyalty to British Rail is not being recognised in the terms of sale and agreement between the buy-out team and British Rail? It remains of the view that the new company could start at a disadvantage because of that.

Mr. Portillo: I was grateful to the hon. Lady, to her hon. Friends and to my hon. Friends who accompanied the delegation who came to see me last week. That was a useful opportunity for me to hear the concerns of the work force.

As I said on that occasion, the fact that the workers are taking with them their present contracts is a substantial guarantee to them of the terms and conditions under which they have worked and of the fact that those terms and conditions will continue. That relates to such things as terms of redundancy, travel conditions and pensions—subject to any negotiations that may take place with the new management.

The hon. Member for Derby, South (Mrs. Beckett) said that the sale is opposed in Derby. I am surprised she said that, because, on television in reply to the question

"would BREL ... operating as a private company ... actually stand a better chance?",

the hon. Lady replied:

"Unfortunately, in the climate of this Government that may even be so".

Mr. Greg Knight (Derby, North): Is my hon. Friend aware that his excellent decision will be greeted with pleasure and enthusiasm by the majority of my constituents, who believe that his choice is in the best interests of the Derby works? His decision will be welcomed by those up and down the country who want to see BREL succeed in private hands and be capable of grasping all future opportunities.

Is my hon. Friend aware, however, that there is some confusion among the work force about the two matters he mentioned in his statement? Therefore, will he reiterate the fact that, at the point of sale and under the terms of sale, existing pension rights will be maintained on no less favourable terms and that travel concessions, which currently exist on British Rail, will continue?

Mr. Portillo: I am most grateful to my hon. Friend. I thought that I would hear another opinion from the city of Derby having heard the comments of the hon. Member for Derby, South.

The new owner has given the undertaking that the overall package for the compulsory pension scheme will be no less favourable than at present and that travel concessions are to be continued as now, subject only to renegotiation that may occur.

Mrs. Gwyneth Dunwoody (Crewe and Nantwich): Is the Minister aware that, since he is handing over a large package of assets to a private company, the work force wants much better guarantees than his bland assurances that the moment that BREL is sold, the work force will be able to maintain its existing terms? That is not the case.

The Minister will be aware that, in Crewe, about £7 million of taxpayers' money has gone into new machinery. If, in two years' time, we have paid for that machinery in terms of jobs, asset-stripping and the deliberate running down of BREL, I hope that there will be an urgent investigation of the Government's responsibility, given they have no commitment to the railway industry or to the future of manufacturing.

Mr. Portillo: I am surprised at the hon. Lady's remarks because we are dealing with a reputable consortium that has come in to buy the company. It is 60 per cent. in British ownership, 20 per cent. held by the management and 40 per cent. by Trafalgar House. The other 40 per cent. of the consortium is represented by one of the world's leading electrical manufacturers. There is little doubt of that grouping's commitment to BREL's future. ABB can offer BREL the most tremendous opportunities. Trafalgar House is also heavily involved in the transport business now and is preparing to put in bids for the Manchester light railway, the Channel tunnel link, and has also made a proposal to Olympia and York for the railway from Waterloo to Docklands. I believe that there is every sign of the consortium's strongest commitment to the company.

Mr. Conal Gregory (York): My hon. Friend will be assured that the vast majority of the work force in York will be delighted by today's news and I am sure that its delight is shared by the majority of the work force in Crewe and at the two sites in Derby. It is a further step towards denationalisation. There will be some regret, however, that it has taken so long to get to this stage.

Like my hon. Friend the Member for Derby, North (Mr. Knight), I have already received representations about concessionary travel and pension rights. I hope my hon. Friend the Minister will devote particular attention to those matters in the coming weeks.

May I ask for my hon. Friend's assurance—if he in turn has had it from the consortium—about employment in York and how far it will depend on the Swiss-based subsidiary? Has he received assurances that, within weeks of finalising this, Trafalgar House will not sell part of its equity to the Swiss, thereby ensuring that more than 50 per cent. of the company falls to a non-EEC engineering company?

Mr. Portillo: On pension rights, perhaps I can reassure my hon. Friend and others by saying that a part of the surplus in the British Rail pension fund is intended to be transferred to the new owners, subject to the approval of the trustees of the BR pension fund.

As I said in answer to the last question, there are now such strong signs of Trafalgar House's commitment to transport that I hope that that provides reassurance. Again, I refer to remarks made by Mr. Holdstock, the managing director of BREL, as quoted in the *Financial Times* of last Saturday:

"The link with Trafalgar House will strengthen Brel's project management, which might be important in the growing market for turnkey contracts to develop light rail systems."

Mr. Michael J. Martin (Glasgow, Springburn): I represent a community in which 10,000 people were once employed in railway engineering. Three years ago the Government reduced the work force of 3,000 to 300. The work force got to work and created the BREL maintenance depot, the only one left in Scotland.

The Minister must know that we in Scotland have had a painful experience, with so-called reputable companies coming in, taking over and sacking the work force—and it is just as painful to be sacked by a reputable employer as by a disreputable one. Surely the Minister owes it to the work force in my and other constituencies to keep a hand in this company to ensure that the asset-strippers do not move in, as they moved in three years ago in my constituency.

Mr. Portillo: If, when he talks about asset-stripping, the hon. Gentleman is concerned about property sales, I reiterate all the points I have made before about what appears to me to be the strong commitment of all the people involved in this bid. The hon. Gentleman himself makes the point that nationalisation is no guarantee of jobs. Not just in BREL, but in a whole series of different companies, nationalisation has offered no guarantee of employment. The hon. Gentleman and his hon. Friends

[Mr. Portillo]

know that the changing market for repair and maintenance of railway wagons and locomotives lies behind the loss of jobs. We are trying to find—and I believe we have found—a way of providing a secure future for BREL.

Mr. Patrick McLoughlin (Derbyshire, West): I welcome my hon. Friend's statement, which is good news for the people of Derby. When he met the unions last week, they expressed two main concerns—pensions and concessionary travel, as my hon. Friends have said. I believe that his statement goes a long way towards sorting out some of the problems and fears described in that initial meeting last week. Bearing in mind that the negotiations are still taking place, when does my hon. Friend expect the sale to be completed?

Mr. Portillo: In answer to my hon. Friend's last point, I hope that it will be a matter of weeks. It is for the European Commission to satisfy itself on the financial arrangements; for my right hon. and noble Friend the Secreary of State for Trade and Industry to take advice from the Office of Fair Trading; and for all the parties to bring the negotiations to a speedy resolution.

I recall my hon. Friend's contributions in previous statements. I am sure that he will be pleased that it is the intention of the new grouping to establish an employee share ownership plan, which I know is an especial concern of his.

Mr. Matthew Taylor (Truro): I welcome the statement, and the fact that it involves the management and employees of the company, as we recommended in November 1987, when the House first examined this issue. Nevertheless, can the Minister reassure the employees and those concerned in the affected areas that the company's investment plans will be maintained and that there are no present plans for job losses? I also hope that he can tell the House that the funds realised from the sale will be reinvested in British Rail, which could very much do with such a cash injection.

Mr. Portillo: I welcome the hon. Gentleman's welcome. I have observed that it has been the consistent position of his party, or parties.

At the moment, the company has about £400 million worth of orders. There are substantial new opportunities ahead, so there is everything to play for.

The proceeds of the sale are for British Rail, which can use them to reduce its indebtedness or to invest, as it thinks appropriate.

Mr. Phillip Oppenheim (Amber Valley): Does my hon. Friend accept that his statement will be warmly welcomed by both the workers and the management of BREL, who will now have far more control over their own business? Does he accept that any job losses of the past few years have been the result not of privatisation but of inefficiencies inherent in a state-run industry that existed solely on the basis of cosy, guaranteed, cost-plus contracts from an organisation that owned BREL?

Does my hon. Friend also accept that the only way to ensure no job losses in future is to keep the customers happy?

Mr. Portillo: I thank my hon. Friend for his words of welcome. The remarkable thing about the future of the company now is that it can compete for orders in a European market. I do not see much long-term future for a company in nationalised hands existing only on orders handed down by a single railway company in this country without access to technology from abroad.

Mr. Ken Eastham (Manchester, Blackley): I note the Minister's great enthusiasm when he uses the words "financial advantages". Why is he not prepared to reveal the price to the House, given that public money is invested in these companies? The taxpayers are entitled to know how their money is being used.

Can the Minister give some guarantee that if this transaction goes through there will not be asset-stripping such as took place with the royal ordnance factories—when factories were closed to sell the land off for other uses?

Mr. Portillo: I cannot talk about the price because the negotiations have not been concluded—I hope they will be shortly. I have outlined how I hope matters will proceed. I have also said how I believe that the commitment of the companies involved in this purchase is strong and clear. As it happens, in the event of any property disposals, there are clawback arrangements in the terms of the contract.

Mr. Ian Gow (Eastbourne): Is it not up to Ministers and the House, not the European Commission, to decide whether the financial terms of the sale are acceptable or unacceptable? Can the Minister confirm that today's most welcome announcement will be the prelude to the privatisation, in whole or in part, of British Rail in the next Parliament?

Mr. Portillo: On the first point, I agree with my hon. Friend because I believe there has been a misunderstanding between us. The European Commission concerns itself with whether there has been state finance which could constitute unfair competition in the setting up of a new company.

My hon. Friend knows that the Government are certainly looking with great interest into the privatisation of British Rail as a whole, but I am afraid that I have nothing to add to what my right hon. Friend has already said about that.

Dr. John Marek (Wrexham): Pursuing what the Minister said earlier about travel concessions and their possible negotiation, will he do what he can to ensure that any changes as a result of these negotiations are made only if they have not only the support of the new BREL management and British Rail, but of the employees? When he answers that question, will he bear in mind the fact that it is because of the Minister and the Government that BREL is being privatised?

Mr. Portillo: The workers who transfer to the new ownership take their contracts with them. The contracts clearly maintain the present terms and conditions of employment. A contract can only be subject to a renegotiation: it cannot be subject to unilateral abrogation on the part of the management. If there is to be renegotiation, it will be a mutual process between the two parties—exactly the same as might occur if the ownership were unchanged.

Mr. Tim Smith (Beaconsfield): Was a stock market flotation or, perhaps more probably, a management buy-out considered for this company? Can my hon. Friend say what effect the decision will have on some independent United Kingdom suppliers that are able to meet British Rail's requirements?

Mr. Portillo: On my hon. Friend's latter point, it was the clear view of British Rail that apart from the financial advantage of this offer there was the advantage that it would increase competition in the railway supply industry. British Rail believes that that is also an important factor. On my hon. Friend's first point, the consortium that is taking over BREL is to the extent of 20 per cent. a management buy-out and it says that it plans to have an employee share ownership plan. That will be broadly welcomed in the House.

Mr. George Foulkes (Carrick, Cumnock and Doon Valley): Has the Minister noted that, for a statement vital to the industrial future of Scotland, no SNP Member is present to ask questions, let alone to protect the future of industry in Scotland, which that party keeps shouting about north of the border? Will the Minister say precisely what guarantees he has received that Sprinter maintenance will continue in Glasgow, and that all other operations in Glasgow will not be subjected to the process of rationalisation that we are now used to that moves operations to the south or, indeed, abroad, thus jeopardising the 300 jobs that remain for the constituents of my hon. Friend the Member for Glasgow, Springburn (Mr. Martin) and those of the hon. Member for Glasgow, Govan (Mr. Sillars), who does not seem to have the time to turn up occasionally?

Mr. Portillo: The hon. Gentleman is undoubtedly right to say that a matter that affects the railway supply industry should be of interest to hon. Members from every part of the country. As I understand it, my statement about BREL affects only Crewe, Derby and York, because the plant that the hon. Gentleman refers to was taken out of BREL prior to the sale and now operates within British Rail. Nothing in the statement affects that.

Mr. D. N. Campbell-Savours (Workington): Does the Minister understand that many of my colleagues feel concerned that by not revealing the bid price offered by the consortium and Trafalgar House he has prevented Parliament from measuring whether the taxpayer is getting a fair return? Is it not true that at some stage all that information will be revealed to the Public Accounts Committee? It could be asked for by shareholders at annual general meetings of the acquiring companies and could also be published in the annual reports of the companies. Why can we not be given some indication now? Does the Minister want once again to hide these matters from Parliament because someone has picked up a £400 million order book company on the cheap?

Mr. Portillo: No. As the hon. Gentleman rightly says, in due course this information will become available, not least to the Public Accounts Committee representing Parliament. I do not want to give the price now because I do not want to give the half-time score.

Mr. John Redwood (Wokingham): In welcoming this statement and especially my hon. Friend's two answers about employee share schemes, may I ask him whether he can give any more information about the scope that there will be for individual employees and managers to participate in shareholdings and in profits? Does he agree that a generous scheme would be one of the best guarantees of a prosperous future for the new company?

Mr. Portillo: I am as delighted as my hon. Friend at the plan of the management to offer an employee share ownership plan. It is too early to say what the conditions of that might be, but I share my hon. Friend's wish that it should be as good and as attractive as possible, because that will be a good way to motivate the work force under the new circumstances.

Mr. Harry Ewing (Falkirk, East): Where does the Minister get his confidence in Trafalgar House? Is he not aware that Trafalgar House has an appalling record in the buy-outs in which it was involved? There is evidence of that at Scott Lithgow on the upper Clyde.

May I be nosey and ask the Minister a nice, friendly and gentle question? Has he noticed that one of the features of Government privatisation is that the Secretary of State responsible for the privatisation usually finishes up as a non-executive director of the company that buys the privatised company? In view of the Secretary of State's recent troubles, may we have a guarantee that this is not likely to happen in this case?

Mr. Portillo: I had not noticed that trend. I have already said in answer to other questions that it seems to me that Trafalgar House has a substantial interest in transport matters covering the Manchester light railway, for which it is a bidder, the Channel tunnel link and the proposal for a railway line from Waterloo to Docklands. I have also alluded to the fact that the management of BREL sees the contribution of Trafalgar House as being especially important in trying to win turnkey contracts, which can be important in the export field.

Sir David Price (Eastleigh): For greater clarity, will my hon. Friend place in the *Official Report* the precise details of the works covered by these deals so that there is no doubt that maintenance works that were previously owned by BREL and that have reverted to railway ownership, such as our railway works at Eastleigh, are not covered? It is important to get clear what is and what is not covered by this deal.

Mr. Portillo: This concerns BREL (1988) Ltd., but I shall certainly do as my hon. Friend suggests.

Mrs. Audrey Wise (Preston): Is the Minister aware of acute anxiety among all the work forces involved, and not only those work forces that have been mentioned so far? They include the GEC workers in Preston, for example, who fear that this will lead to foreign control of this vital sector. Their fears are based on the fact that 40 per cent. goes to a Swiss-Swedish firm and that the rest depends largely on the good will of Trafalgar House. The Minister has said that it seems to him that Trafalgar House has a commitment. Can he tell us whether he has received from it a firm commitment that it will not simply sell and take its profit and go quickly? Can he tell us what he has done to safeguard British jobs and what steps he will take to prevent the involvement of ABB, leading to excessive imports at the expense of British products in rail traction?

Mr. Portillo: The strength of this arrangement is the combination of these works, which have substantial orders

[Mr. Portillo]

and considerable expertise, and the much broader expertise and technology that is available through ABB. I would be repeating myself if I stated again the reason why I think that Trafalgar House is strongly committed. The hon. Lady says that she is worried about foreign ownership. She should recognise that the consortium bid is 60 per cent. British and that the alternative was a 50:50 bid.

Mr. Dennis Skinner (Bolsover): Now that the Minister has revealed that the Government do not know the selling price of these organisations and has said that there is no point in giving the half-time score, may we assume that the Government have agreed to privatise on the basis of selling off while not being prepared to tell the country at large? Has it been sold on the cheap? Is it one of those old-fashioned Rover type deals in which the taxpayer hands over large sums of money and a small amount comes back? Can he tell us how many acres of land are involved and how many of those acres are within city centres? What guarantees have the Government received about property and asset-stripping in connection with this sale? If he is not prepared to give the answers to all these questions, including the price, we can come to only one conclusion—that it is a massive cover-up.

Mr. Portillo: It was my judgment that the House would want to know the Government's attitude to this proposed sale at the earliest opportunity. Of course it would have been possible to wait until all the negotiations were concluded before making a statement, but during that period the House would have been impatient to know the Government's attitude. It is right to tell the House the Government's view, even though at this stage there is the disadvantage of not being able to reveal the selling price or to say whether the sale will proceed because there are certain conditions that need to be fulfilled. I assure the hon. Gentleman that the offer from the consortium was clearly superior to the other offer.

Mr. Jeremy Corbyn (Islington, North): Does the Minister accept that the Government's record on railway matters is disgraceful? They have underfunded and under-invested in the railway system and because of that its performance is inferior to that of any other railway system. Now the Government propose to sell BREL by private treaty to some group, and they have no guarantee that it will not be just an asset-stripping exercise or will lead at the end of the day to a weaker railway system, a lack of expertise in railway technology and an inability to invest in what, I hope, will be a good future for the industry when the Government have finally left office.

Mr. Portillo: The sale was not by private treaty but by competitive bid, as I explained. There were two bids and the superior bid won.

The answer to the hon. Gentleman's question about investment is that, since 1983, £2 billion has been invested in the railways. In the coming five years, we intend to invest £3·5 billion. This is the biggest renewal since the transfer from steam to diesel and by the end of the decade BR will have renewed over 85 per cent. of its diesel passenger trains and electrified 60 per cent. of its inter-city network and 30 per cent. of its total network.

Mr. Tony Lloyd (Stretford): My hon. Friend the Member for Preston (Mrs. Wise) spoke about the concerns of the employees of GEC lest the consortium bid, if successful, led to GEC and the jobs there being frozen out, as we see with the transfer of supply to ABB. May we be informed what guarantees the Government have obtained from the BREL consortium about continuing to accept supplies from existing United Kingdom suppliers?

Mr. Portillo: Whichever bid had been accepted we would have ended up with an international solution, and that is entirely appropriate because many orders are to be won in Europe and, equally, it is important that groups have access to technology from all European sources. So that would have occurred in either case and, I believe, would have been welcomed in either case. The answer to the hon. Gentleman's question is that, because of the investment programme, the details of which I gave when answering his hon. Friend the Member for Islington, North (Mr. Corbyn), it seems likely that there will be many orders in the offing, and fortunately we shall now have a healthy and competitive situation with a number of bidders in the United Kingdom able to apply for those contracts.

Following are the premises involved in the sale:

Derby carriage works;
Derby loco works;
Crewe works;
York works;
BREL headquarters

Guildford and Woolwich Bombings

Mr. Chris Mullin (Sunderland, South): On a point of order, Mr. Speaker. You will be aware that yesterday the Home Secretary chose to announce his decision to refer the Guildford and Woolwich case to the Court of Appeal in an eight-page written answer rather than make a statement to the House on which he could have been questioned, as happened on the previous occasion when he considered the Guildford and Woolwich and Birmingham cases.

My hon. Friend the Member for Islington, North (Mr. Corbyn) and I went to the Library at 3.30 yesterday afternoon to obtain a copy of that eight-page written answer. It was not available there. We then went to the Lower Press Gallery where we were immediately able to obtain a copy. In other words, it was available to the Press Gallery—whose members seemed aware of the decision four or five hours before it was announced in the House—but not in the Library.

Mr. Speaker: Order. It certainly should have been available in the Library. I say again that I deprecate the press getting information before we do here.

Mr. Jeremy Corbyn (Islington, North): Further to that point of order, Mr. Speaker. There is surely a serious issue here in that the Home Secretary announced in advance that he was giving a written answer—to a question which was planted in the first place by one of his hon. Friends—on an important issue, thus avoiding him having to face the House on that issue. He then apparently leaked—or it was leaked by his Department—the entire contents of that reply at 10 o'clock in the morning to *The London Standard* newspaper and, as my hon. Friend the Member for Sunderland, South (Mr. Mullin) pointed out, it became available to Members at 4 o'clock that afternoon.

Many of us welcome the fact that the case is to be referred to the Court of Appeal. We should have liked, and still would like, an opportunity to speak directly in the House to the Home Secretary on this issue and question him about further details of it. Do you agree, Mr. Speaker, that such an opportunity should be made available to us?

Mr. Alan Williams (Swansea, West): Further to that point of order, Mr. Speaker. As the Home Secretary is in his place and will have heard you deprecating his conduct and that of his Department, do you agree that the least he should do is to come to the Dispatch Box and give an explanation?

Mr. Patrick McLoughlin (Derbyshire, West): Further to the point of order, Mr. Speaker. Surely the most important point is that the Home Secretary has decided that the Court of Appeal may decide this issue. Nothing that might be said in the House can make any impact on what the Court of Appeal will decide. Surely my right hon. Friend's decision should be welcomed by Members.

Several Hon. Members *rose*——

Mr. Speaker: Order. We have a heavy day ahead of us—an open-ended debate on a Committee stage and a three-hour debate thereafter.

The Secretary of State for the Home Department (Mr. Douglas Hurd): Further to the point of order, Mr. Speaker. Although I came into the Chamber after the hon. Member for Sunderland, South (Mr. Mullin) made his comments, I have the general gist of the point.

I do not need to make an apology to the House for dealing with this matter in a written answer, partly for the reason which my hon. Friend the Member for Derbyshire, West (Mr. McLoughlin) gave. I have no knowledge of the source of the report in *The London Standard*, which I saw and which I regret. My intention was that it should be dealt with in an orderly way by informing the House first.

Mr. Alan Williams: Further to the point of order, Mr. Speaker. The Home Secretary said that in some mysterious way these documents reached the Press Gallery without his knowledge, a situation which you deprecate, Mr. Speaker. Yet the right hon. Gentleman has nothing to say to the House about how it could have happened.

Mr. Andrew F. Bennett (Denton and Reddish): Further to the point of order, Mr. Speaker. I have been in the Chamber on several occasions recently when you have deprecated the process by which it appears that written answers, and on some occasions even the contents of oral statements, have reached the press before being given to the House. I realise that when you say that you deprecate something, that is a strong rebuke to the Government that it should have happened. But that does not seem to be having any effect. Would it be possible for you, Mr. Speaker, through the usual channels, to take the matter a little further and get the practice stopped so that we do not find material being handed to the press before it is put through the correct channels for Members to obtain as a written or oral statement?

Several Hon. Members *rose*——

Mr. Dennis Skinner (Bolsover): Further to the point of order, Mr. Speaker——

Mr. Speaker: Order. Allow me to deal with the matter, please. I heard the Home Secretary say that he had no idea how it occurred. The hon. Member for Denton and Reddish (Mr. Bennett) made a sensible and helpful suggestion, and I shall certainly do as he suggested.

Mr. Skinner: Further to the point of order, Mr. Speaker. The Home Secretary's comments about what appeared in the *The London Standard* gave me and other Opposition Members the impression that he did not know what had happened. There can be no question but that the Home Secretary answered by way of a written reply. He seemed to convey the impression that he was not sure how it got to the Press Gallery several hours before the written question was answered. If that is the case, it is important for the right hon. Gentleman to discover how that leaked information reached the press. Perhaps Bernard Ingham did it for him. If so, we should be told who is running the Home Office—Bernard Ingham or the Home Secretary. Who is running the show?

Mr. Speaker: Order. We should get on with today's show.

Several Hon. Members *rose*——

Mr. Speaker: We have to follow an open-ended debate on a Committee stage and a three-hour debate after that. Points of order take up a great deal of time and do a grave disservice to the hon. Friends of the hon. Member for Sunderland, South (Mr. Mullin). He may get an advantage out of raising points of order in this way, but his hon. Friends suffer.

Mr. Mullin: Further to the point of order, Mr. Speaker. I think that on reflection you will accept the seriousness of this issue, which is of some public importance, as a glance at this morning's newspapers will reveal. The point I made, which the Home Secretary did not address, was that the copy, which I am holding, of the written answer was obtained by me from the Press Gallery because it was not obtainable in the Library.

Mr. Speaker: Order. I have already said that I shall be discussing the matter through the usual channels. I cannot help any more than that.

Mr. Corbyn *rose*——

Mr. Speaker: Very well, Mr. Corbyn, if the hon. Gentleman must waste the time of the House.

Mr. Corbyn: Further to the point of order, Mr. Speaker. I am not wasting time—remembering that this is an important issue. One of the four people concerned is a constituent of mine who has wrongly spent 14 years in prison. That is a matter of great importance, and I am glad that the case has been referred to the Court of Appeal.

If parliamentary answers are given in a written form, they are clearly the property of the House at the time they are given, which is supposed to be at the start of public business each afternoon at about 3.30. I am rather suspicious of the way in which the usual channels' operation goes on in this building. I would prefer you, Mr. Speaker, to give a clear ruling from the Chair that at 3.30 each day—or at the same time, whatever time that may be —all written answers are placed in the Library so that they are available to Members and are not deliberately leaked to the press in advance. While I accept the Home Secretary's assurance that he himself did not know that this one had got into the hands of *The London Standard*, clearly his office knew that it was in the hands of the Press Gallery well in advance of being in the hands of Members.

Mr. Speaker: Order. I have already told the hon. Member and the House that answers to written questions should be in the Library at 3.30, and I hope that will happen in future.

BILL PRESENTED

Weights and Measures (Amendment)

Mr. Jerry Wiggin, supported by Mr. Andrew Faulds, presented a Bill to make provision for and in connection with the passing and stamping of certain weighing and measuring equipment, as being fit for use for trade, by persons other than inspectors of weights and measures: And the same was read the First time; and ordered to be read a Second time on Friday 27 January, and to be printed. [Bill 38.]

Statutory Instruments, &c.

Mr. Speaker: With the leave of the House, I will put together the three motions relating to statutory instruments.

Ordered,

That the draft Matrimonial and Family Proceedings (Northern Ireland) Order 1988 be referred to a Standing Committee on Statutory Instruments, &c.

That the draft Matrimonial and Family Proceedings (Northern Ireland Consequential Amendment) Order 1988 be referred to a Standing Committee on Statutory Instruments, &c.

That the draft Town and Country Planning (Fees for Applications and Deemed Applications) Regulations 1989 be referred to a Standing Committee on Statutory Instruments, &c.—*[Mr. Chapman.]*

Fuel and Energy Provision

4.39 pm

Mr. John Hughes (Coventry, North-East): I beg to move,

That leave be given to bring in a Bill to require the provision of essential fuel and energy to each home; to guarantee appliances; to prevent the entry to premises without prior recorded legally authorised notice; to prevent the unauthorised removal of fuel measuring devices; to abolish standing charges; and for connected purposes.

I welcome the opportunity to bring this Bill before the House once again and I make no apology for doing so. Fuel poverty is a vital issue. Any society that likes to think itself civilised should be prepared to provide all its citizens, irrespective of their circumstances or status, with certain basics—food, shelter and warmth—which are the essentials for living.

I appreciate that the House is used to dealing with the most complex subjects and that hon. Members will leave no stone unturned in their endeavour to become well versed in those subjects. Their strong commitment motivates them, at great public expense and without hesitation, to travel to the furthest corners of the globe and to the most exotic places to slake their thirst for knowledge and understanding.

I am pleased to be able to tell the House that the subject of my Bill, important as it is, is a simple matter and that hon. Members can obtain the most comprehensive understanding of the realities of fuel poverty by the simplest expedient at no cost to the public; in fact, it would result in financial savings.

So that hon. Members can understand the extreme cold that their poorest constituents experience, I am sure that they would agree to the heating in the Chamber being turned off and left off for 24 hours or, better still, a week or a month. That would equip the House to understand the meaning of cold—cold which cannot be magicked away by the empty platitudes and publicity campaigns that have characterised the Government's response to the issue. It cannot be magicked away by advice from Ministers with a deranged lack of reality.

The cold to which I refer does not belong on a Christmas card. It cannot be discovered in a momentary immersion in icy water after a massage or a hot sauna. It cannot be experienced when the hand is plunged into an ice bucket to grip the neck of a champagne bottle. The cold to which I refer is a public fact and the responsibility for ensuring that people do not suffer as a result of it rests with the House. That responsibility cannot be privatised. That is why I am prepared to bring this Bill before the House at any and every opportunity, year in and year out, if necessary.

It is necessary to be relentless in pursuing this matter because the cold is a cruel, relentless, remorseless enemy, bringing in its wake misery, illness and death. But those evils are not shared equally in our society. The people who suffer most are the poor, the single-parent families, the unemployed and their families, the disadvantaged, those on low incomes, those who are discriminated against, those who are disabled or ill and, most important, the elderly—the people least able to endure extremes of temperature which would be unacceptable in this House.

Ninety-five per cent. of elderly people live in their own homes. For our elderly citizens, those homes, which were once full of joy, were shared with husbands or wives and resounded to the laughter of children, can, over the course of the years, or even months or days, become prisons where the warder is the cold. The cold regulates the time of going to bed and the time of rising, denies people the energy needed to prepare food, restricts the choice of what they can buy and restricts their ability to answer the door. It shuts them in a cell where their voice cannot be heard and where the world does not choose to look—a cell which can become a coffin.

On bright, clear winter days, when the sun is shining on the windows, illuminating Jack Frost's sparkling handiwork, it is hard to imagine that behind the panes of glass in any town or any village a human being may be freezing to death. Hypothermia is difficult to diagnose and there is evidence that doctors sometimes seem reluctant to put it on the death certificate, so the number of deaths directly attributable to the cold is often understated. For 1981 and 1983 the chief medical statistician found that fewer than three out of every four hypothermia deaths in hospital appeared on death certificates.

However, even if we cannot always rely on the information provided by death certificates to give a clear indicator that cold weather was responsible for any particular death, we can easily get a clear idea of the scale of the overall problem in this country. It is not merely a crisis or an epidemic; it is a disaster. The additional number of winter deaths over the past five years has averaged out at 37,740. It is not enough to sit back and say, "Well, of course, it is inevitable that more old people will die in winter—it is a fact of nature and cannot be avoided." If that is so, why is the problem so much greater in Britain than in other countries? A comparison has shown that, in February, whereas the monthly increase in winter mortalities was 24 per cent. in England and Wales and 19 per cent. in Scotland, the equivalent figure for Sweden—a country of civilised standards, not noted for the warmth of its climate—was 6 per cent.

However, death from hypothermia itself represents only a small proportion of deaths in which the cold is a major contributory factor in the progress of other illnesses. For old people suffering from arthritis, rheumatism, with weak hearts and poor circulation, brittle bones and fragile constitutions, the cold gives those conditions a helping hand. Then there is the will to live and the will to get better. Can anything be more bleak and desolate than huddling in front of a single bar of an electric fire or a single gas radiant in the depth of winter out of mortal dread of the bill that will land on the mat one day?

What about the unemployed? Statistic after statistic has confirmed the link between ill health and unemployment. We know that people who, through no fault of their own, become unemployed are subject to severe depression. For those people, the winter cold is an ever-present qualification of their status. Sadly, Government policies are exacerbating the problems. The gap between the rich and the poor is growing, as the interests of the already wealthy are advanced at the expense of the already poor. The Government have funded tax cuts by selling off industries that belonged to this country. Consequently, the people at the bottom of the economic spectrum—the elderly, the unemployed and the disabled—who have all suffered as a result of recent social security changes must subsidise cut-price bargains for the City and an economic policy that has flooded the country with imports.

When fuel prices are compared with the remaining non-fuel items in the retail prices index, we see that the cost

[Mr. John Hughes]

of domestic fuel has risen by 32 per cent. in real terms since 1970 despite the exploitation of oil and gas resources in the North sea. With the privatisation of the electricity industry, the Government will make things even worse for people on low incomes. Electricity prices increased by 9 per cent. last year and are set to go up a further 6 per cent. this April. Taken together, that will mean that the industry will have gained a further £15 billion from household bills. As a consequence, the cost to the consumer is growing faster in Britain than anywhere else and many people, once again in the low-income groups, including single-parent families and elderly people, are doubly disadvantaged. Their homes, poorly insulated and with ill-fitting windows and doors, cannot hold the heat. They cannot afford to install efficient, modern appliances to take advantage of off-peak rates. In other words, they are shut out from the developments in technology. As a result, those people pay higher bills for less warmth. The end result is an increase in the number of disconnections.

With privatisation both because of price increases and because of the policy that private companies will adopt, the number of disconnections will be greater than under nationalisation. There is no doubt about that. In the two years since gas privatisation, gas disconnections have risen by 25 per cent. and National Gas Consumers Council figures show that 62,000 households were cut off in 1987-88. That is double the rate for 1983. During the same period——

Mr. Speaker: Order. I am sorry to interrupt the hon. Gentleman, but he has been speaking for 10 minutes and should begin to bring his remarks to a close.

Mr. Hughes: Fuel poverty and the material means to have fuel for warmth is the responsibility of every person in this country. William Beveridge said:

"We should regard want, squalor, disease and ignorance as common enemies of all of us—not as enemies with which each individual can seek a separate peace, escaping himself to personal prosperity while leaving his fellows in their clutches. That is the meaning of social conscience—that one should refuse to make a peace with social evil."

We can afford to ensure that people do not go cold—it is simply a question of priorities. The Bill is a definition of the highest priority.

Question put and agreed to.

Bill ordered to be brought in by Mr. John Hughes, Mr. Frank Cook, Mr. Dave Nellist, Mr. Jimmy Dunnachie, Mr. Don Dixon, Mr. Tony Banks, Mr. Martin Redmond, Mr. Alan Meale, Ms. Mildred Gordon, Mr. Harry Cohen, Mr. Tam Dalyell and Mr. Harry Barnes.

FUEL AND ENERGY PROVISION

Mr. John Hughes accordingly presented a Bill to require the provision of essential fuel and energy to each home; to guarantee appliances; to prevent the entry to premises without prior recorded legally authorised notice; to prevent the unauthorised removal of fuel measuring devices; to abolish standing charges; and for connected purposes: And the same was read the First time; and ordered to be read a Second time upon Friday 3 February and to be printed. [Bill 42.]

Orders of the Day

Security Service Bill

Considered in Committee [Progress 16 January]

Clause 1

THE SECURITY SERVICE

Mr. Richard Shepherd (Aldridge-Brownhills): I beg to move amendment No. 46, in page 1, line 7, leave out from 'be' to end of line 11 and insert

'to protect against threats to national security'.

The First Deputy Chairman of Ways and Means (Sir Paul Dean): With this it will be convenient to discuss the following amendments:

No. 74, in page 1, line 8, leave out 'in particular'.

No. 75, in page 1, line 10, after 'actions', insert

'which threaten the safety or well-being of the state and which are'.

No. 76, in page 1, line 10, leave out from 'actions' to end of line 11 and insert

'which would overthrow or contemplate overthrow of government by unlawful means'.

No. 77, in page 1, line 10, leave out from 'actions' to end of line 11 and insert

'which are calculated to overthrow parliamentary democracy'.

No. 81, in page 1, line 10, leave out 'or undermine'.

No. 39, in page 1, line 11, leave out 'industrial'.

No. 90, in page 1, line 11, after 'industrial', insert 'chemical'.

No 47, in page 1, line 11, at end insert—

'(2A) "Threats to national security" means—

(a) espionage or sabotage that is against the United Kingdom or is detrimental to the interests of the United Kingdom or activities directed toward or in support of such espionage or sabotage;

(b) the activities of agents of foreign powers that are detrimental to the interests of the United Kingdom and are clandestine or deceptive or involve a threat to any person;

(c) activities within or relating to the United Kingdom directed toward or in support of the threat or use of acts of serious violence against persons or property for the purpose of achieving a political objective within the United Kingdom or a foreign state; and

(d) activities directed toward undermining by covert unlawful acts, or directed toward or intended ultimately to lead to the destruction or overthrow by violence of parliamentary democracy,

but does not include lawful advocacy, protest or dissent, unless carried on in conjunction with any of the activities referred to in paragraphs (a) to (d) above;'.

No. 78, in page 1, line 12, leave out subsection (3).

No. 40, in page 1, line 14, at end insert—

'(4) All members of the Service shall take an oath to the maintenance of parliamentary democracy.'.

No. 82, in Clause 2, page 1, line 25, at end insert

'any individual, any company or any organisation'.

New clause 4—*Right of protest, advocacy or dissent*—

'Nothing shall be done under this Act which undermines the right of protest, advocacy or dissent.'.

Mr. Shepherd: Amendments Nos. 46 and 47, read together, deal with the definition of national security. Clause 1(2) of the Bill defines the function of the service. Amendment No. 46 should be read in conjunction with amendment No. 47 which defines the threats to national security. In defining national security, the Government

have given the essential elements of the matters that worry us all. New clause 4 attempts to make those matters more specific. The mandate to the service should be as clear as possible. We recognise the difficulty involved in that because there are sometimes fine lines of judgment as to whether certain elements fall within the remit of the Security Service. There are also concerns about the intrusiveness that could be a feature of the service if it is not properly defined. These amendments link up with those of other hon. Members and I shall try to explain their purpose.

The first category of threats to national security involves espionage and sabotage and is defined in paragraph (a) of amendment No. 47. It is in line with what the Government propose. It refers to

"espionage or sabotage that is against the United Kingdom or is detrimental to the interests of the United Kingdom or activities directed toward or in support of such espionage or sabotage".

That is a fairly conventional understanding of what is meant by treason.

The second category is defined in paragraph (b) as

"the activities of agents of foreign powers that are detrimental to the interests of the United Kingdom and are clandestine or deceptive or involve a threat to any person".

That means any foreign interference in our democratic processes which is calculated to affect those processes. It also means that any foreign interference may prejudice the conclusions we may reach during our discussion on such matters.

The third category is defined in paragraph (c) as

"activities within or relating to the United Kingdom directed toward or in support of the threat or use of acts of serious violence against persons or property for the purpose of achieving a political objective within the United Kingdom or a foreign state".

We link this with paragraph (d). We hope that our amendments are helpful to the Government in their definition of threats to national security.

Terrorism is a blight. It is a way in which politically motivated individuals try to subvert our normal democratic processes in an attempt to bring about a result that cannot be brought about through argument or through our normal electoral process. Espionage and sabotage are not the only forms of foreign activities that should be monitored and investigated. Foreign Governments and political organisations may, in a clandestine way, try to interfere in British political life. The Russians call that "active measures" and the Americans call it "covert action". The common link is that deception is an essential feature.

The Australians have defined foreign interference in the Australian Security and Intelligence Organisation Act 1979. The definition is:

"clandestine or deceptive action taken by or on behalf of a foreign power to promote the interests of that power."

Hon. Members supporting the amendments believe that it is appropriate for the intelligence services to give us advance warning so as to place the Government of the day in a position to counter such activities.

Our democratic process requires political objectives to be pursued through public discussion, parliamentary debate and lawful representation. That process is jeopardised when groups attempt to gain their political objectives by threatening or carrying out acts of violence or terrorism. That would be a perversion of our democratic process and control of such activities is a vital part of the remit of the Security Service.

Clause 1(2) defines activities directed or intended ultimately to lead to the overthrow or destruction of parliamentary democracy. I accept that there are difficulties, but I am concerned about the Government's definition in the Bill. Perhaps the Secretary of State will mention it. Clause 1(2) states that we should protect national security from

"the activities of agents of foreign powers and from actions intended to overthrow or undermine democracy by political . . . means."

What do the Government mean by their drafting of that clause?

Mr. Tony Banks (Newham, North-West): The hon. Gentleman has again put his finger on the problems involved because the Bill is highly subjective. If a Socialist Government elected by parliamentary means wanted to introduce widespread Socialism, root and branch, throughout the society, thereby overturning capitalism, would that come within the parameters of clause 1(2)?

Mr. Shepherd: There is always a grave problem in distinguishing between what is legitimate and what is illegitimate. Subsection (2A)(d) of amendment No. 47 mentions

"the destruction or overthrow . . . of parliamentary democracy"

and adds the important caveat which we consider should be included in the legislative framework that the definition "does not include lawful advocacy".

If, for example, a political party were advocating through the House of Commons a Socialist system, I would oppose it, but it would be within the framework of our parliamentary democracy. Our caveat is that the definition "does not include lawful advocacy, protest or dissent, unless carried on in conjunction with any of the activities referred to in paragraphs (a) to (d) above".

5 pm

The definition is important because it provides a marker. When people are commissioned to do a job, greater clarity of their remit is obviously to their advantage, and to their advantage, and to the advantage of the Ministers responsible for directing the services, in that the benchmark is as clear as possible. The legislatures of Australia, New Zealand and Canada have considered that concept. Our definition covers the word "subversion" which is not used in the Bill. We are trying to make the difficult decision as to what constitutes subversion. That problem exercises the mind because there is such a narrow line. If a party such as the Communist party advocates the dictatorship of the proletariat and a non-parliamentary system, because the dictatorship of the proletariat is directed by the vanguard, one has the dilemma that the Communist party is dedicated to the overthrow of parliamentary democracy.

Mr. Eric S. Heffer (Liverpool, Walton): I should like to correct the hon. Gentleman. The Communist party in Britain and in most countries has not advocated the dictatorship of the proletariat for a long time. Indeed, it no longer accepts that concept.

Mr. Tony Benn (Chesterfield): It is in favour of an electoral pact.

Mr. Heffer: My right hon. Friend is quite right. The Communist party is in favour of an electoral pact. If one reads the documents which argue for the dictatorship of the proletariat, first by Marx and later by Lenin—never

[Mr. Heffer]

mind Stalin, who created a dictatorship over the proletariat—it is clear that they were arguing for a greater extension of democracy by the mass of workers, which they regarded as a dictatorship of the majority over the minority. I am arguing about what we mean by philosophical argument. Lord Hailsham talks about the parliamentary dictatorship of the majority, but no one would suggest that Lord Hailsham wants to overthrow parliamentary democracy. He simply has a rather funny view of it. Those who argue for the dictatorship of the proletariat have an equally funny view of it, but those arguments do not mean that parliamentary democracy is being undermined. Such people may be wrong, but it does not follow that they are subversive simply because they put forward such arguments.

Mr. Shepherd: I am not sure what to make of that intervention. My memories are seared by Lenin's captivating little book entitled, "What is to be done?" If one views that as a treatise of democratic persuasion in the context of a liberal democracy, one has to reject the hon. Gentleman's argument.

Mr. Tony Banks: It was not written in the context of a liberal democracy. That is the whole point.

Mr. Shepherd: Nor does it argue for a liberal democracy.

I mentioned the Communist party to show that there is a difficult area in defining what is supportive of a liberal democracy. Under our constitutional arrangements, we can change the political process through the House of Commons accountable to the electorate through a definable democratic process. I consider that the fundamental purpose of the Security Service is to defend our liberal democracy. It exists so that we shall not be gainsaid by terrorists exploding bombs and we shall not change public policy in this country determined by the electorate because agents of a foreign power are trying to subvert our democratic processes. We are trying to make those definitions which we accept are difficult and would create difficulties for any Government.

The purpose of the amendment and the caveat is to reflect on the approach of other countries. A comparative approach can serve us well in examining why such matters cause anxiety in Britain and in other countries. Because Security Service agents have gone on the record or gone public on television, all hon. Members are aware that the Security Service has tapped telephones, I assume with a warrant. We have learnt that they have tapped the telephones of trade union leaders and members of CND. In all our constituencies, perfectly loyal fellow citizens are members of trade unions and members of CND. Whether one agrees with their particular objectives or not, we do not doubt—and I am sure that the security services do not doubt—that they are genuine, legitimate political activities.

Mr. Banks: The hon. Gentleman is speaking for himself.

Mr. Shepherd: As the hon. Gentleman says, I am speaking for myself, but that is how I would analyse the position. If there was telephone tapping, what mandate enabled Security Service officials to interpret their duties or responsibilities to a liberal democracy as being to interfere with the privacy of perfectly loyal citizens?

Mr. Banks: The fact that they do not have the same liberal instincts and values as the hon. Gentleman. If the hon. Gentleman were in charge of the Security Service, the Opposition would be a damned sight more satisfied than we are at present. That is the problem. Clause 1 is all about subjective judgments and party political prejudices. That is why it is so dangerous.

Mr. Shepherd: That is why we have moved an amendment which tries to define the appropriate mandate which best expresses the will of the House as appropriate to or consonant with democratic behaviour.

Despite what I read, in my experience the Security Service is essentially benign. But in all large organisations there will be rogue elephants. I accept the observation from within and without the Security Service that some officials suffer from sensory deprivation and over a period of time they lose sight of the objectives of their job. That is why the amendments seek to make the objectives as clear as possible. That is just one link in the chain. Oversight, which we discussed yesterday, is another link in the chain, but the mandate is clear. It allows for legitimate dissent so that any security officer or director-general preparing a warrant, for example, is aware that the warrant has to comply with the mandate, and every time there is reference to his lines of responsibility he comes upon the concept in statute. That is the requirement in New Zealand, Australia and Canada, but it does not cover lawful advocacy, protest and dissent unless carried on in conjuction with the criminal activities of terrorists and so on.

I put in the caveat because of that anxious definition. I raised the objectives of the Communist party as I understood them—but I stand corrected—because the concept of the dictatorship of the proletariat does not encompass what I understand to be the role of this Chamber and our ability every four years to change the Government and elect a government of our own choice. That was the purpose of the amendment.

My concern is that we have a court looking over our shoulders. The European Court of Human Rights in Strasbourg has already trawled through some of this landscape in the important case of Leander v. Sweden in 1987 in which the court's decision stated that to justify any interference with a person's right of privacy on the grounds of national security it was necessary to give

"an adequate indication of the scope and manner of the exercise of the discretion conferred on the responsible authorities to collect, record and release information".

It continued:

"The law has to be sufficiently clear in its terms to give ordinary citizens an adequate indication as to the circumstances in which and the conditions on which the public authorities are empowered to resort to secret and potentially dangerous interference with private life."

The anxiety felt by several supporters of the amendments is that the clause as drafted is subject to broader interpretation than is appropriate and that it will bring us before the European Court of Human Rights. I am always nervous of that risk because it may be thought that that legislation embodies our perception of what is appropriate and honourable.

I do not wish to be entirely negative, but the Government's proposals do not accord even with the old Maxwell Fyfe definitions and limiting clauses, and are not

as broad. The Maxwell Fyfe provisions are better directed, and it would have been better if the Government had chosen to incorporate them. In New Zealand, provision is conditional. The Maxwell Fyfe directive imposes limitations in paragraph 3. Paragraph 4 states:

"It is essential that the Security Service should be kept absolutely free from any political bias or influence, and nothing should be done that might lend colour to any suggestion that it is concerned with the interests of any particular section of the community, or with any other matter than the Defence of the Realm as a whole."

The right hon. Member for Chesterfield (Mr. Benn) said, "And a lot of good that did us—the Government can write whatever mandates, directions or instructions they like, but they have been circumvented." One is cautious on that point, but if one is chasing a fox, sometimes one gets carried away. I make no more of the point than that.

We are trying to construct a framework which, in association with other amendments concerning oversight, reviews, and the issuing of warrants, will provide proper direction to, and control over, the Security Service, and will give confidence to the public that the Security Service is working in the interests of us all, and to Ministers that the beast that they are riding is a kind and gentle one in its attitude to democracy and is not subversive.

Mr. Robert Maclennan (Caithness and Sutherland): I and my hon. Friends support the amendments described by the hon. Member for Aldridge-Brownhills (Mr. Shepherd), and I shall address several others dealing with cognate points, but which are different in their emphasis and drafting, and in some cases deal with other matters entirely.

I recognise that a number of the amendments tabled in my name and that of my hon. Friend the Member for Orkney and Shetland (Mr. Wallace) concern problems that are dealt with also in the amendments of the hon. Member for Aldridge-Brownhills, but in a different way —perhaps being closer to the language of the Bill. Our amendments are offered as an alternative. The exercise in which we are engaged this afternoon is essentially constructive, and we are trying to ensure that the Security Service's mandate is clearly defined in a way that meets the concern that it shall not be engaged in supervising political activities that do not constitute a threat to the state.

As to amendment No. 46, which the hon. Member for Aldridge-Brownhills particularly addressed, I agree with the reasoning behind it, which is based on good foreign experience—particularly that of Australia. Amendment No. 74 is designed to probe why the Government have used in clause 1(2) the words "in particular" and gives examples of the circumstances in which the Security Service can operate. By its use of the words "in particular", the subsection suggests that the service's function shall be protection of national security in ways other than those that it subsequently specifies. One questions whether inclusion of the words "in particular" broadens the scope of the service's functions so wide as to damage the confinement of the subsequent definitions. I am not clear why the subsequent definitions are given if the scope of the service is intended to be as wide as it will be if they are excluded. I trust that I make myself obscure.

5.15 pm

Amendment No. 75 is offered as an alternative to amendment No. 46, and inserts in clause 1(2), after the word "actions",

"which threaten the safety or well-being of the state and which are."

Its purpose is to deal specifically with concerns already expressed in speeches and in interventions that the Security Service could, as the clause is drafted, involve itself with actions that are

"intended to overthrow or undermine parliamentary democracy by political . . . means."

That aspect was squarely addressed by the Select Committee on Home Affairs, which drew attention to the definition of subversion of Lord Harris of Greenwich in February 1975, and accepted its appropriateness, arguing that it is essential

"that both limbs of the definition shall apply before an activity can properly be regarded as subversive. Both limbs refer to activities that are defined in the guidelines as threatening the safety or well-being of the state and which are intended to undermine or overthrow parliamentary democracy."

Clause 1(2) as drafted leaves us without both limbs being encompassed in the clause. The Home Secretary may hold another view, but it is a matter of drafting and I hope his intention is to ensure that both limbs are incorporated. As I construe the clause, there is an invitation to the Security Service to supervise or investigate by means authorised by warrant

"actions intended to overthrow or undermine parliamentary democracy by political . . . means",

which is unacceptable.

Mr. Tony Banks: The hon. Gentleman supports a point that I made in an earlier intervention. The argument becomes clearer if we substitute the word "capitalism" for the term "parliamentary democracy". I do not believe that the majority of Conservative Members believe in parliamentary democracy. They go along with it for just as long as it supports capitalism. If we substitute "capitalism", we shall really know what the clause means to achieve. I am one of those who wants to undermine capitalism by political means. That is why I am a Labour Member of Parliament.

Mr. Maclennan: I shall not follow the hon. Gentleman down that route, which I have no doubt that he will wish to develop in a subsequent intervention.

The hon. Member for Aldridge-Brownhills also dealt with all the "legs" of amendment No. 47, which sets out the definitions of circumstances in which it is right for the Security Service to exercise its functions. I agree particularly with what he called the caveat clause at the end, which I consider essential.

I regard amendment No. 78 as, to some extent, a probe, but it is an important amendment none the less. I am glad of the support that it has received from some Labour Members. The amendment seeks to delete subsection (3), which, rather oddly, provides that

"It shall also be the function of the Service to safeguard the economic well-being of the United Kingdom against threats posed by the actions or intentions of persons outside the British Islands."

That is a very wide provision, and it is not at all clear what is meant by

"the economic well-being of the United Kingdom".

The subsection seems to allow the Security Service to be involved in the oversight of many matters that have certainly not been in its purview before, and to open the door very wide for its intervention in matters that do not threaten the security of the state. I should like to hear from the Home Secretary why the subsection has been included, what kind of activities he has it in mind for the service to

[Mr. Maclennan]

consider and why it should be involved. No doubt the House will wish to consider what he says before reaching a further view, and no doubt consideration will also have to be given in the other place.

Mr. Jonathan Aitken (Thanet, South): I am pleased to support the amendments so ably spoken to in the first instance by my hon. Friend the Member for Aldridge-Brownhills (Mr. Shepherd). I also support—with one or two queries and qualifications—those tabled by the hon. Member for Caithness and Sutherland (Mr. Maclennan).

We are talking here about the definitions of the functions of the Security Service. I think that it is common ground that we need as clear as possible a definition in the interests of a strong and effective Security Service, and also in the interests of building public trust in that service. On the face of it, the definitions in clause 1 look reasonably convincing. I think that they can be improved, but the notion that we need a Security Service to protect national security from espionage, terrorism, sabotage and the overthrow of parliamentary democracy is, at the very least, not a bad shot at defining the functions that our citizens expect a Security Service to carry out.

Is my right hon. Friend entirely confident, however, that those definitions are true and accurate? I can point to at least three instances in which the Security Service has, in the recent past, seemed to operate in areas of activity beyond those defined in the clause. For example, it is common knowledge that the service is from time to time engaged in what are known as "leak investigation procedures", when awkward pieces of information are leaked to journalists and others in the form of documents.

I remember being involved nearly 20 years ago in a court case which had nothing whatever to do with national security, let alone espionage, sabotage or terrorism. Nevertheless, not only were MI5 officers involved; when the editor of the *Sunday Telegraph* came to be tried at the Old Bailey it was reported in the press that the director-general of the Security Service sat in court for two or three days listening to the evidence and the barristers' arguments. There was no question of any of the functions covered by the Bill being involved in that case. It is, I think, possible to point to a good many subsequent journalistic cases in which MI5 has been involved in leak procedure investigations which have been way beyond the scope of the Bill. Is my right hon. Friend confident that the Bill will stop the previous activity of MI5?

Mr. Tony Banks: The hon. Gentleman will correct me if I am wrong, but surely most leak inquiries have been initiated by Ministers.

Mr. Aitken: I do not think that we can blame the Security Service if in the past it has been instructed to carry out certain functions.

Mr. Banks: That is precisely my point. In this instance the service should not be blamed because it is acting on the instructions of politicians. The politicians should not, perhaps, have given the service those instructions, but it was only carrying out orders.

Mr. Aitken: I am at one with the hon. Gentleman. Perhaps, indeed, the definitions in the Bill are a salutary reminder not only to the Security Service but to its political masters.

Mr. Ray Whitney (Wycombe): May I make a point about the activities of the Security Service in days gone by, and in particular my hon. Friend's brush with the authorities, to which he referred? The clause refers to "the protection of national security".
Was not the release of a document labelled "confidential", in which my hon. Friend was involved—it may or may not have been classified correctly; that is a different argument —carried out without authorisation, as far as the authorities were concerned? That was an action in protection of national security. Is not that case covered?

Mr. Aitken: I do not really have to argue the case with my hon. Friend, because the prosecuting counsel—whose words I recall vividly to this day—said in his opening speech at the Old Bailey, "Members of the jury, national security is not involved in this case." He was absolutely right to say that, because there was no question of anything other than the embarrassment of the Foreign Office and, perhaps, difficulties for our diplomatic relations. I think that a good many such journalistic inquiries could be stretched into the area of national security only by the most vivid leaps and arabesques of febrile imaginations. Here, surely, we can point to one past function of the Security Service which ought to be knocked out by the Bill.

There is another area of MI5's activity which, in the past at least, has been without the definitions in clause 1. The Security Service has been involved in investigating organisations that could be said to be critical of, and perhaps hostile to, the policies of the Government of the day. I am thinking of, for example, the investigations into the Campaign for Nuclear Disarmament. It is, I believe, common knowledge that there was considerable soul-searching in the Security Service before it embarked on those investigations, but it was nevertheless instructed to do so.

There should also have been soul-searching before the Security Service investigated the National Council for Civil Liberties. The notion that such people as the hon. Member for Peckham (Ms. Harman) and Miss Patricia Hewitt were in some way involved in espionage, terrorism, sabotage or national security is too ridiculous to be taken seriously. Yet we know that those organisations were investigated by MI5.

5.30 pm

Mr. David Winnick (Walsall, North): Would the hon. Gentleman not agree with me that of course it was ridiculous, but we have had absolutely no reason or justification given, except by the hon. Member for Torbay (Mr. Allason) who said the National Council for Civil Liberties had been influenced by Communists, as perhaps it had been over 30 years ago. Is it not a fact that in the absence of any kind of parliamentary scrutiny all we get is the Minister of State responding to the Second Reading debate and saying he cannot possibly go into operational details?

Mr. Aitken: I do not want to go over yesterday's debate again today, but I do think that amendment No. 47, which is the amendment put forward by my hon. Friend the

Member for Aldridge-Brownhills, is extremely well drafted, because if it was in the Bill it would allow MI5 to investigate such organisations, provided they really were a threat to national security, but with the very important rider that any such activities being investigated must not of course include

"lawful advocacy, protest or dissent, unless carried on in conjunction with any of the activities referred to in paragraphs (a) to (d) above",

and they basically cover espionage, sabotage, and so on.

Mr. Rupert Allason (Torbay): Is it not the case that very often the Security Service may receive information from reliable, or perhaps unreliable sources? I mentioned yesterday a boastful conversation between two suspected KGB officers, the implication being that there was some kind of contact with a particular organisation. Is it not therefore the responsibility of the Security Service to make investigations and not to continue surveillance for ever and a day, but legitimately to look at a particular organisation or a particular individual where allegations have been made, and then perhaps to clear that person? Surely we cannot limit the role of the Security Service to at least conducting that preliminary investigation.

Mr. Aitken: I understand the point my hon. Friend is making and I think the answer is really this. Of course we cannot blame the Security Service for chasing after what it believes to be a genuine scent for one reason or another, but at least amendment No. 47 will stop it running after a lot of false scents because it will have to remember not just what a rumour about a contact may be but its duty to make sure that the organisation concerned is not just involved in lawful advocacy, lawful dissent. So it is a good clause and a good amendment to have on the statute book.

May I now turn to a third area in which I believe MI5 tread from time to time, which again seems to be outside the terms of this Bill. I understand that the director general of the Security Service from time to time advises Ministers, and advises in particular the Prime Minister, on matters which could loosely be called security matters but are not absolutely security matters involving terrorism, sabotage, and the undermining of parliamentary democracy. For instance, I am told that the director general of the Security Service of the day regularly advises an incoming Prime Minister after an election if, in the view of the Security Service, there are any candidates around who might be considered for ministerial office who could constitute a security risk. This has certainly been true in the past, as we know, from memoirs about advice given to former Prime Minister Lord Wilson. Indeed, there was the rather hilarious case when he was advised not to continue the ministerial career of the right hon. Member for Plymouth, Devonport (Dr. Owen). This turned out to be a confusion between a David Owen and a Will Owen.

Mr. Tony Banks: There was another case, of course. Harold Wilson was given advice by the security services not to appoint Judith Hart, now Baroness Hart, because the security service had confused two Harts, one of whom was a member of the Communist party named Tudor Hart. The fact is that mistakes can be made, but of course for those who are trying to climb up the greasy pole in this place they could be fatal in political terms.

Mr. Aitken: I take the hon. Gentleman's point, and behind it, of course, lies the important argument in this debate that any such advice, however well-meaning it may be, is advice which falls outside the terms of the Bill's definition of the functions of the Security Service. Just in case Labour Members think that these kinds of mistakes are totally confined to their side of the House and to Labour Prime Ministers, they may be interested to know that I was told—I believe reliably—that just after the 1979 general election no fewer than six parliamentary colleagues from these Benches were fingered by MI5 as being in some way not quite suitable for office. I cannot believe they were all saboteurs or terrorists, or indeed that they were trying to undermine parliamentary democracy—the very process that sent them to Westminster.

Mr. Allason: I have no role to defend the Security Service, but it seems to me that in the cases of Hart and Owen it was not necessarily the Security Service that made a mistake. Is it not the case that Will Owen was in fact prosecuted? He was acquitted, but he subsequently admitted to having conducted espionage. Similarly, with the case of Mrs. Hart, there were two Mrs. Harts; one, Mrs. Jenifer Hart, who had been in touch with Soviet intelligence officers, and a second, Mrs. Tudor Hart, who was mentioned.

The point I am making is this: it has been assumed by the House that the blunder or error in mistaking these names or confusing these identities was a mistake made on the part of the Security Service, and that is not my information.

Mr. Tony Banks: One was a politician trying to be a Minister.

Mr. Aitken: I do not think there is necessarily anything wrong with the Security Service, if that is its defined role in law, advising Ministers or the Prime Minister that it has good grounds for believing that X or Y inside or outside this House is a security risk. The point is that these functions are not in this Bill at all. The only people they should be fingering in this way are terrorists, saboteurs, or those who are involved in espionage or threats to national security. That is a very different category from the kinds of activities I am getting at.

My serious question to my right hon. Friend the Home Secretary is this: is the remit of the Security Service really as narrow today as clause 1 in its present form says it is? In the past I think I have given enough indications to suggest there are areas where MI5 is operating which are outside the narrow areas of definition of this Bill, and I really do commend amendment No. 47 to my right hon. Friend. I think it would certainly provide a far better definition.

I now turn to amendment 78, which is the one tabled by the hon. Member for Caithness and Sutherland, which is to knock out completely subsection (3), which refers to the economic well-being of the United Kingdom outside the British Isles. I want to know why MI5 should be involved in this activity at all. Surely activity outside the British islands is for the Secret Intelligence Service. Why is our domestic Security Service suddenly beng sent out to monitor the gnomes of Zurich who are speculating against sterling? I cannot understand this clause and what it is getting at.

There may be times when it is necessary to protect against threats to the well-being of the United Kingdom. For example, I hope the Security Service was on the ball when Mr. Arthur Scargill went to see Mr. Gaddafi to try to get financial assistance for what definitely was an

[Mr. Aitken]

attempt to overthrow parliamentary democracy. Nevertheless, I have difficulty in understanding why the domestic Security Service is being dragged into activity outside these islands.

Finally, I would like to say a few words about amendment No. 90, which stands in my name, which attempts to strengthen the security services by giving them statutory authority over a very new and frightening area of terrorism, the threat posed to our national security by chemical agents such as poisons and nerve gases.

Until the recent Iran-Iraq war there was a comfortable assumption held by many experts to the effect that the moral obloquy of chemical and poison gas warfare could somehow preserve an uneasy international truce in this area of weaponry. But that assumption was shattered by the use of mustard gas in the Iran-Iraq war and, in particular, by the lethal gassing of civilian Kurds in March and August 1988. Soon after that terrible event President-elect Bush made an eloquent comment on the outrage that many would echo when he said:

"I thought we had relegated the horrors of chemical warfare to the history books. I thought we had banished for ever what we all saw only a few months ago—a mother trying to protect her child, waving her arms against the invisible winds of death."

That vivid phrase,

"the invisible winds of death"

may be the coming horror in tomorrow's evil world of terrorist outrages. Evidence is mounting that several nations are now starting to manufacture, or are planning to manufacture, chemical agents and nerve gases for use by terrorist agents.

The world has now been alerted to the Gaddafi plant at Rabta, 40 miles south of Tripoli, which, in the view of western intelligence agencies, well-supported by my right hon. and learned Friend the Foreign Secretary's testimony, is certainly not a pharmaceutical plant for peaceful commercial purposes. It is highly unlikely that any such plant would be surrounded by anti-aircraft guns and missiles.

We are not just dealing with the possibility of Colonel Gaddafi supplying chemical agents to the IRA—not unlikely in view of his track record in supplying explosives to those terrorists. Other nations with terrorist forces operating in the twilight zone of international outlawry are now in, or getting into, the chemical weapons manufacturing business. Those nations include Syria, Cuba and North Korea.

If chemical weaponry is on the march, how well prepared is our Security Service to deal with it? I accept that some uses of those chemical agents and weapons may come well outside the Security Service's remit. For example, it would be for the defence forces to counter obvious attacks such as the firing of missiles at Britain armed with biological warheads.

But what about more subtle moves to overthrow or subvert Britain by chemical agents? There is no need for terrorists to bomb the Grand hotel at Brighton if the entire sleeping Cabinet could be wiped out by dropping nerve agent pellets into the air conditioning system. One blast of an aerosol can containing lethal germs such as Dengue fever into a crowded auditorium could debilitate and ultimately kill half a Government. Our parliamentary democracy could be overthrown in that way or by dropping drugs such as LSD into a city water supply causing debilitating havoc. Horrific though those Strangelovian ideas may seem, it is worth spending a moment talking about them because there is now little doubt among specialists that some are in the planning and preparation stage by tomorrow's terrorists.

Mr. Tony Banks: I agree with the hon. Gentleman. Is it not also a fact that much, if not all, of the expertise for manufacturing such evil weapons is coming from the west? The technology is being exported by countries such as Western Germany, the United States and Britain. It was appalling to hear that someone could buy such weapons in some sort of market. I accept that it was not a legitimate market, but somehow they were available for sale. Perhaps the Security Service should speed up its activities in some commercial areas where so much expertise is clearly being made available to countries that want to manufacture their own gas weapons.

Mr. Aitken: The hon. Gentleman is right. I agree completely. I am arguing that the Security Service needs authority and power to look at this horrific new area of the expansion of terrorism. I take his point that getting to the supply line, which may well be in a western country such as ours, is vital.

How well prepared is the Security Service to deal with that potential problem? It is not sufficiently authorised by the Bill. Chemical terrorism may not necessarily be violent or industrial, certainly not in the preparatory stages. However, the preparedness of the Security Service is almost more important than the authority being given by the Bill. For example, I wonder how many MI5 officers have degrees in chemistry or pharmacology. How many have any training in counter-terrorism on chemical weapons? The precedents are not encouraging. The only reference to MI5's chemical knowledge that I have been able to trace was, as so often in the past, a somewhat comic opera one, when MI5 decided that Hugh Gaitskell had been murdered by Soviet agents using a chemical formula. MI5's response was to send a former Army signals officer to talk to the British Medical Association. That is not the kind of specialist knowledge and expertise that is necessary in today's world. We need specialisation.

The matter of supplies is vital. A quotation from George Shultz bears out the point made by the hon. Member for Newham, North-West (Mr. Banks). In *The Wall Street Journal* on 3 January he was quoted as saying:

"The Europeans can still turn this thing off by denying the Libyans equipment and chemical agents and precursors."

The Security Service needs the legal authority and professional capacity to turn off chemical terrorism at the supply line stage, the subversion stage and the attack stage. If anybody in Britain is selling such equipment—medium to low-technology stuff—the clause does not cover it. The word "chemical" needs to be in the Bill. I hope that the House does not think that I am guilty of futuristic scaremongering. If we can include this amendment in the Bill, it will give the Security Service a new professionalism and give a message to some of our allies, particularly the United States, that we are seriously worried about this issue.

5.45 pm

Mr. Benn: The amendments touch on the nub of the Bill—what is subversion and what is national security and who should decide what is national security and who

should decide what is subversion? Having the Bill means that we have probably had more meaningful discussion on the Security Service than we have had in recent years.

For a long time the general public have been persuaded that it is in their interests that foreign spies and domestic terrorists should be under careful scrutiny. Communists were automatically identified with foreign spies. I imagine that if the Soviet Union had wanted spies in Britain it would not have picked members of the Communist party. However, that was one of the foolish ideas that was current. The whole thing had to be covered by the tightest security and secrecy and judges capitulated whenever they heard the magic word "security".

The amendment is important because the definition of subversion is a political decision. Who is the enemy is a political question. We do not say that the chief of staff will announce which enemy country he intends to attack. That too is a political question. After all, security is a part of defence. We have an annual defence White Paper in which we are told what resources we have at out disposal and where they are deployed. We have an annual Army order. When I was first in Parliament an Act went through every year. Now it is an annual order. If the House does not endorse that order, the discipline of the armed forces disappears on the day that the old order expires. Why does that procedure not apply to the Security Service?

What is it about the Security Service's political objectives that makes them different from the defence forces' political objectives? The answer is that the decision about what is subversive has been taken by MI5, sometimes upon the intervention of Ministers. I say without any disrespect to the Home Secretary that I would be surprised if, like his predecessors, he really knew what was going on. Certainly some of my colleagues who were his predecessors did not know what was going on, because what was going on was an attempt to get the Labour Government out of office. I cannot believe that Lord Jenkins of Hillhead or my right hon. Friend the Member for Morley and Leeds, South (Mr. Rees) was in charge of such an operation.

If one pursues the matter more fully, one finds that if pressed the Security Service would say that it is responsible not to the Home Secretary but to the Crown, a concept that I tried to explore on Second Reading. The Crown is a mysterious idea which implies a continuity of activity. The security services have really been protecting the status quo, which is not the same as parliamentary democracy. Parliamentary democracy is supposed to allow one to change the status quo by political action. If one cannot change the status quo by voting, why vote? Immediately we come to the relationship between what is called national security, which is defined as the political and economic status quo, and subversion, which, in the case of parliamentary democracy, is a legal form of trying to change the status quo. The Home Secretary knows that, or his draftsmen have worked on that basis. If one then says that parliamentary democracy is trying to change the status quo by political means, one is caught by the Bill. If one is trying to undermine parliamentary democracy by political actions, one is a subversive. The Home Secretary has put his finger on that. If one interprets parliamentary democracy as meaning that one wants to change anything, one is covered by the Bill because one is trying to undermine parliamentary democracy by political action. The Home Secretary may smile and may give as many assurances as he likes, but I am defining how the Bill will work and that is how the system has worked until now.

Another aspect of the matter, which I have raised before, is that the condition under which the Americans allow us to borrow nuclear weapons is that American intelligence supervises British intelligence. The Americans have to check procedures and, for many purposes, they have to check people who are engaged in activities in which they take an interest. In a strange way, the definition in amendment No. 47 covers the Americans. It refers to

"the activities of agents of foreign powers that are detrimental to the interests of the United Kingdom and are clandestine or deceptive or involve a threat to any person".

That would deal with James Angleton immediately, but no British Government who wished to retain nuclear weapons could implement such an amendment.

It is not only the theory of the matter that is interesting but the practice. In Field Marshal Lord Carver's television broadcast after his resignation as chief of the general staff, he said that for most of history Britain's armed forces were concerned with domestic security. He pointed out—and this point was interesting to me—that there have not been many foreign wars in which the British Army has been engaged. We fought the French and, a couple of times, the Germans, but for most of our history the armed forces have performed the function of security forces. That is why Parliament, in 1588, resolved that it did not want a standing army. That domestic function has been far greater, in the mind of the security services, over a long period. We have been told that the Russians were planning to invade. I do not know how many people now believe that Mr. Gorbachev is planning an attack on London. According to opinion polls, only 2 per cent. think that a Russian attack is very likely.

The concept of the "enemy within" is central to the issue. The present Prime Minister has made it explicit that the "enemy within" became the dominant consideration of the security services at the time when there was a Socialist challenge to the status quo. Trade unions are, by definition, considered to be potentially subversive by the security services. I know that because my private secretary in one of my Departments tried to take advantage of the scheme for interchange with industry. He said that he did not want an interchange with industry, but that he wanted to go to a trade union for a time. He was warned off because, in the eyes of the establishment that still runs the security services, trade unionism was subversive in itself. I am saying not that the security services believe that every trade unionist is subversive, but that the purpose of trade unionism is subversive.

I want to deal next with the peace movement. The right hon. Member for Henley (Mr. Heseltine), when he was Secretary of State for Defence, was able to instruct MI5 to bug the Campaign for Nuclear Disarmament—the Cathy Massiter case. That shows that anyone whose view of the world differs from the view that peace has been retained by nuclear weapons against the Red Army is a subversive —and that view is still held. No one should imagine that Peter Wright's story ended with his retirement or with the acquisition of power by the present Government.

Mr. Allason: I do not want the case of Cathy Massiter to be misrepresented or misinterpreted. Was it not the case that my right hon. Friend the Member for Henley (Mr. Heseltine), who was then Secretary of State for Defence, requested information from the Security Service relating to

[Mr. Allason]

CND and that the Security Service—quite rightly—declined to give any classified information? There was a disagreement and thereafter the Security Service agreed to supply information about CND to the section in the Ministry of Defence that had been set up to combat it, but only if the information came from open sources. The Security Service acted properly in declining to supply any classified information, and that was the judgment of the person who subsequently investigated Cathy Massiter's allegations, which were then dismissed.

Mr. Benn: The hon. Member may have more knowledge of these matters than I have, as he speaks with such confidence about what happened, and that illustrates my point. We should have known the information to which, apparently, the hon. Gentleman is privy and we should have had a chance to test the matter. I do not believe for a moment what he has said, but I cannot prove that, and he cannot prove the validity of his remarks, because the whole matter is covered by secrecy.

The next category of people who are considered to be subversive are the various types of Socialists. It is funny that the Communist party is held to be subversive now. As far as I can make out, it is advocating electoral pacts, so the security services do not seem to be up to date. But the people in the security services are not politically clever. I was once invited, as a Minister, to attend a conference of the Socialist International, a respectable body which was then presided over by Willy Brandt. My private secretary said to me that MI5 would not let me go. He said that the reason was that the International Socialists were on our list. He did not know the difference between the International Socialists and the Socialist International. That does not show a high level of political intelligence. There may be a need for more chemists in MI5. Perhaps it would not be a bad idea if MI5 were also to employ people who understand Socialism and realise that there are many varieties of Socialism.

I remember the case of a woman who was refused employment by the Civil Service because her father read *The Daily Worker*. We should not deceive ourselves that the amendment will be passed, but we can use Parliament to make available through *Hansard*—the only publicly owned newspaper that has not yet been acquired by Rupert Murdoch—to those who bother to read our speeches the truth about what is happening.

Mr. Winnick: Will my right hon. Friend give way?

Mr. Benn: I shall just finish this point.

The security services go to universities and ask teachers about the political activities of particular students who may have applied for a job in the defence industry or the Civil Service. Lecturers have told me that MI5 was sniffing around to find out whether Mr. Jones or Mr. Smith was reliable. If one has a friend who is keen to join the Civil Service, the first advice to give such a young man is, "Don't go to political meetings, my friend, because if you do, you may not get into the Civil Service." One reason why the security services and the Civil Service are so ignorant about political argument is that, to join the security services, one must have an unblemished record. One must not even read *Campaign Group News* or *Tribune* because that might suggest that one wanted to change the status quo.

Mr. Norman Buchan (Paisley, South): Will my right hon. Friend give way?

Mr. Benn: Let me finish going through the categories of subversives.

Another category is those who are known to be politically active on an issue that may appear to be harmless. People may be against vivisection, for example, but it is always possible, in the minds of those who sniff around, that such people might take part in other activities that could be threatening. What is misleading is to pretend that the activities of the security services in the past, or the way in which they will operate in future, has anything to do with protecting the people's democratic rights. They are designed to protect the status quo.

Mr. Winnick: My right hon. Friend will probably not remember an incident that took place in the 1960s when he succeeded Frank Cousins as Minister of Technology. I brought it to his notice that somebody who wanted to work in a rather junior capacity in the Civil Service had apparently been refused a job, not because she was a member of the Labour party but because her father had been born abroad. Like many others, he had come here from Tsarist Russia before 1917, for pretty obvious reasons. I do not know whether my right hon. Friend intervened or not, but I am glad to say that that person eventually received an offer of employment.

6 pm

Mr. Benn: That is absolutely right. We have not yet discussed the question of vetting. The employees of the BBC are vetted. One cannot get a senior job at the BBC until one has been cleared by the security services. Do they imagine that a lot of terrorists are about to be made head of news and current affairs? The Clerks in this House are vetted. I know that from the evidence given to the Committee of Privileges. Members' research assistants are vetted. What has that to do with terrorism or espionage?

Mr. Tony Banks: Will my right hon. Friend give way?

Mr. Benn: I do not want to detain the House. I am merely trying to put a few fruits on the harvest festival altar so that people may observe them later.

The next question is, "What is parliamentary democracy?" It has been defined in many different ways. Last summer, we celebrated the tercentenary of 1688—apparently the year of the birth of parliamentary democracy. I should have thought that William of Orange would have been regarded as one of these foreigners trying to disturb parliamentary democracy, but it turns out that he was in at its birth. I am reminded of the saying

"Why does treason never prosper?
Here's the reason:
For if it prosper, none dare call it treason."

The other day I went through the Second Reading of the Reform Bill. The Conservatives of the time were opposed to the Reform Bill because they thought that it would undermine parliamentary democracy. Mr. Asquith, the great Liberal leader, opposed votes for women on the ground that that proposal would upset parliamentary democracy.

Parliamentary democracy has been defined to mean the status quo at the time. What is it in practice? The Crown in Parliament is sovereign and the powers of the Crown —except for the power to dissolve Parliament or to ask someone to form a Government—are not personal to the

sovereign. Every Prime Minister—I do not differentiate between the present Prime Minister and her predecessors in this respect—uses the powers of the Crown to do all sorts of things that have nothing to do with Parliament and nothing to do with democracy. The Prime Minister appoints the Archbishop of Canterbury. What has that to do with Parliament or democracy? The Prime Minister appoints the judges and the chairman of the BBC. She appoints Lord Chalfont to the IBA. The Prime Minister can go to war without consulting Parliament or sign treaties without consulting Parliament. The right hon. Member for Old Bexley and Sidcup (Mr. Heath) signed the treaty of accession to the Common Market before it was even published. All such activities are undertaken under the Crown prerogative.

Suppose that we say that we do not like the use of that prerogative. Is that an attempt to undermine parliamentary democracy by political action? I have long been a republican and I believe that the Queen should be the head of the Commonwealth. Is that subversive? Is it subversive to want to abolish the House of Lords, which has no democratic base in society? Many Liberals have argued for a single Chamber or two elected Chambers. Is that subversive? Is it subversive if I say that the Church should not be established? The other day, I looked up the coronation oath and found that the only pledge that the Queen gives is that she will uphold the rights of the bishops. That is most interesting. It was clearly not applied in the Viraj Mendis case, but that is another matter. There is no democracy in the sense that in a democracy the electorate has the final say. The truth is that the status quo covers a semi-feudal system which is not subject to normal public means of accountability under the Bill.

In a democracy, the ultimate responsibility for deciding the interests of the state lies with the electorate. That is what democracy means. If the electorate is to decide what is in the interests of national security and what is subversive, the electorate must know enough to know what goes on. This Bill tries to entrench in statute a rotten little directive of Maxwell Fyfe, who told them to get on with it and not bother him and a rotten definition by Lord Harris of Greenwich, who used virtually the same phrase as appears in clause 1. On that basis, the Home Secretary hopes to entrench in statute powers that have been exercised under the Crown prerogative for years, and dress it up as the entrenchment of the protection of parliamentary democracy against subversion.

The Home Secretary will not be affected by my arguments, but I hope that people outside will realise when they read them that the Bill is not what it is made out to be. It is not an advance. It is the entrenchment in statute of powers that no democratic Government have the right to exercise.

Mr. Allason: The second group of amendments is important, and I am grateful to my hon. Friend the Member for Thanet, South (Mr. Aitken) for raising these matters. I am concerned at some of the myths and legends mentioned by the Opposition. Perhaps I may clarify. It is certainly not their fault—it is not even the fault of the Security Service—that there is so much secrecy and mythology surrounding MI5. Many years ago, when I started my research I visited a retired director-general of the Security Service who was apparently terribly reluctant even to tell me the three functions of the Security Service at the time—counter-espionage, counter-sabotage and counter-subversion. The role of the Security Service and its functions have been defined only twice—first, in the Maxwell Fyfe directive, which was secret and was not disclosed until the Denning report, and, secondly, in the evidence put before Lord Franks.

It is curious to note that people have not noticed the metamorphosis that has taken place in the intervening years. Counter-terrorism is to be included in the Bill. Counter-terrorism is a very important, very specific and very professional activity and it has never been an activity in which the Security Service has been involved. Counter-terrorism has traditionally been left to special branch and the anti-terrorist squad. I do not argue that the acquisition of information relating to terrorism should not be gathered by the Security Service but the House should be mindful of the change that is taking place. Surely the role of the Security Service is simply to gather information and supply that information to the relevant quarters. Its objective is often to obtain a conviction in the courts, but traditionally the Security Service has not been able to fulfil the role of supplying witnesses and that is why it has not indulged in counter-terrorism in the past.

My hon. Friend the Member for Thanet, South made several other points about the new uses of the Security Service. One of them leaves me feeling very anxious. My humble view is that the business of leak inquiries is in direct contravention of the Maxwell Fyfe directive. A short time ago a document was leaked from the Department of Health and Social Security. It seems that if the Government leak a document it is all right, whereas if someone else leaks it it is not. Surely such leaks cannot be described as affecting national security or involve the defence of the realm. It never occurred to me that the Security Service would be involved in the investigation. I was appalled to read in the newspaper the name of the "Cabinet official" who was to be conducting it, because I happened to know that he was a long-standing member of the Security Service. Such activities are not a proper function of the Security Service.

Two very important activities of the Security Service are not covered in the Bill. First, much has been said about positive vetting. Some hon. Members will be surprised to learn about it. The right hon. Member for Chesterfield (Mr. Benn) mentioned visits to universities in pursuit of positive vetting inquiries. Those inquiries are not conducted by the Security Service. The Security Service has always taken the view that it is too secret to conduct positive vetting inquiries. The reality is that a small group of field inquirers, based at the Procurement Executive of the Ministry of Defence, conducts the positive vetting inquiries. The Security Service's argument has always been that security is too important to be left to the experts. It has said that there should be security departments in all Ministries and in all areas of Government, and that it will give those Departments advice.

It seems to me that the most sensible arrangement would be for the Security Service to conduct the positive vetting and to make the field inquiries. There have been countless examples. Indeed, virtually every major spy case since 1953 has involved somebody who has not just cleared his or her positive vetting, but sailed through it. The examples are legion so I shall not bother to give them. Another clear example——

Mr. Buchan *rose*——

Mr. Maclennan *rose*——

Mr. Allason: I shall give way to the hon. Member for Paisley, South (Mr. Buchan).

Mr. Buchan: Several of us have been increasingly intrigued—and now disturbed—by the hon. Gentleman's apparent inside knowledge of the security services. We know of his past service in relation to this and about the books that he has written. However, into almost every speech—and at almost each moment—the hon. Gentleman drops in another piece of ex cathedra information about what the security services do or do not look after. Is the hon. Gentleman a member of MI5?

Mr. Allason *rose*——

Mr. Buchan: Let me finish the question. The hon. Gentleman has allowed me to intervene——

Mr. Allason: The answer to the question is, "No, I am not."

Mr. Buchan: The first question is, is the hon. Gentleman a member of MI5? The second is, if not, and if he is in possession of all that information, which has been leaked—presumably illegally—from MI5, has he reported those leaks, and, if not, why not?

Mr. Allason: The short answer is, "No, I am not.", but I have conducted research over a period of 10 years. I hope that many hon. Members recognise that security is an important issue and one worth researching. It is not a matter of clandestine sources. I have written 10 books on this subject. I would honestly recommend that the hon. Gentleman buys them because they are good value.

I turn now to another area that is important in relation to security and vetting—

Mr. Maclennan *rose*—

Mr. Allason: Three years ago, after a bomb was placed on board an Air India jet flying across the Atlantic from Canada, the Canadian Security and Intelligence Service decided that it would vet all airside personnel, that seems a proper occupation for it. About 14,000 people per year in Canada are routinely vetted because they have airside access to aircraft. Surely that is an area of professional expertise in which the Security Service should be taking an interest because it seems to me to be be at the heart of the defence of the realm. However, once again that aspect has been left to amateurs because the Security Service has taken the view that it is too secret to involve itself.

6.15 pm

I turn now to a couple of cases that have been raised about which I shall try to dispel some of the myths. Some facetious remarks have been made about the connection between the Communist party of Great Britain and foreign espionage. The fact is that over the years no fewer than two national organisers of the Communist party of Great Britain have been convicted of espionage and have served long terms of imprisonment. Because of that historical precedent, the Security Service has traditionally taken an interest in the Communist party—which seems not entirely unreasonable.

My hon. Friend the Member for Thanet, South mentioned the vetting of potential Ministers. Once again, the examples given suggested that they were not espionage cases, but the two cases that my hon. Friend cited were exactly that. The case of Will Owen is fairly well known. He was acquitted of several charges under the Official Secrets Act. Thereafter, the Security Service invited him to attend a meeting at which he was invited to supply more detailed information. He was reluctant to go and took with him a colleague from the Labour Benches. He visited the Security Service and gave a detailed confession.

Two Harts are involved in the next case, one of whom, Mrs. Jenifer Hart, supplied information to the Security Service. She admitted once having been employed in the Home Office and of having had illicit meetings with a man who was a suspected Soviet intelligence officer. Those are two clear cases within the responsibility of the Security Service in which information was supplied. It seems to me to be perfectly proper for the service to be involved.

We heard yesterday—we have heard again today—the tremendous myths of the Peter Wright attempts to undermine the Labour Administration. I watched the tape again last night to make absolutely certain that there was no mistake about what Peter Wright admitted when he was being cross-examined by John Ware on the "Panorama" programme. It was interesting that Peter Wright admitted that there was no truth in the so-called plot and that it was wrong to have claimed in his book that 30 officers were attempting to undermine the Labour Government. He said that it was himself and perhaps one other officer, who got cold feet, who were prepared to consider leaking detrimental information about Harold Wilson. David Leigh's book on this subject mentions several case histories, all relating to Labour Ministers and Labour Members of Parliament who had been investigated by the Security Service in some way or other. In each case, there was justification for that pursuit under Maxwell Fyfe.

Ms. Diane Abbott (Hackney, North and Stoke Newington): Does the hon. Gentleman agree that the problem about Peter Wright is working out when he is telling the truth? Sometimes I wonder whether Peter Wright himself knows when he is telling the truth. Clearly, Peter Wright did give an interview in which he said that the Wilson plot was a fantasy, but he has also said on other occasions that, on balance, he is anxious not to give information which, overall, would damage the Security Service. Could the fact that he is now moving away from his original claims about the Wilson plot be in response to all kinds of external pressures, and the fact that he said——

Mr. Tony Banks: He has made his money.

Ms. Abbott: Yes. My hon. Friend has intervened to say that Peter Wright has now made his money and so he can afford to withdraw his claims.

One cannot judge the truth by what Peter Wright says from one day to another. However, it is a fact that a whole host of stories were leaked to the press during the 10 years in which Wilson was Prime Minister that served to undermine him. That is a fact that nobody can deny.

Mr. Allason: It is not denied that there were many rumours relating to Harold Wilson, but his own conduct inspired many of those rumours—*[Interruption.]* Well, I shall give hon. Members a small example. Harold Wilson made 14 visits behind the Iron Curtain—[HON. MEMBERS: "Oh."] Of course, there is nothing suspicious about that, but at that time many business men were approached by

the Soviets and it was believed that perhaps he had been approached, yet he made no report on that subject. When an analysis was made of his movements behind the Iron Curtain, it was difficult to trace exactly where he had been or what he had been doing.

That is the kind of basis that was used by Peter Wright. When one turns that into the allegations in his book, one sees that they do not hold water at all. Under cross-examination by John Ware, Peter Wright collapsed like a pack of cards and, when he was asked why he had mentioned the 30 officers, he said that he did not believe that it would have caused a fuss.

Mr. Maclennan: The hon. Member for Torbay (Mr. Allason) comes to this House as a self-professed expert, although he has not at any time given the House any serious indication of what is the basis of his knowledge. He does his case no good at all by the sort of smears in which he has been indulging in the case of the former Prime Minister. It is as ludicrous to accuse Lord Wilson of being a suitable subject for an inquiry as it would be to authorise the security services to survey the Prime Minister because she has said publicly of the president of Russia, Mr. Gorbachev, that he is a man with whom one can do business.

Mr. Allason: I entirely concede that. I believe that it is fair to say that there must be occasions when Security Service officers do not follow the correct scent and are misled. Is that not the nub of the second group of amendments, because what we are trying to do is to define the role of the Security Service? I urge the House to pay attention to the different changes that I have described in the role of the Security Service in recent years and to try to concentrate especially on the two areas that have changed recently, its new involvement in counter-terrorism and its involvement in leak inquiries.

Mr. Michael Foot (Blaenau Gwent): My right hon. Friend the Member for Chesterfield (Mr. Benn) made a most important contribution to the debate and I do not want to be distracted by the disgraceful slurs and smears of which the hon. Member for Torbay (Mr. Allason) has just spoken in his references to the former Prime Minister and leader of the Labour party. If the hon. Gentleman was revealing the minds of some of his associates in the security forces, it should make us all the more alarmed. The hon. Gentleman is out of the service now, but I believe that no hon. Member would wish to concur with the doctrine that such pursuit of politicians would be justified because of visits that they had paid to countries behind the Iron Curtain. I can only hope that I misheard the hon. Gentleman, but that does not seem very likely. I suggest that the hon. Member for Torbay should read what he has said and take the earliest opportunity to apologise to the House.

Mr. Tony Banks: If he were a man, he would.

Mr. Foot: My right hon. Friend the Member for Chesterfield said that this was the nub of the Bill, and I believe that he is right. Yesterday there were extremely important debates in which the House sought to establish some parliamentary control over the way in which the Bill was operated and the way in which the security services might operate. The replies from the Home Secretary to that important debate were certainly not satisfactory in terms of meeting the arguments in the debate, but they were one way of dealing with the situation. I am sorry that the Government made no effort to listen to the arguments in the debate or to acknowledge the necessity for some genuine attempt at parliamentary control.

What my right hon. Friend the Member for Chesterfield has said today about that clause makes such control all the more necessary. I do not always agree with my right hon. Friend's views on constitutional questions. Indeed, I have a difference of opinion with him about what happened in the year 1688. I believe that it was a much better affair than he is prepared to admit. It did not have anything to do with democracy—the word had not been invented—but it had a great deal to do with parliamentary accountability. The reason why I take a more generous and liberal view of the matter than my right hon. Friend does is that one of the achievements of 1688, in my view, was to establish in a special way the subordination of the Crown to Parliament. My right hon. Friend's views about that are apposite, too.

Apart from cutting off the king's head a few decades before, that was the most significant constitutional legal assertion of the supremacy of Parliament and especially the supremacy of the House of Commons. Anyone who went along to the exhibition about 1688 and heard the words put into the mouth of William III by the Bill of Rights could appreciate that the Executive was being told that it was subordinate to this House. If the words of William III were repeated all over the world, they would stick in the throat of the present Prime Minister because they mean, "I acknowledge the supremacy of Parliament and I acknowledge that in all these matters I must come to Parliament and get Parliament's approval". What was said in 1688 was thus extremely relevant to this Bill.

As my right hon. Friend the Member for Chesterfield has illustrated, under this Bill the Government are seeking to make formal and legal—that makes it all the more dangerous—what has happened in the past with the Security Service. The Minister protests that it is a liberal advance and not a retreat, but we shall be incorporating into the law of the land definitions of subversion and parliamentary democracy and what is an offence against them, which is something that we have not previously had in our constitutional procedures and rules. If we allow that to go through and do not examine in detail what the consequences may be, I believe that the Bill will be even worse than the Bill that we shall be discussing later on the freedom of information. The Official Secrets Bill is a shocking one, but if we pass this clause in these terms, after we have had a chance to examine them, the other Bill will be worse still. The next step will be a court case based upon clause 2(1), which I believe could be highly dangerous.

I hope that the Minister will be prepared on this occasion, as he was not yesterday, to listen to the case put by some of his hon. Friends, with the support of the Opposition, and seriously to consider whether he does not have an obligation to the House to change the definition.

I shall consider first clause 1(3), although I do not know what the hell it means. Clause 1(3) states:

> "It shall also be the function of the Service to safeguard the economic well-being of the United Kingdom against the threats posed by the actions or intentions of persons outside the British Islands."

I hope that we shall be told exactly what that novelty is, because that is what it is. If we need new provisions more relevant to modern times, we should consider, for example, the suggestions made earlier about chemical warfare and

[Mr. Foot]

other dangers. Those are modern developments which certainly require investigation by the Government. A secret service might have to operate in that kind of area and, if so. we should consider the matter in advance. If the Government's case is that they have put in clause 1(3) in order to cover general new eventualities, they should look at the new eventuality of that kind of warfare rather than the proposition in the clause. I have not heard a coherent explanation of what clause 1(3) means or against whom it is to be used. It seems an extraordinary provision and I should have thought that it ought to be deleted.

Even more serious are the implications that may be involved in the definition of subversion and so forth in clause 1(2), to which my right hon. Friend the Member for Chesterfield has already referred. If the Bill goes through on the basis of the discussions that we have had, no one will know for certain whether the different kinds of subversion that have been mentioned, and which MI5 felt entitled to investigate, are covered by the clause. Whatever Mr. Peter Wright may have been up to, no one will know for certain which of the activities that he described are excluded or covered by the Bill.

6.30 pm

There are other aspects of the Peter Wright affair that should be investigated and carefully examined by the Government. If we pass the Bill in the light of what happened in the past, we shall be sanctioning past events. One particularly disturbing revelation from the Peter Wright affair relates to the preparation of terrorist acts for the assassination of heads of foreign states. Peter Wright reveals that there was a plan to assassinate Nasser. If it is true that we had a secret service that was entitled, under its rules of operation, to prepare for the assassination of heads of foreign states, nothing could be more damning. If Nasser had been assassinated as a result of terrorist activities conducted by our Security Service, the consequences for our reputation throughout the middle east would be almost incalculable. Anybody who has been to Egypt knows the reputation that President Nasser had in that country, whether we liked it or not. If a British Government at that time were engaged in preparing for his assassination—an act of terrorism against a head of state —it was a monstrous affair.

Despite all the obstacles put in the way by the Home Secretary and his colleagues, the Peter Wright case eventually got to the judges, most of whom agreed with me about the implications of a possible plot to assassinate Nasser. They said that it was absolutely horrific that such an act might have been carried out by our secret service. Some of the judges questioned what would have been worse—a scheme to assassinate Nasser succeeding, or failing—and said that, either way, it would be outrageous if such activities had been authorised. They could think of nothing worse than terrorist acts against heads of other states being authorised and conducted by our secret service.

I had hoped that there would be an investigation into this matter. I wrote to the Prime Minister on a number of occasions and urged that, whatever happened at the end of the affair, she should instigate such an investigation. The Prime Minister has said that there has been an inquiry into all of Peter Wright's allegations, but when I asked whether it had incorporated an investigation into the supposed preparations for the assassination of foreign heads of state she could not give any answer and, so far as I know, there has never been any proper investigation into that allegation. It is monstrous that such an inquiry has never occurred. If such things did occur, it is monstrous that, even 30 years later, this country does not have sufficient determination to protect its good name. We want that kind of thing rooted out.

The passage of the Bill has given us the chance to root out such problems by reconsidering the definition of subversion. It is important that such matters are reconsidered. If we do not deal with such questions properly now, people will come to us later and say that we had the chance to change the law when we examined it in detail. We shall be told how many hours we spent on it and told that, at the end of it all, we came up with a definition of subversion which was satisfactory to Parliament.

My right hon. Friend the Member for Chesterfield has accurately cited one or two reasons why the particular words in clause 1(2) were used. My right hon. Friend said that the definition was cooked up by Lord Harris of Greenwich in another place. The idea that clause 1(2) is a considered judgment on the meaning of subversion is laughable. I cannot imagine that the Home Secretary would want to rest his case on such feeble grounds. The definition is nothing like good enough.

Let us get the definition right. The hon. Member for Aldridge-Brownhills (Mr. Shepherd) deserves great credit for the definition contained in amendment No. 47, which deals with the real anxieties of the nation. There are deep, justified and legitimate anxieties about terrorism and all its modern apparatus and horror, particularly because of the way in which innocent people are drawn into terrorist acts. Of course the country wants measures taken which deal directly with such terrorism, and of course it is true that the secret services must deal with some forms of terrorist acts and operations. Those anxieties are dealt with in the first part of clause 1(2). It is all the more necessary, however, for the Government to ensure that they give an absolute defence for other people who are not engaged in terrorist activities but are engaged in perfectly legitimate criticisms of Government policy in whatever area. Such a defence must have occurred to the Home Secretary.

In attempting to achieve a new definition of subversion, we should apply our minds to whether the English language is sufficiently elaborate to enable that to be done. The current definition makes no distinction between terrorist acts and legitimate criticism in the current definition and all the objections that my right hon. Friend the Member for Chesterfield has made against the use of that definition are perfectly justified on that count. We must accept that a court could easily uphold the current definition of subversion against legitimate criticisms. It has happened before—for example, the actions taken against supporters of the Campaign for Nuclear Disarmament in previous years. I understand that some of those actions would still be justified under the definition outlined in clause 1(2). I do not know whether the Home Secretary will give us a direct answer on this matter. We remember that the right hon. Member for Henley (Mr. Heseltine) set up his own private apparatus and private army to conduct a war against CND. No doubt the more money he spent on it, the more he thought that he was getting on in the Conservative party. Some of us thought that that whole operation was absolutely outrageous, especially when it spilt over into secret activities against CND supporters.

When the Home Secretary comes to defend the definition contained in clause 1(2) when we reach the end of this debate, I hope that operations such as those conducted against CND will be absolutely excluded. Not that judges necessarily always take account of what the Home Secretary says at the Dispatch Box—I do not share the confidence of others about the way in which judges go about this matter. Even if the right hon. Gentleman gives us that assurance, it does not go far enough.

The other virtue of the clause advanced by the hon. Member for Aldridge-Brownhills is that it offers a defence for legitimate criticism. The amendment lists what "threats to national security" means. They are genuine threats against which the nation has every right to protect itself. However, the amendment seeks to make a sharp distinction between genuine threats and every form of political advocacy that is properly understood by everyone in the House. A sharp distinction is drawn. The end of the amendment reads:

"but does not include lawful advocacy, protest or dissent, unless carried on in conjunction with any activities referred to in paragraphs (a) to (d) above".

If a case such as MI5's shocking activities against CND ever came before a court of law in the future, that defence would protect a member of CND and anyone included in the categories referred to by my right hon. Friend the Member for Chesterfield—the people who could be caught under the Government's ill-defined and absurd definition of subversion.

Once again I plead with the Home Secretary. This is a new measure, which he claims is a liberalising one. We sincerely believe that if the existing operation of the law or anything like it is incorporated in the Bill in legal form, the position could be even worse. That is why we must be so careful. This is the nub of the Bill, as my right hon. Friend the Member for Chesterfield emphasised. It describes what the whole security system is supposed to be about. If the Home Secretary is genuine about the case that he has made to the House and the country, he should be able to accept the amendments tabled by his hon. Friends with a good grace.

The Home Secretary may be in some difficulty because the Prime Minister also has some interest in these matters. She has clearly brought pressure to bear on the Home Secretary on a range of issues touching civil liberties, the way in which the law operates and the way in which terrorism is dealt with. Perhaps the right hon. Gentleman has conceded willingly on some, if not all, of these matters. I doubt, however, whether he was so eager as the Prime Minister to concede on the right to silence, or whether he was so eager to concede on interference with the proper presentation and reporting of affairs in Northern Ireland. Today, a new change is being made. I dare say there were discussions in Government about the definition, and I do not say it will be easy for the Home Secretary to change it, but if he really meant what he said—that he wanted a proper review of the whole subject—I see no reason why the new clause cannot be incorporated. It would not solve all the questions associated with official secrecy, but it would be a big stride forward towards obtaining common assent on these matters.

I do not know whether the Government want common assent. If the right hon. Gentleman looks back at the history of official secrecy, he will see what folly it was, way back in 1910 or 1911, to rush through a Bill without proper examination, and how foolish it has been to allow this kind of law to stay on the statute book ever since. Now we have a chance to do the job differently. If the Home Secretary has any respect for what is known as his liberal reputation, I plead with him to accept the new clause and thereby change the way in which we set about this business.

Mr. Winnick: I echo what my right hon. Friend the Member for Blaenau Gwent (Mr. Foot) said. It is rare for the House to have an opportunity on two successive days to discuss in detail, in Government time, the activities of MI5. Usually this is a subject for Adjournment or Consolidated Fund debates. Subversion and related issues are important matters, and it is right to try to define subversion.

If time permits, I shall go up to the foreign affairs committee of the parliamentary Labour party this evening, at which two senior officials from the Soviet embassy—I hope that the hon. Member for Torbay (Mr. Allason) is taking note—will tell us about the internal changes taking place in their country. If I have the chance to participate, I shall say that I hope the time will come when the internal changes in the Soviet Union will be so extensive that members in the new Parliament that is coming into being there will be able to discuss these sorts of matters—the activities of the KGB and so on. I should have liked to be able to tell those officials that we had parliamentary control over MI5; I shall not be able to. I will, however, be able to say that our democracy allows us at least to debate these issues. That is one of the reasons why we have a Parliament.

Amendment No. 40 is my suggestion that

"All members of the Service shall take an oath to the maintenance of parliamentary democracy."

I entirely accept that that would not prevent scoundrels such as Wright from taking such an oath and then carrying out the sort of subversive activities in which he undoubtedly engaged. But it would do no harm to make loyalty to parliamentary democracy perfectly clear. I believe that my right hon. Friend the Member for Chesterfield (Mr. Benn) once said that we do not take here an oath to parliamentary democracy, and perhaps we should. I see no reason why MI5 officers should not. My hon. Friend the Member for Newham, North-West (Mr. Banks) said earlier that he was not sure whether Conservative Members were fully committed to parliamentary democracy. I think that the majority of them are, but I would find it difficult to believe that all of them are as committed to it as we are.

6.45 pm

One of the tests of commitment to parliamentary democracy is a commitment to its existence in all countries. It is interesting that Conservative Members often find reasons and excuses for not attacking regimes such as that in Chile. We believe that people everywhere have a right to a democratic system of government. That is why we on the Labour Benches criticise the vile regime in South Africa on one day, and what is happening in Czechoslovakia on another.

Perhaps the hon. Member for Torbay knows that Field Marshal Lord Carver, when no longer chief of the general staff, said in the late 1970s that in the early months of 1974 some junior officers spoke about the possibility of taking non-parliamentary action to resolve what they saw as the crisis in Britain. Interestingly, Christopher Walker wrote much the same thing in *The Times* after visiting Army barracks at that time. He reported such remarks in the

[Mr. Winnick]

dying months of the Conservative Government headed by the right hon. Member for Old Bexley and Sidcup (Mr. Heath). His articles were confirmed by Lord Carver, who presumably knew what he was talking about. I do not know why the Home Secretary dismisses that. It would be interesting to know whether MI5 investigated these activities—or did it take the view that as the Army officers were not engaged in Left-wing plots they needed no scrutiny?

Amendment No. 76 includes a definition of subversion which is an improvement on that given by Lord Harris in 1975—if I may say so to the hon. Member for Aldridge-Brownhills (Mr. Shepherd) and my right hon. Friend the Member for Chesterfield. Amendment No. 76 suggests that the definition should be Lord Denning's, which remained the definition of subversion until the change in 1974. It is far narrower than the unfortunate definition of 1975, which was continued by this Government. In another amendment I have suggested a further alternative definition which would mean actions that are calculated to overthrow parliamentary democracy.

I do not disagree that it is necessary to protect national security and to provide protection against terrorism and sabotage. I have no quarrel with that whatever and would leave in the provisions relating to it because protection is one of the basic reasons for having a Security Service. I have long maintained that the definition of subversion should be as narrow as possible and should basically deal with actions that are calculated to overthrow by one means or another parliamentary democracy.

I have no doubt myself about what parliamentary democracy means. I am sorry that my hon. Friend the Member for Liverpool, Walton (Mr. Heffer) is not in the Chamber. It means the right to put forward and advocate, however strongly, views that are different from those of the Government and to be able to put them forward in Parliament and outside without fear of punishment. That is the basic difference between a parliamentary democracy and a dictatorship. I see many weaknesses in our parliamentary democracy, and I should like to see them rectified, but I have not the slightest doubt that I live in a parliamentary democracy. I have never gone in fear of being tortured by secret police. I know that in most countries that is not the case. I consider it a great blessing to live under a system of parliamentary democracy and civil liberties.

As I said earlier, I welcome the changes that are taking place in the Soviet Union and in Hungary. I see no reason for having any doubts in our minds about the definition of parliamentary democracy. One of the undoubted weaknesses in our system of democratic government is the way in which investigations and inquiries have taken place into matters that should not have been investigated. The hon. Member for Caithness and Sutherland (Mr. Maclennan) spoke about the Select Committee on Home Affairs and referred to the inquiry into the special branch, which was the first ever such inquiry. I take some credit for that because I was on the Committee and persuaded to my view the majority of its members who were at first reluctant to have such an inquiry. I also wrote the minority report.

The Committee heard evidence from Mr. Alderson, who had been the chief constable of Devon and Cornwall. He was an interesting witness and, presumably, he knows what he is talking about. He said that when he was appointed chief constable in Devon and Cornwall one of his first actions was to look through the records of special branch being held by the police there. He told the Committee that he found many records that were useless, out of date, or had absolutely nothing to do with subversion or crime. I wonder whether chief constables in other places look through such records.

Mr. Hurd: Did Mr. Alderson give any views about the Security Service, which is the subject of our debate?

Mr. Winnick: As the Home Secretary knows, special branch works closely with the Security Service. Special branch often carries out investigations at the request of the Security Service. Does the Home Secretary wish to challenge that in any way?

Mr. Hurd: That is correct.

Mr. Winnick: Special branch acts for the Security Service and I can understand why. I am not criticising that, but I criticise the keeping of records which Mr. Alderson said had absolutely no relevance to combating subversion. I wish that other chief constables would take the same attitude. Mr. Alderson told us that special branch had to report daily on industrial disputes and on the number of pickets involved in such disputes. He said that on some occasions daily reports were sent to the Home Office and always to police headquarters on all industrial disputes. That occurred in Mr. Alderson's time, and presumably things have not changed.

My reason for putting forward amendment No. 39 is to omit the word "industrial" from the definition of subversion. It is quite wrong that people should be investigated because they engage in perfectly legitimate trade union activity or industrial disputes. I do not take the view that when one engages in legitimate industrial activity—one of the rights of a parliamentary democracy —one is engaging in subversion or something close to it.

Why were MI5 files kept on Jack Jones and on Hugh Scanlon, now Lord Scanlon? Were they subversives? Is it suggested that Jack Jones, who at an early age went to fight Fascism in Spain, and who has always been in favour of our parliamentary system of democracy, is a subversive in the pay of Moscow? What about Hugh Scanlon? Why were MI5 files kept on such people? There have been abuses. It would not have been thought appropriate in any circumstances for special branch and MI5 to keep files on Tory politicians, however Right-wing. However, it was considered proper and legitimate—though not by me—to keep files on such leading figures in the trade union movement as Jack Jones and Lord Scanlon.

Mr. Tony Banks: Does my hon. Friend agree that certain elements in the security services do not see their function as defending parliamentary democracy? As I said earlier, as they see it, their function is to defend the status quo. As my right hon. Friend the Member for Chesterfield (Mr. Benn) and I said earlier, that means capitalism. They are defending the status quo and capitalism and not parliamentary democracy. Parliamentary democracy is acceptable to them and to many Conservative Members as long as it underpins and serves the interests of the status quo and capitalism. As soon as we start using

parliamentary democracy to try to introduce Socialism, we see how thin is the veneer of democracy on the Conservatives.

Mr. Winnick: My hon. Friend may or may not be right, and the Home Secretary may respond to his intervention. I do not want to undermine what I have said so far, which, is an indictment of some of the abuses that have occurred. However, in all fairness, there is some evidence that ultra Right-wing organisations have been investigated—and properly so—by MI5. Papers that have been brought into the public domain show that the Mosley movement was certainly the subject of investigation before the war. One assumes that the National Front is the subject of continued investigation.

Perhaps I disagree with my hon. Friend the Member for Newham, North-West and, if so, it is one of the few disagreements between us. I do not object if organisations of the ultra Left are looked into, because I am in favour of parliamentary democracy, unlike a few Conservative Members. I am totally committed to parliamentary democracy, perhaps if only for the selfish reason—although I hope not—that I know that in a dictatorship I would be one of the first people sent to a concentration camp. I trust that there are many other reasons why I am in favour of parliamentary democracy. I would certainly be joined in a concentration camp by many of my hon. Friends.

Mr. Tony Banks: It would be a pleasure to be there with my hon. Friend.

Mr. Winnick: I do not think that it would be a pleasure.

Perhaps I am also strengthened in my defence of parliamentary democracy because my ancestors lived in a country where there was no rule of law. They knew very well what happened when abuses occurred, and those abuses were often at the instigation of the police. I do not want to live under such a system. One of the reasons for my ancestors coming here was that they wanted to live under the rule of law and found such a life a great blessing compared to the situation in which they had lived before. I have many reasons for being grateful to this country, one of them being that it gave hospitality to my ancestors. Although they were not fleeing, they wanted to live in a different political climate.

My final point is about the right of protest, advocacy or dissent. I know that that is covered in the amendment tabled by the hon. Member for Aldridge-Brownhills and it is also covered in new clause 4, which is mine. That new clause clearly says:

"Nothing shall be done under this Act which undermines the right of protest, advocacy or dissent."

The Home Secretary will almost certainly say that nothing is done to undermine those democratic rights. But enough has been said in the debate today and yesterday and on previous occasions about the way in which people who legitimately engage in dissent on nuclear disarmament or civil liberties or on other matters have been investigated by MI5. It is quite likely that the Bill would not be before us if it were not for the outstanding cases to be brought by my hon. Friend the Member for Peckham (Ms. Harman) and Miss Patricia Hewitt to the European Court of Human Rights.

7 pm

When those cases are brought before the European Court of Human Rights—and they will not be abandoned—no doubt the Home Secretary or his agent will say, "These changes are taking place", and that will be his defence. If what I have said is right, we owe a tribute to those two women because they have demonstrated that if, in a parliamentary democracy, one is the subject of abuse, and if the state has acted against one without reason or justification, that should be pursued. That is a right that we should exercise whenever necessary.

We should say time and again as we debate the Bill that the right of protest, advocacy or dissent—no matter how much one disagrees with the Government, be they Labour or Tory—are basic rights that should be protected at every opportunity, especially as the Home Secretary would not deny that abuses have occurred in recent years.

In a foolish and stupid intervention, the hon. Member for Torbay suggested that there was some justification for investigating Lord Wilson. What was the reasoning of some MI5 official that Lord Wilson should be investigated, when even in his student days at Oxford—perhaps this is a criticism of him in relation to some of the ways in which young people of the time were protesting over what was happening in Spain and Munich—he was in no way involved? If a person such as he could be subject to investigation and suspicion—sustained suspicion, if the hon. Member for Torbay is right—simply because Lord Wilson made 18 or 19 trips behind the Iron Curtain, something must be very wrong indeed with certain officials involved with MI5 and with the attitudes of some Tory Members.

I hope that the Home Secretary will recognise why my hon. Friends and I have tabled this series of amendments and why they should be accepted.

Mr. Andrew F. Bennett (Denton and Reddish): I do not find it as easy as does my hon. Friend the Member for Walsall, North (Mr. Winnick) to define parliamentary democracy. Because it is so difficult to define, perhaps the Home Secretary will provide us with a definition. It may be said that parliamentary democracy can easily be recognised, but what is or is not permissible under a parliamentary democracy is more difficult to spell out.

I welcome the amendment standing in the name of the hon. Member for Aldridge-Brownhills (Mr. Shepherd) because it represents at least an attempt to deal with clause 1(2), which is most unsatisfactory. In that connection, it is unfortunate that we are debating the Bill on the Floor of the House because that denies us the opportunity of the more detailed scrutiny of the measure that would take place in Committee upstairs, and we will not be able to return to many of these issues on Report.

There is disquiet about the way in which subsection (2) is drafted, and it is unfortunate that because of the way in which the selection of amendments has been made, of which I make no criticism, we are having to debate many important issues together. Hopefully the Home Secretary will give his definition of parliamentary democracy so that we may judge how far activities that most of my hon. Friends would consider to be perfectly legitimate might be considered as undermining parliamentary democracy.

My amendment No. 81 would delete the word "undermine" and I have tabled it in an effort to discover

[Mr. Andrew F. Bennett]

whether what I consider to be legitimate protests would come under the definition of activities that the Security Service should be trying to thwart.

Parliamentary democracy is much more than conducting elections or having votes in Parliament to give legitimacy to measures. There could be an element in a parliamentary democracy by which the minority gives its consent to be ruled by the majority. That is a difficult concept to develop and one which the Government do not fully understand, considering the way in which they treat certain parts of the British Isles, where the majority of people do not consent to the measures which are being inflicted on them by the Government.

I will not pursue that aspect far. If the elected Government of the day impose an incomes policy and trade unions decide that such a policy is not acceptable, and they set out to try with industrial action to undermine that policy, is that a form of legitimate protest and dissent which they are entitled to pursue without being subject to scrutiny by the Security Service?

There are many areas where individuals might try to alter Government policy by taking action. They may protest and organise in peaceful ways but ways likely to cause inconvenience and difficulty to other individuals. That would seem to me to be legitimate; the tradition in this country of peaceful, passive resistance is to be admired and that would not seem to be an area in which the Security Service should intervene.

Once one moves from that area of peaceful activity to violent activity, there is every reason why the Security Service should be involved. But I am not certain that the Home Secretary shares my idea of the division between peaceful and violent protest. The definition of the hon. Member for Aldridge-Brownhills appears to be nearer to my definition than that which the Home Secretary would probably give.

Clause 1(3) is extremely puzzling. On Second Reading several Members spoke of the economic well-being of the nation and the half answer we received from the Home Secretary was to the effect that our economic well-being was well defined and was contained in international treaty. I found that puzzling because if representatives of foreign Governments got together to cause a run on the pound or tried to create some other economic problem for us, that would be a legitimate area for the security services to investigate. But if the same people did the same thing in the City of London, it would appear not to be a legitimate area for investigation because subsection (3) refers to

"threats posed by the actions or intentions of persons outside the British Islands."

That is puzzling because it seems to imply that the security services, which I understand operate within the United Kingdom, should try to find out what is going on abroad, whereas if the same activity appears to be happening within the country, that is not a legitimate area for investigation.

My hon. Friend the Member for Newham, North-West (Mr. Banks) made great play with the fact that in his view the Bill is about serving the capitalist system. I should have thought that his remarks were relevant to subsection (3), the economic well-being of the nation. The difference between our economic well-being and capitalism would, I imagine, be hotly debated in this Chamber. It is an area extremely difficult to define, and that is why the Government should delete clause 1(3).

My amendment No. 82 is concerned with clause 2(2)(b) which states

"that the Service does not take any action to further the interests of any political party."

Why is that provision necessary? It seems automatic that the Security Service would not take action in the interests of any political party. But if it is necessary to include such a provision—and I can see good reason for having it—it should go further and add, as I suggest, that the Security Service should not take any action in support of

"any individual, any company or any organisation."

In other words, the Security Service should not be partial. In recent years there has been evidence to show that some people in the Security Service have operated in a way that has favoured the interests of a particular individual.

There was a feeling that Chapman Pincher, as a reporter with the *Daily Express*, obtained certain pieces of information—or gave the impression that he had obtained certain pieces of information—because he was on a favourable footing with the security services. That state of affairs appeared to favour him as a journalist and to favour the security services because the information that he revealed helped them. I am sorry that the hon. Member for Torbay is not here at the moment. He gave the impression that certain people in the security forces have been more willing to talk to him than they have to other journalists. That has worked to his benefit because it has helped to build up his reputation as an expert on the security services. Presumably it has also helped the security services as they believe that they have found someone to put forward their point of view. The security services should not operate in favour of any individual in that way.

I wish to deal now with the question of how far the security services should, or should not, operate in favour of a particular company. There is probably far more talk than action about the way in which other countries want to obtain good intelligence about our military operations and capability. Other Governments are keen to obtain that information, but there are many companies involved in the armaments industry for which it is just as important to know the exact capabilities of weapons systems made by other companies so that they can further their own commercial interests. That issue becomes particularly difficult when multinational companies are involved. They want to collect information about a weapons system so that they can put forward their system as the better system or find a defect in the system so that they can find a niche in the market. The security services should not operate a policy that favours particular companies.

Those companies obtain a great deal of information from the ex-civil servants and people with a military background whom they employ. The security services should not favour any particular company or organisation. Some organisations have strong political links. It is not just political parties that contest elections, but anyone with strong political views which may be incorporated in an organisation, although such an organisation may not be recognised as a political party that puts up candidates for election.

The Government must explain why it is necessary to define a political party as not having any support from the security services and why it is not necessary to include companies or organisations in the provisions. I hope that

they will explain why they have included clause 1(3) and that, as a result of this debate, they will find a far better definition than is included in clause 1(2).

The Secretary of State for the Home Department (Mr. Douglas Hurd): It may be for the convenience of the Committee if I speak now because the Committee has listened to all those hon. Members who tabled amendments. I should like to cover most of the points that have been raised.

We have all enjoyed the increasingly frequent trips of the right hon. Members for Chesterfield (Mr. Benn) and for Blaenau Gwent (Mr. Foot) back into the 17th century. I know that the right hon. Member for Chesterfield is an addict because he occasionally visits, in Burford churchyard in my constituency, the place where his heroes, the levellers, were taken out and shot by the hero of the right hon. Member for Blaenau Gwent, Oliver Cromwell. Obviously they have composed their differences today.

The right hon. Member for Blaenau Gwent said that we are taking an area of public activity out of the realm of the prerogative and putting it into the realm of statute. He described that as the process of 1688. He was right to say that, as we are proposing to do that, the House should consider carefully the definitions proposed by the Government because they are now in statute and statute is in the custody of the House.

My hon. Friend the Member for Thanet, South (Mr. Aitken) then carried the argument forward logically. He was too skilful to ask for details of what was done, or not done, in the past, but he used his examples to pin us down about the future. We have asked Parliament to define closely, for the benefit of Government and the Security Service, the limits within which the Security Service will have to operate in future. That is the purpose of the Bill. We are asking Parliament to set limits which will be binding in future. It is therefore perfectly legitimate that we should spend a great deal of time on how those definitions are worked out.

7.15 pm

Then, logically, we come to the scheme produced by my hon. Friend the Member for Aldridge-Brownhills (Mr. Shepherd). We should be clear about the difference between his approach and that of the Government, which is not a fundamental difference of principle, but one of flexibility, or relative inflexibility. My hon. Friend put his case very reasonably. In amendments Nos. 46 and 47 he seeks to define absolutely and comprehensively the purposes of the Security Service. The Bill takes a different approach. The House should understand that; I do not want anyone to be deceived hereafter. We define the protection of national security as the objective. The Bill states:

> "The function of the Service shall be the protection of national security".

We then list a number of issues that fall into that category, which, at present, includes most of the activities of the Security Service.

Under our supposition, other activities could be included, provided that it is for the protection of national security. The hon. Member for Caithness and Sutherland (Mr. Maclennan) raised this point. He was modest about his exposition of the case, but he put it very clearly. If we accept the Government's approach in the Bill, and if, therefore, the Security Service is not absolutely confined by the definitions of the moment—for example, the definitions in my hon. Friend's proposal—will its scope go too wide? I should like to address that point.

Mr. Richard Shepherd: I hope that my hon. Friend will clarify one point. Is he saying that this is only a partial definition? I should have covered the implications of the phrase "in particular" because it has tremendous implications for the issue of warrants. The Home Secretary, guided by the reference point of the statutory duty regarding the issue of warrants, controls the way in which national security is defined. The use of the phrase "in particular" appears to indicate that the provision refers to only some of the duties, albeit the principal ones. It implies that there are additional duties which could take the issue much wider. It makes it difficult for the House to judge the matter in the context of the issue of warrants.

Mr. Hurd: I am coming to precisely that point. So far, I have set out the difference between the approach of my hon. Friend the Member for Aldridge-Brownhills and the approach in the Bill. That difference was clearly expounded by the hon. Member for Caithness and Sutherland.

The definition has to be comprehensive. The committee would not want to establish a description of functions that did not cover all areas in which the Security Service might, now or in the future, have to become involved. If the committee did that, it could create an intolerable position, where the Security Service might be powerless to defend us or where there might be great pressure and, therefore, strains on the way in which the legislation was interpreted and understood. It would be wrong for the committee to establish a Security Service that was unable to protect the security of the nation from whoever threatened it.

The term "national security" relates to the survival and well-being of the nation. That has been the continuing and consistent understanding of successive Governments and Parliaments. One can imagine a situation—I ask my hon. Friend the Member for Aldridge-Brownhills to consider this point—where everyone would expect the Security Service to take a hand in protecting the national security. No matter how clever we are now in working out allegedly comprehensive definitions, we may not succeed and the Security Service may find itself in a legal difficulty. For example, a new and devastating weapon could be secretly developed which had clear and obvious implications for the defence of this country. Unless it fell absolutely within the definitions set out by the committee if it adopted my hon. Friend's proposal, the Security Service could not do anything to identify or prevent the threat unless it involved terrorism, sabotage or the activities of agents of foreign powers.

My hon. Friend the Member for Thanet, South illustrated my point in his amendment requesting the addition of the word "chemical". He is concerned about a danger—he expressed his fear dramatically and well—which, he believes, is not only on the horizon but almost upon us. He believes that the Security Service should be trained and able, within the remit outlined in the Bill, to deal with that danger. Another hon. Member might make a similar speech about biological threats, but that issue is not dealt with in any of the amendments. My hon. Friend's point illustrates the difficulty of attempting to take into account all the uncertainties of the future.

Several Hon. Members *rose*——

Mr. Hurd: In drafting legislation that relates to the nation's security we cannot avoid recognising the fact that we cannot always foresee from where the next threat will come. If we had been drafting this legislation 30 years ago we might not have put the emphasis on terrorism as the Bill and the scheme of my hon. Friend the Member for Aldridge-Brownhills do.

The Bill allows the Security Service to identify and, if necessary, take action to prevent such threats. It is right to do so. However, clause 1 makes it clear that the Security Service is not able to act except to protect the security of the nation and to safeguard its economic well-being from outside threats. It cannot act in support of sectional and other interests without acting outside its remit.

Mr. Richard Shepherd: As I understand it, my right hon. Friend the Home Secretary says that the function of the Security Service shall be the protection of national security. He has added a few other words to show the extent to which that is so, but they are merely the icing on the cake. The essence of the clause is to say that the function of the Security Service is the protection of national security. That requires no definition because we have talked about it in previous debates and exigencies that we cannot now contemplate may arise in the future. Clause 1(2) cannot be an all-embracing definition, although it relates to a few serious threats to the nation. It is broad and it is not a definition of the proper function.

Mr. Hurd: My hon. Friend has a different approach designed to provide, in January 1989, a comprehensive breakdown of how the protection of national security should be achieved. The Bill does not do that and I have explained why. I do not think that we can do that. My hon. Friend the Member for Thanet, South, by trying to add to that comprehensive breakdown an aspect which he believes to be important, has illustrated my point.

Mr. Maclennan: The Home Secretary has taken issue with the attempt to define national security as set out in the amendment tabled by the hon. Member for Aldridge-Brownhills (Mr. Shepherd). I prefer the hon. Member for Aldridge-Brownhills' amendment and I put my name to it, but there is an alternative. My amendment No. 74 was designed to give effect to what the Home Secretary has just said about the breadth of the phrase "national security". The Home Secretary said that by "national security" we mean that which threatens the safety and well-being of the state. That is an objective test which was included in Lord Harris of Greenwich's definition and in the Maxwell Fyfe directive. However, for some reason which is not clear to me, the Government have departed from their earlier definition and are using the phrase "national security" as if its meaning were obvious. As a result, they are opening wide the ambit of the service to look not only at matters which by any test are a threat to national security but at matters which are not a threat to national security and should not be covered by the Bill. Why will the Home Secretary not accept the language of Lord Harris of Greenwich's definition?

Mr. Hurd: I have just re-read the hon. Gentleman's amendment. He seems to accept the basic point that it is difficult to define by statute all the circumstances in which the Security Service might intervene to protect national security. I have given one or two examples, and my hon. Friend the Member for Thanet, South gave another in the form of an amendment.

Having re-read the hon. Gentleman's amendment, I do not think that it alters the position. The Bill as drafted sets out clearly the bulk of the activities of the secret service. That is not defined in a way that would prevent the service from moving into new spheres if it was found to be necessary.

Mr. Richard Shepherd: Will my right hon. Friend give way?

Mr. Hurd: I wish to get on. This is a Committee stage and my hon. Friend will have an opportunity to speak.

Mr. Shepherd: I wish to elucidate a point. That is the purpose of a Committee, it it not?

Mr. Hurd: Yes. I shall give way to my hon. Friend.

Mr. Shepherd: My right hon. Friend the Home Secretary made much of the concern about the word "chemical". Paragraph (a) of amendment No. 47 provides a mandate by which to pursue anxieties involving chemical warfare. It may be defined as sabotage and may be said to be detrimental to the interests of the United Kingdom. It could be covered by paragraph (b), which involves a "threat to any person". There is a series of catch-alls for the contingency which concerns my right hon. Friend the Home Secretary and the House. The definitions in amendment No. 47 are wide enough.

Mr. Hurd: I do not think that we can be sure that they are wide enough. If a crisis arose, it might be possible to slot it into my my hon. Friend's definitions. Presumably my hon. Friend tabled the amendment because he fears that it might not be possible, and it is better to be clear beyond peradventure that it fits in. Obviously my hon. Friend the Member for Thanet, South was not content to take his chances with amendment No. 47. In picking up his point and the points raised by the hon. Member for Caithness and Sutherland, I am expounding the Bill as it stands.

Mr. Allason: Does my right hon. Friend's definition of national security include a Security Service investigation of a leak inquiry into the loss of a DHSS document?

7.30 pm

Mr. Hurd: The matter has been raised, and I have a statement of the present situation which would remain unchanged under the Bill. It is for Departments to make proper arrangements for the security of their papers before there is any question of a leak. They may take advice from the Security Service where appropriate. If there is reason to believe that departmental information has been leaked, obviously it is for that Department to deal with it. The advice and assistance of the Security Service would not be sought unless issues of national security were involved. That seems to me to be a reasonable position.

I listened carefully to the hon. Member for Walsall, North (Mr. Winnick) and studied his amendment No. 40. Of course we are familiar with the different aspects of our national life. Indeed, in another context there is a proposal before the House concerning Northern Ireland. It is perfectly true that police constables and members of the armed services are given particular powers under the Crown. I do not consider that members of the Security

Service are in that category or that it would serve the purpose which the hon. Gentleman had in mind to put them, but not other civilian servants of the Crown, in that position.

I now move to the concern about subversion which has been expressed by just about every right hon. and hon. Member who has spoken in this debate. It is generally accepted that the Security Service must be able to protect the nation from those who threaten national security by seeking to undermine or overthrow parliamentary democracy. There are differences in interpretation, but I do not wish to accept the invitation of the hon. Member for Denton and Reddish (Mr. Bennett) to describe exactly what is meant by parliamentary democracy. If the House accepts the Bill, I do not consider that the courts will have very much difficulty on that point. The question concerns the definition of subversion. Despite their deep scepticism, I should like to allay the genuine concerns that have been expressed by the Opposition and by Conservative Members about how that is to be defined.

We start from the definition by Lord Harris of Greenwich, who has had a terrible mauling from his previous friends. When the right hon. Member for Blaenau Gwent was in full swing about the horrors of that definition, I noticed the right hon. Member for Morley and Leeds, South (Mr. Rees) look rather attentively at his papers because he specifically endorsed that definition when he was Home Secretary. Therefore, it has a rather more distinguished lineage than the right hon. Member for Blaenau Gwent gave it credit for. It states:

"Subversive activities are generally regarded as those which threaten the safety or well-being of the State and which are intended to undermine or overthrow Parliamentary democracy by political, industrial or violent means."—[*Official Report*, House of Lords, 26 February 1975; Vol 357, c. 947.]

The hon. Member for Caithness and Sutherland was anxious that both legs of that definition—I think that he described them more elegantly as limbs—should appear in the Bill. I hope that I can persuade him that that is already the case. First,

"the safety or well-being of the State"

is covered by the reference in the Bill to

"the protection of national security".

I repeat that national security can relate only to the safety or well-being of the nation. The second limb is also spelt out in the Bill. I ask the Committee carefully to consider the restrictions in the Bill on that part of the functions of the Security Service. The Bill homes in on

"actions intended to overthrow or undermine parliamentary democracy by political, industrial or violent means."

Therefore, it is clear that there has to be a deliberate intention. It is not enough that a person's actions might be argued to have that unintended effect. However, if that is someone's deliberate intention, it is reasonable to include in the Bill those who seek to undermine parliamentary democracy as well as those who aim to overthrow it, otherwise there would be a weakness in our defence.

Mr. Winnick: Will the Home Secretary give way?

Mr. Hurd: I shall complete my argument before I give way to the hon. Gentleman, who has tabled amendments on this matter.

Under the provisions of the Bill, even that would not be enough to bring the Security Service into play. As clause 1 is drafted, the Security Service could do nothing unless such intentions represented a real threat to the security of the nation. I consider that it is a reasonable definition. It includes

"political, industrial or violent means"

because it would be naive to suppose that people with such a deliberate intention could not represent a threat to the security of the nation by exploiting the industrial life of the country. Under the restrictions that I have defined, it would not be sensible to accept the amendment that seeks to delete the word "industrial" because it is possible to conceive of people in that category using industrial means for their purposes. It does not mean that anyone engaged in industrial action is liable to the attention of the Security Service. I shall return to that point more positively in a moment.

Mr. Winnick *rose*——

Mr. Buchan *rose*——

Mr. Hurd: The hon. Member for Paisley, South (Mr. Buchan) has not yet spoken, but I shall give way to him and to the hon. Member for Walsall, North when I have completed my argument on this point.

The Security Service should be able to identify and obtain information about those who exploit freedoms under the law to overthrow or undermine our parliamentary democracy. That is preferable to waiting, helpless and ignorant, until some illegal or violent action is taken to overthrow our democratic system. Therefore, I believe that the Bill is correct in that. I hope that I have shown the Committee that the power of the Security Service is strictly limited. We knew that that would be a particular concern, and we have spent a substantial amount of time mulling over it.

Although the right hon. Member for Blaenau Gwent pressed me hard to accept the amendment, he suggested that it might be useful if I spelt out the point in a more positive way. The hon. Member for Denton and Reddish also came close to making that point. There is no power in the Bill to enable the Security Service to take any interest in any person or organisation or any activity or enterprise which presents no threat to the security of the nation as a whole. It does not matter if such people have views on the structure or organisation of Parliament or if they are involved in seeking to change industrial practices in this country or to negotiate a better deal if they are members of trade unions, or if they seek to challenge or change the Government's policies relating to defence, employment, foreign policy or anything else. The narrow party political interests of the Government of the day have no part to play in deciding on the necessary involvement of the Security Service. Its sole criterion in relation to a subversive threat is whether there is a deliberate intention to undermine parliamentary democracy and whether that presents a real threat to the security of the nation.

In the light of the comments made in yesterday's debate, I asked for such a statement this morning, perhaps rather foreseeing the point made by the right hon. Member for Blaenau Gwent. I do not expect hon. Members to accept it in toto because that is not the nature of the debate. I hope that right hon. and hon. Members find that interpretation useful, and to some extent reassuring, in defining the purpose of the Bill. It is not meant as a declaration of ministerial policy but a statement of what the Bill contains.

Mr. Winnick: What has just been stated by the Home Secretary should be in the Bill itself, so that there can be no doubt or ambiguity. Also, given that Lord Harris of Greenwich's definition has become so controversial and has been abused—though the Home Secretary will not admit it—what is wrong with the original definition given by Lord Denning, which was in use until 1975 and whose terms I have included in amendment No. 76? What is wrong with amendment No. 77, which would insert, instead of Lord Harris's definition,

"which are calculated to overthrow Parliamentary democracy"?

Mr. Buchan *rose*——

Mr. Benn *rose*——

Mr. Hurd: It may be helpful if I give way immediately to the hon. Member for Paisley, South.

Mr. Buchan: It is not good enough for the Home Secretary to make a statement of the kind that he has made when the interpretation he offers could be accepted and written into the Bill by a Government amendment. There is no security provided by any statement made by a Minister at the Dispatch Box. There are other ways of dealing with the matter. A schedule can be inserted for the avoidance of doubt. It could be included in the Bill, preceded by the words

"nothing in the above section means"—

or something of that kind. Such an addition will provide security. Otherwise, the Home Secretary will create great anxiety and terror among many people in this country.

Mr. Hurd: I was not attempting to make a statement of ministerial policy. Instead—and I took some care about it—I responded to an invitation extended by the right hon. Member for Blaenau Gwent, though I did not know that I would be doing so. What I set out is the interpretation of the Bill. It is a description of what the Bill contains—not only in clause 1 but in other clauses—including that concerning political influence.

Mr. Foot: As the right hon. Gentleman has made his statement in the form that he has, I hope that he will consider incorporating those same words into the Bill—though whether they go as far as we would wish is something I should like to consider. If the Home Secretary incorporates those words into the Bill—and I trust that he will do so—I hope that he will then give the House an opportunity to consider them again, and to amend them if necessary. That is the proper way by which the House should legislate. I invite the right hon. Gentleman to take that course, which would be a concession that the House will greatly value.

7.45 pm

Will the Home Secretary also tell the Committee what he proposes to do about the suggestion that the amendment of the hon. Member for Aldridge-Brownhills (Mr. Shepherd) deals with lawful advocacy, protest or dissent, unless it is carried on in conjunction with any of the activities to which the clause refers? Will he also undertake to ensure that such a provision, whether in the form suggested by my hon. Friend the Member for Walsall, North (Mr. Winnick) or in some other, will be included in the Bill? If he includes both, we shall be making a real advance. Certainly the Home Secretary must tell the Committee what is his view of the clause, which is designed to protect liberal argument and discussion in the way that it has been understood in this country for many generations.

Mr. Hurd: If the right hon. Gentleman studies the Bill—I have drawn on clauses concerning political bias that we have not yet reached—he will find that the points about dissent that concern him are covered. The scope of the Security Service is as I have rather carefully stated it. The definition of national security is as I have rather carefully stated it. I do not intend improvising further on that point. I am sure that anyone studying my remarks against the background of the Bill will find in the Bill textual justification for everything that I have said. I am not attempting to add a ministerial gloss. I am simply stating the Bill's impact.

7.45 pm

Mr. Benn: It is well known that, when a case goes to court, the views of a Minister when presenting a Bill to the House carry no weight with the judges, who are there to interpret the words of the statute approved by Parliament and not the opinion of the Minister, who may be a bird of passage.

By uttering words that we cannot examine in writing and amend, the Home Secretary denies us the power—even if we agree with every word of what he said—to enact in statute the assurance he gave. His assurance will not carry any weight in another place, because it was made in this House. Also, is it a collective statement? Has that statement been through the Cabinet, or is it just the Home Secretary's way of getting out of a difficulty in the light of the powerful arguments made today? I hope that the Home Secretary recognises that I am not being discourteous or unsympathetic but that we want matters affecting civil liberties to be enshrined in statute rather than rely on Lord Kilmuir or Lord Harris of Greenwich, or—dare I say it?—the present Home Secretary, whose future authority may not last for ever or be held to be adequate.

Mr. Hurd: Of course it will not last for ever, and I am not pretending that it will. I do not know whether the right hon. Member for Chesterfield was present in the Chamber when his right hon. Friend the Member for Blaenau Gwent invited me to give the interpretation that I did. The right hon. Member for Blaenau Gwent said that it was not binding in a court of law. I am not seeking to add to the Bill. I am simply explaining what the Bill contains, which is the whole purpose for which it has been worked out by the Government.

My hon. Friend the Member for Aldridge-Brownhills drew attention to the European Court of Human Rights judgment in the Leander *v.* Sweden case in 1987. We are satisfied that the Bill meets the requirements of the convention, taking account of its terms and of case law, including the judgment to which my hon. Friend referred.

I come to the separate point concerning the nation's economic well-being, which is the subject of several amendments, and on which the hon. Member for Denton and Reddish spent some time, as did other hon. Members. The purpose is to allow the Security Service to safeguard the United Kingdom's economic well-being from hostile foreign actions and adverse developments arising outside these islands. It relates to foreign affairs and not to the domestic affairs of this country. The hon. Member for

Denton and Reddish made a critical point, but what would be his view if protection of the nation's economic well-being had not been confined to threats from outside these islands? He would immediately pounce on the Government for attempting to allow the Security Service to intervene in any form of industrial action that might damage the country's well-being. That aspect is deliberately restricted and confined in the way that the Bill sets out. By virtue of the reference to the United Kingdom, it must be a matter of national significance, and not something trivial or peripheral to the nation's economic well-being.

My hon. Friend the Member for Aldridge-Brownhills knows that the European convention on human rights defines a nation's economic well-being as being a matter of proper concern for a public authority. However, the Bill offers a much narrower definition than does the European convention on human rights. It is proper that the Security Service should be able to join with others in safeguarding the nation's economic well-being from outside threat. It must be in a position to contribute to that objective when it is best placed to do so—and that requires an appropriate provision in the Bill.

It is not difficult to envisage the circumstances in which such a safeguard will be needed. One does not need to use one's imagination, because two such threats arose in dramatic circumstances over the past 20 years. It can happen that there is a threat from abroad in respect of a commodity upon which we are particularly dependent. One can think of oil as being such an example from the past, though not now. One thinks also of foreign powers employing covert intelligence methods to obtain scientific and technical secrets—though not by using agents, which will be covered either by the Bill or my hon. Friend's alternative.

Although such occasions may not arise frequently, it is important that the Security Service should have the necessary power, subject to the restrictions and with the definition that I have explained, particularly as it is a power envisaged by the European Court of Human Rights as one for which the state may have special responsibility.

I have tried to give way, as is right in Committee, and I hope that I have dealt with all the substantial points made on both sides of the Committee. Yesterday's debate was on a major point of principle. I do not think that questions of definition present such major points of principle, but—as the right hon. Member for Blaenau Gwent and my hon. Friend the Member for Aldridge-Brownhills pointed out—they are crucially important as the legislation goes on to the statute book.

I do not wish to be polemical, but we are still in a certain amount of difficulty because of suspicions felt especially by Opposition Members, which, although they are largely unfounded, somewhat obscure their vision of the future. I hope that, as they examine the Bill—which will bind the service and Ministers in the future—as it is and as it will be interpreted by the courts, they will find that, although it does not include everything they want, such as parliamentary oversight, it is a substantial step forward that most hon. Members will welcome.

Mr. Foot: We still hope that, having gone so far, the right hon. Gentleman will be prepared seriously to consider incorporating in the Bill the form of words that he has put forward. The Bill will have no Report stage unless an amendment is carried, and we want a chance to examine the wording.

I do not think that the right hon. Gentleman has answered the central question that I have put to him, as have other hon. Members: why do the Government refuse to include wording that underlines that lawful advocacy, protest or dissent carried on in normal ways is perfectly appropriate and that no Security Service operations can be allowed to interfere with it? Why do they not seize the opportunity to remove some fears by incorporating such a provision, in their own words if they wish? If, as he has said, that is what the Home Secretary means, why does he not say it in the Bill?

Mr. Hurd: The Bill sets about the problem in a different way. It sets out to say what the Security Service can do rather than what it cannot do. It uses the Harris definition, which the right hon. Gentleman so dislikes, of subversion and the restrictions of damage to the United Kingdom as a whole, and the other restrictions that I have spelt out. Although, as is the custom in statute, the Bill approaches the question by saying what a Government can do, I think that the right hon. Gentleman will find that it arrives at the same conclusion.

Mr. Buchan: I shall endeavour to be brief because there are many serious points to be made by my colleagues and we hope to achieve at least some progress in ministerial understanding. We have some serious words to say to the Home Secretary. He recognised, or at least said that he recognised, the genuine anxiety felt by Opposition Members. I stress that we are not engaged in a political ploy; we are desperately anxious about the present nature of the Bill and the resistance to change embodied in it. I remind the Home Secretary that we have only one opportunity to look again at the Bill in the light of his statement. If he accepts a small amendment today, we shall be able to debate the Bill on Report. There are several minor amendments which, if the right hon. Gentleman accepted them now—or accepted one of them—could be rejected on Report if he wished.

Freedom is not a simple thing. It is very fragile, and I think that the Home Secretary is taking the concepts developed in the Bill rather too lightly. Yesterday we tried to find means of controlling the Security Service; today we are considering what is to be controlled. The position is the more serious because we made no progress yesterday in allowing the operations of the service to be brought before a Committee of the House. We are faced with a double jeopardy. The Security Service will be under the sole control of the Home Secretary and the Prime Minister, with no public, representative or accountable analysis to be carried out by Parliament. Moreover, the material with which the service will be legally empowered to deal is, in our view, wide, extensive, dangerous and genuinely worrying.

This is not a political point. It is one thing for those who make up the structure of government to behave in a secretive fashion, getting up to a kind of skulduggery—as it must now be seen—and sanctifying their behaviour by the law. The state as a whole is then moved towards accepting the destruction of freedom. When that was done in an underhand way—under the counter, as it were—at

[Mr. Buchan]

least the basis of freedom sanctified in nation and state was maintained. But when it is made legal the state is in a mess: it is indeed in danger.

The Bill says that the function of the Security Service is to protect the nation

"from the activities of agents of foreign powers and from actions intended to overthrow or undermine parliamentary democracy by political, industrial or violent means".

If that definition is not confined or limited, it will be an open sesame for this or any future Home Secretary. Without power to control, our parliamentary democracy cannot be regarded as safe. Parliamentary democracy is in a very weak condition. On issue after issue we have had to rely on the House of Lords to be progressive and to safeguard the well-being of the country.

I was waiting to hear on what basis the Home Secretary could reject the words of safety introduced in many of the amendments, particularly those of his hon. Friends in amendment No. 47. They were not rejecting what he now says is the purport of the Bill; on the contrary, it was assumed that that should be its purpose. Amendment No. 47 defined and therefore limited it so as to bring about the safeguards that we seek.

We cannot even get it written into the Bill that industrial or political action confined to lawful advocacy, protest or dissent will not be subject to the investigations of a body subject only to control by the Prime Minister. I do not know what security that gives to industrial workers given the behaviour of the present Prime Minister at the height of the miners' strike. If the Home Secretary had visited some of the mining villages he would have known the depth and sincerity of feeling there. The Government regarded the strike as a scandalous operation, not realising that hearts and souls were involved. At the height of that action few of us could see the mining villages without being touched by the genuine decency of the whole operation, but the Prime Minister chose to describe the people there as the enemies within. We cannot trust such a Prime Minister. I believe that I could trust the Home Secretary if he was not controlled by such a Prime Minister—I think that he is displaying weakness, not evil—but we certainly cannot trust a future unknown Prime Minister.

8 pm

In every way the liberties and the freedoms of this country have been whittled away. Now they are being whittled away from Parliament. We are not even given the opportunity to put into legal form the words and intentions uttered by the Home Secretary. If he means what he says, he must put it in the Bill. I too have been a Home Office Minister, or at least a home affairs Minister at the Scottish Office. Time and again one was told, "It is no use standing at the Dispatch Box explaining what you mean because no judge will listen. If that is what you mean, you must put it into legal form." What the Home Secretary means is not in the Bill. If it were, we might be discussing it or amendments to it. The Home Secretary says that it is implied in the Bill, but it is not stated in the Bill. If he wishes to state it in the Bill, there are easy ways of doing it. He could do it in a schedule. He could do it, as I said, by adding that nothing in the subsection affects the safeguarding of protest and dissent. If we examine what the Government actually believe the provision to be saying, it is for the protection of national security. His hon. Friends have defined that in a series of ways and sought to limit it. His answer is that a situation might arise with new elements of terror, as in King Lear's

"such things—what they are yet I know not, but they shall be the terrors of the earth."

That is what he says, but it is nonsense. The threats are of espionage, terrorism and sabotage, but other Members have found means of qualifying that so that protest, dissent and industrial action can be permitted. We plead with the Home Secretary to do the proper thing here. He cannot do it unless he allows a Report stage because the provision is not in the Bill. His words are not in the Bill. If they were in the Bill, he would not have needed to come to the Dispatch Box to iterate them as being his point of view. Let us have a small amendment so that we can come back to the matter on Report.

The legislation introduced alongside this—the legalising of burglary, bugging and so on—is an open and eager extension of what we used to accuse the security services of doing. I have given my own experience in relation to MI5 and the security system. We said that they should not be doing such things and were told that they could not be doing such terrible things. The Bill now says that they can. I do not think that the Home Secretary has taken on board what this is doing to liberty and freedom in this country, any more than he did when he failed to understand the judgment of the Law Lords in relation to the Official Secrets Act and the defence of public interest, which he has apparently discarded.

I regret to say this to a genuinely honest and liberal Minister, but even if we come through this period without this blowing up in our faces he will still go down in history not as the most liberal Home Secretary but as the most illiberal and weak Home Secretary. He can show strength tonight by at least granting that single small concession. Let us have an amendment—there are plenty that he can accept without destroying the Bill—so that we can come back to the matter. Failing that, we must depend upon the House of Lords. What price parliamentary democracy now, when we cannot rely on the House of Commons to defend its own parliamentary democracy but have to rely on the House of Lords to do it for us? We have to look not to the heralds of freedom that we have found on these Benches in the past, but to the judges whose function should be to iterate the law. To them we must turn.

This is a sad day for the Home Secretary and a sad day for the country. I hope that he will rethink.

Ms. Abbott: There is always something slightly "Alice in Wonderland" about discussing the security services, and so it is this evening. About 10 minutes ago I heard a statement of policy by a Minister, who went on to assure us it was not a statement of ministerial policy, and we now understand it cannot stand up in a court of law. I am obliged to ask in all naivety, if it is not a statement of policy and it will not stand up in a court of law, why did he bother to make the statement? Is it simply to reassure us on a personal basis that the Minister is, after all, a kindly and humane man? We are not concerned with that. What I believe my hon. Friends and hon. Members opposite are concerned with is the actual text of the legislation which we are debating this evening.

It is with a certain amount of diffidence that anybody speaks in this debate, which is so full of people who have either worked for MI5 or have fantasised about working

for MI5, and people who are Home Secretaries or have fantasised about being Home Secretaries. Nonetheless, I make a small contribution.

I listened with care to the Secretary of State explaining the tangled and subjective wording around the definition of threats to national security and, as I understood what he had to say, he gave three explanations for words which everyone who has spoken has said are lamentable and fail to meet the case. He said that the wording simply sets out what the Security Service does at the moment. Some of us might say that that is the problem. He went on to say that the wording has to do with the fact that it is, of course, impossible to be comprehensive in a Bill. We on this side would argue that that is mere sophistry. The point which is so important about amendment No. 47 is what it says the Bill does not include. The Secretary of State's final explanation for his wording is that this Bill is about what the Security Service can do, not what it cannot do.

This is the point of many of the interventions this evening. We believe that, given the very wide powers the Security Service has, given the absence of effective parliamentary scrutiny and surveillance, it is crucial that the legislation specifies what the Security Service cannot do, and that is the point of the final two sentences of amendment No. 47.

We have heard from the Secretary of State very beguiling assurances, but they are assurances which have no weight, which have no force, and, above all, would not stand up in court. We on the Labour Benches believe that it is crucial that the text of this legislation embodies something which reflects the final lines of amendment No. 47 and reflects the spirit of what the Minister has said. It is not too late—in fact, it is in all respects appropriate that at the Committee stage an amendment should be brought forward which reflects the concerns that have been expressed on both sides of the House.

Mr. Tony Banks: I have sat right the way through this debate getting more and more concerned by what I have heard raised on both sides of the Committee in terms of the amendments moved, and my fear and trepidation of this Bill was compounded by what the Home Secretary had to say. He gave us a considered view on what the definitions, as he saw it, were supposed to be all about. He gave us what amounted to an assurance from the Dispatch Box with regard to definitions, and yet he was not prepared to agree to a demand from both sides to incorporate such assurances, such statements, within the Bill.

There is no report stage tonight, but what the Home Secretary said earlier could be incorporated in another place. If what has been said at the Dispatch Box tonight were put in writing, we could see how it accords with our understanding of the matter and whether it meets the various poins that hon. Members on both sides of the Committee have tried to put forward tonight. If it does, it could easily be incorporated in the Bill.

The Home Secretary must have thought long and hard about his statement in view of what was said yesterday and what he knew would be said tonight. It would be a shame to waste all that careful consideration and let it pass into the annals of parliamentary history; into the *Official Report*, but not into the Bill.

As a number of hon. Members have already said, all the assurances in the world in Committee when legislation is being drafted mean nothing when the Act is considered in a court of law. We must all assume that the Bill will at some stage be tested in court. Someone will be judging actions against the words of the legislation. We accept that the Home Secretary's intentions are honourable, but we want to make sure that those honourable intentions are enshrined in the Bill so that we can sleep more easily in our beds when it becomes an Act.

As we have said throughout, we want to try to define more narrowly the boundaries within which the security services can legally confine their activities. That is perfectly reasonable. We understand that they operate in a grey area; that is the nature of the security forces. So much more important, then, is it that we should make sure that as far as possible we define their activities within that grey area. There will always be areas of discretion. On many occasions in future the Home Secretary will have to decide whether to authorise certain actions. We accept that as well. But we cannot allow the Home Secretary in effect to say that national security means exactly what he believes it to mean. That is not an adequate definition for us.

There are many things that I could say about terminology. There is no immediate consensus between the Home Secretary, some Conservative Members and every Labour Member who has spoken tonight on parliamentary democracy. My right hon. Friend the Member for Chesterfield (Mr. Benn) was right to ask what would happen if a Labour Government pressed for the abolition of the other place, which at the moment is part of Britain's parliamentary democratic set-up. If the Labour party campaigned at a general election for the abolition of the House of Lords and a Labour Government then took office determined to carry out their manifesto pledge, would they fall foul of the interests and activities of the security services? It could be said that by trying to eliminate the other place the Labour Government were undermining parliamentary democracy.

In a political forum we can never completely agree on definitions that have any form of political connotation. That is obvious. However, it is reasonable to ask the Home Secretary to accept amendment No. 47 which excludes

"lawful advocacy, protest or dissent, unless carried on in conjunction with any of the activities referred to"

from threats to national security which are the subject of activities by the security services.

The Opposition believe fervently and passionately in parliamentary democracy. Some Conservative Members might not believe that, but we do and we always try to preserve parliamentary democracy. The Opposition believe so much in parliamentary democracy that we want to try to achieve Socialism through parliamentary means. Many people outside the Labour party think that we are foolish, indeed stupid, to believe that that is possible. Unless the Home Secretary makes it clear in the Bill that any legal political activities that might call for the removal of capitalism—not the violent overthrow of capitalism—are consistent with the Bill, we shall always believe that the security services will be interested in the activities of Labour party Members and Labour Governments if those Labour Governments are determined to abolish capitalism and replace it with Socialism. That is what we are interested in protecting.

8.15 pm

As I have said, there are many who do not believe that Parliament can be used to achieve Socialism in Britain. As my hon. Friend the Member for Sunderland, South (Mr. Mullin) said in his book "A Very British Coup", when a

[Mr. Tony Banks]

Labour Government threaten the status quo and the capitalist system, they will be destabilised. That is when the extra-parliamentary forces of the Conservative party will start to mobilise themselves in order to destabilise that Government. That is the time when many Labour Members consider that the belief that many Conservative Members say that they have in parliamentary democracy will be stripped away. They will support parliamentary democracy as long as that means the status quo or capitalism. As soon as it means Socialism, we could be accused of undermining parliamentary democracy and so fall foul of the Bill.

I do not expect the Home Secretary to do anything to facilitate the passage of Socialism in Britain through parliamentary or any other means, but those who believe that Parliament can be used to achieve fundamental change in our society have a right to try to achieve that fundamental change. In the end, the issue will be decided at the ballot box. The electorate will decide, not the secret service agencies or the extra-parliamentary forces of the Conservative party.

Amendment No. 47 and all those that seek to prevent the use of violence to overthrow systems that we would support should be enshrined in the Bill. But we are suspicious that, despite all that the Home Secretary has said at the Dispatch Box this evening—no doubt he means it seriously and sincerely—he is not prepared to incorporate it in the Bill. He cannot blame us for suspecting that he does not believe what he has said today and that he has no intention of enshrining it in the Bill.

Mr. Stuart Randall (Kingston upon Hull, West): This issue has roused much passion in the Committee. It has been an interesting debate and I hope that there will be some movement by the Government. The matter has been considered in a completely non-partisan way. It is almost a House of Commons issue. Parliament should have its wishes taken into account in this matter and I hope that the Home Secretary will accept the amendment.

The Bill has been dealt with in a rush. It has had only two days in Committee, yet there is so much to discuss. There is little in the Bill on civil liberties, and the fact that threats to national security do not include lawful advocacy, protest and dissent, must be in the Bill if we are to make any progress on civil liberties. Undoubtedly, the Committee wants change, so I hope that the Home Secretary will do that.

Unlike some other hon. Members, I believe that the Home Secretary has not written off the matter. I listened carefully to his words and he said that we cannot be sure today. I hope that the Home Secretary will give further consideration to the matter and I believe that the House expects him to do so. My right hon. Friend the Member for Blaenau Gwent (Mr. Foot) spoke passionately about the matter and I know that he carried the Committee with him. I believe that, secretly, he carried the Home Secretary with him.

What does the Home Secretary consider to be the mechanisms open to us? This is a Committee of the whole House, which is a fairly unusual procedure. The Bill will not have a Report stage, so how can we deal with this matter?

The Minister of State, Home Office (Mr. John Patten): In Committee.

Mr. Randall: The Minister says something about the Committee. Like my hon. Friend the Member for Paisley, South (Mr. Buchan), I feel strongly that we should deal with this matter in the House of Commons rather than rely on the House of Lords, so will the Home Secretary tell us how we can give further consideration to the matter?

Mr. Andrew F. Bennett: Will my hon. Friend give way?

Mr. Randall: I should welcome the Home Secretary's comments about further consideration.

Mr. Andrew F. Bennett: I wonder whether——

The Temporary Chairman (Mr. Norman Hogg): Order. I am not entirely certain that the hon. Gentleman has given way. If he tells me that he has, I shall allow the intervention.

Mr. Randall: I think, Mr. Hogg, that my hon. Friend caught me before I reached the full stop. I give way.

Mr. Bennett: Will my hon. Friend accept that it is not guaranteed that there will be no Report stage? However, the signs are ominous because the Government have not tabled any amendments and unless an amendment is carried in Committee the Bill will not have a Report stage. It would be perfectly possible for the Government to facilitate a Report stage by accepting one amendment. I believe that it is even possible for the Government to table a procedural motion. Will my hon. Friend press the Home Secretary and persuade him that it would be better to have a Report stage, where action can be taken, rather than to go on to Third Reading, in which hon. Members can merely vote for or against the Bill? I imagine that it has already been fixed up through the usual channels to have a day's debate for Third Reading, but it would be better to use that day for Report and Third Reading.

Mr. Randall: I know that my hon. Friend is good on procedural maters. I hope, therefore, that following the point that he has made, the Home Secretary will accept the amendment. It is important that something should be done tonight. From what the Home Secretary said earlier, I believe that he may not want to rush into any action on this tonight. That has caused me some confusion. I am trying to make some optimistic sounds and I am taking the Home Secretary's words at face value. If the Home Secretary requires time to consider the suggestion, it seems that the Government will not accept an amendment tonight. The Committee is in a dilemma.

I would like the Home Secretary to explain the possible options for accepting, in particular, amendment No. 47. The Committee, unquestionably, supports that amendment. The existing wording in the Bill is open to subjective interpretation. I do not want to repeat all the arguments, expect to say that the Committee supports amendment No. 47 and the Home Secretary would do the Committee a serious disservice were he not to accept it. I believe that, in his heart of hearts, he wants to accept the amendment. It is a step in the right direction inasmuch as it concerns civil liberties—unlike the Bill. It would be good for the Committee and the country if the Home Secretary were to accept amendment No. 47.

Mr. Maclennan: Almost no hon. Member has raised a voice against amendment No. 47. The only hon. Member

who has sought to reject it is, of course, the Home Secretary. However, he is duty bound to listen to the voice of the Committee, which has been virtually unanimous on the matter. The problem has arisen because the Home Secretary has sought to incorporate in statute guidelines that have been used hitherto for the conduct of the Security Service. However appropriate the guidelines may have been for a non-statutory body—and one must call into question whether they were appropriate, in view of the embarrassments to the Security Service that there have been over the past decade from a number of its activities that took place improperly, as no one denies—it is not appropriate to incorporate them in legislation. All legislation that empowers must be precise in its language and make clear which categories of behaviour are legal and which are not.

The Home Secretary has said that he does not want to define the phrase "national security" and that is why he has rejected the approach in amendment No. 47. He has said that he does not wish to define national security because he believes that there are circumstances that cannot be taken care of, by definition, in advance. That is not so. There are no circumstances that are incapable of being provided for if the language used is sufficiently broad to cover any action that constitutes a threat to national security. Because the Home Secretary will not define national security, an immense door has been opened to abuse. It is not part of my case—nor of the case of those who have tabled the amendments—to suggest that abuse is our main concern in setting up a statutory basis for the Security Service. Our concern is that we should have a Security Service that is effective, efficient and accountable and that protects the nation against threats to its life and well-being, which we all recognise exist. If we say simply that the service exists to protect the nation and national security, we open the door to subjective judgments about wherein national security lies, and the definition of what is a threat to national security may become so wide that abuse is inevitable.

I do not accept the suggestion made by the hon. Member for Paisley, South (Mr. Buchan) that the Home Secretary is a naturally liberal man. However, I believe that he is an extremely intelligent man who uses language with care and precision. I think that he has confused the issue slightly by suggesting that there is a definition of national security in the illustrative phrases which follow the words "in particular". He seems to be suggesting that the meaning of "national security" is set out in the references to

"threats from espionage, terrorism and sabotage . . . the activities of agents of foreign powers and . . . actions intended to overthrow or undermine parliamentary democracy."

Those phrases do not constitute a definition. They are only illustrations; they are examples of threats to security. They in no way qualify the general statement that it is the function of the Security Service to protect national security. The provision is too widely drawn, and in putting the Security Service on to a statutory basis Parliament has a duty to say what it means by national security.

8.30 pm

These matters are capable of very subjective judgments. Perhaps in this debate we have sometimes lost sight of the fact that we are talking about a use of powers by the Security Service which in any other circumstances would be regarded as illegal—in some cases, as a flagrant violation of the civil liberties of our citizens. In those circumstances, we need a definition—albeit a broad definition—of national security if we are not to open a door to abuse which we shall have great difficulty in closing against it subsequently.

The Home Secretary says that he has sought to incorporate the concept of subversion set out in the Lord Harris of Greenwich definition. I put it to him, in all humility, that he has not achieved that. In the matter of the construction of language, I believe that he has seriously altered the definition of subversion given by Lord Harris of Greenwich. In the provision that refers to

"actions intended to overthrow or undermine parliamentary democracy by political, industrial or violent means"

the Home Secretary has omitted the other half of the Lord Harris of Greenwich definition, which was that such actions had to threaten the safety or well-being of the state. The exclusion of that qualification means that we have no objective test of whether the actions intended to overthrow or undermine parliamentary democracy are such that they constitute a danger or whether they are simply perceived as such by their perpetrators.

Perhaps in the light of my earlier strictures about the absence of definition of national security, the failure to define subversion in a broadly acceptable way is not of great importance. I think that the Home Secretary wished to perpetuate the definition of subversion accepted by successive Home Secretaries which was set out to the Home Affairs Committee in 1984-85 by his predecessor. I hope that he will reconsider his earlier answer because I believe that the matter is of some importance.

When Ministers have taken great care to reflect their intentions in statute and have chosen words that they believe have served well in the past, they are naturally reluctant to review these matters. However, in the simple matter of statutory construction, the Minister has not achieved what he said he set out to achieve. I hope that for that reason, if not for the wider reason that he is willing to accept some form of definition of national security—which I should prefer to be his reason—he will undertake to look again on Report at the definition of subversion and perhaps agree to accept my amendment No. 74, which does not go to the definition of national security but simply seeks to incorporate the definition of subversion as part of a concept that has stood the test of time, and stood it well. Incidentally, it would also allow the wider consideration of other matters on Report. I cannot see how the Home Secretary can resist that suggestion, as it seeks to fulfil the objectives that he himself expressed support for earlier.

Mr. Winnick: On a point of order, Mr. Hogg. Reference has been made to a Report stage. As I understand it, however, no provision has been made for a Report stage. This is obviously an extremely important matter, and the circumstances have clearly been altered, largely as a result of the Home Secretary's statement. The right hon. Gentleman shakes his head, but he knows the feeling of the Opposition, and among some Conservative Members, that there is a need for a Report stage. I wonder whether you could help us, Mr. Hogg.

The Temporary Chairman: A Bill can have a Report stage only if it is amended. Those are the only circumstances in which a Report stage would be possible.

Mr. Aitken: I intervene to throw my right hon. Friend the Home Secretary a lifeline in the shape of a constructive

[Mr. Aitken]

suggestion. He needs a lifeline because this Committee stage has developed into a true House of Commons exchange of views. My right hon. Friend is in the unfortunate position of the man down a deep hole all by himself, while the rest of the Committee has been making a series of valid criticisms about the highly unsatisfactory way in which the clause has been drafted. My right hon. Friend seems to acknowledge his own unsatisfactory position to some degree. He read out a rather helpful statement, which had the unhelpful dimension to it that it is not included in the Bill.

We are now faced with a clause that includes no definition of national security. I said on Second Reading that this is a badly drafted Bill. Following this Committee stage we can all say "Amen" to that. Clause 1 must win the prize as one of the worst drafted clauses in the history of modern legislation. I wonder whether any recent Bill has included a rhetorical flourish which the phrase "in particular" constitutes. It is as though someone were addressing a loyal group of enthusiastic supporters. In effect, all the words after "national security" are merely a rhetorical flourish—a mere illustration. The words "in particular" could perfectly well be replaced by the words "for example" or "by way of illustration". The words "singing, dancing and tightrope walking" might just as well replace the solemn definition

"espionage, terrorism and sabotage".

The list of activities is merely an extravagant addition, by way of illustration, to the central phrase, and the only phrase which matters—"national security"—remains without definition.

I cannot believe that the other place—with so many minds learned in the law and with so many experienced in parliamentary exchanges—will view the clause with anything other than the grave concern that has emerged in our long proceedings today. I suggest that when the Bill gets to the other place my right hon. Friend the Home Secretary gives an indication that the Government will consider carefully the criticisms that have been made with a view to improving this unsatisfactory definition. At the moment "national security" is undefined. Therefore, the Bill is, in effect, giving a blank cheque not just to the well-meaning Home Secretary of the day, but perhaps to an MI5 in the future which could exercise its formidable powers in distasteful and sinister ways quite undreamt of in the present House of Commons.

Mr. Tony Banks: Would the hon. Gentleman care to push his own Ministers to see whether the Home Secretary is even contemplating bringing something forward in another place along the lines that he has heard us all suggest this evening? Will the hon. Gentleman push his right hon. Friend?

Mr. Aitken: The hon. Gentleman is more or less taking the words out of my mouth. With my customary courtesy, I am endeavouring to give an elegant version of a push to my right hon. Friend the Home Secretary, but he does not often take my advice or suggestions in such matters. However, I hope that he is a good enough parliamentarian to concede that this is an unsatisfactory situation in which to leave the clause. We have had a long debate and the Home Secretary himself must feel some degree of unease, otherwise he would not have popped up with that convenient definition to reassure us all that the Bill may mean something different from what it says.

I hope that my right hon. Friend will take heed of the sentiment of the Committee, which goes right across party lines, and say that in another place he will at least be willing to look at the possibility of accepting a better definition of "national security" than the one that we have now.

Mr. Andrew F. Bennett: I should like to return briefly to this group of amendments. Like my hon. Friends, I feel strongly that the Home Secretary should be prepared to put the words that he read out to the House on the face of the Bill. It would help our proceedings considerably this evening if he could make clear at the Dispatch Box either that he will facilitate a Report stage or that he will make that provision in the House of Lords.

I wonder whether you, Mr. Hogg, could give me some guidance on amendment No. 82. I hoped that the Home Secretary would spend at least a minute or two commenting on it, but I realise that he had a lot of other issues to reply to. I wonder now whether you, Mr. Hogg, will allow a separate vote on that amendment at the appropriate point in our consideration of the Bill. If the Home Secretary catches your eye, Mr. Hogg, in a minute or two, perhaps he will say a few words in reply to my comments which would mean that it would not be necessary for me to press for a vote on that amendment. I assume that as we are in Committee it will be possible for us to have votes on other amendments that are grouped with this first group today if we want to do so when we reach the appropriate point.

The Temporary Chairman: That would be a matter for whoever is in the Chair when those amendments are reached.

Mr. Richard Shepherd: I am grateful to the Home Secretary for giving some explanation of what his own clause meant. I had worked on the assumption that by changing to a statutory basis we were trying to put in the legislation a clear mandate of the purpose, functions and powers of our Security Service and of the way in which it defends our liberal democracy, whatever difficulties that gives to some hon. Members in its interpretation.

However, what we have learned today from my right hon. Friend the Home Secretary is that

"The function of the Service shall be the protection of national security".

That is the definition of the function. Nothing limits it, but my right hon. Friend referred to some judgments, opinions, directives, letters and past views of the remit within that—the definition of subversion. I must advise hon. Members of all parties that what was written in the past and what the intentions then were do not matter, nor do the intentions of my right hon. Friend. We are legislating for a law that can be interpreted by courts and what comes before the courts is

"The function of the Service shall be national security".

But what is national security? It is whatever the incumbent of the office of Home Secretary or of the Prime Ministership determines it to be. It is an unlimited concept. There is nothing in the Bill to limit it. What does that phrase do? It gives the security services the right to enter premises and to remove documents. That is made lawful by the Home Secretary issuing a warrant on the ground

that it is necessary for national security. But what is national security? We do not know. It is whatever the incumbent of the Home Office says.

8.45 pm

That is our anxiety and it is genuine. If we are to stand for anything in this House, that anxiety must go right across the nation. When we give powers to police authorities we say what those powers are about. The Home Secretary said, "I approach this Bill somewhat differently from some hon. Members or from some of my hon. Friends." How right—he does approach it differently. However, the Bill does not set out what the security service cannot do; it sets out what it can do. We are told in the Bill that the security services can do almost anything as long as it is what the Home Secretary determines that they may do on the ground of national security. The Home Secretary would say, "We do not intend to say what they may not do." When we look at any area of our national life and at security in any form, for example, the police force, we have the rule of law and we set out what people may not do, but there is no such injunction in the Bill. Unless I am wrong and unless the Home Secretary points that out, that is an extraordinary position and I am grateful to the Home Secretary for explaining it.

My right hon. Friend the Home Secretary may then go on to say, "Look, here I have a carefully worded statement which will show you that we have always had good intent." I accept that that may have been so in the past and that every Home Secretary that ever was scrupulously went through every activity personally authorising and agreeing it, and only doing good acts and making smiling signs, and being benign in the context of our democracy.

However, we are going further than that. We are giving power to future generations and to future Home Secretaries and no one can assume that they will necessarily be benign. I advise the Conservative party and my hon. Friends that, although we stand for the rule of law and for our fear of the state—I have been elected three times because of the power of the state and in the belief that we were giving power back to the people—we are now saying that the state shall have every power. But who is the state? It shall be whoever is Home Secretary at any given moment. That may be a power that we shall come to regret because no court can question the basis on which this power is granted.

Mr. Nigel Spearing (Newham, South): Perhaps this point has been mentioned already but it follows immediately and most importantly from the points that the hon. Gentleman has just made. Is there not a grey area in the mind of any Minister between the security of the state and the security of the Administration of the day? There are fundamental democratic differences beween the two about which the Bill, as far as I can see, makes no distinction.

Mr. Tony Banks: It has been drafted by Lewis Carroll.

Mr. Richard Shepherd: I acknowledge what the hon. Member for Newham, South (Mr. Spearing) has said because that has been more or less at the heart of our discussions all afternoon. We have tried to set down—it seemed to have some support from all corners of this horse —I mean house but it could be a horse if we were ridden —that there should be a limiting mandate which would try to get out the specific areas of threat in a general way. Although one accepts that it cannot be precise in every detail, it should be a limiting mandate with a limiting clause. The Maxwell Fyfe directive has a limiting clause. We want something like that enshrined in the Bill. We want the functions clearly identified and limits placed on those functions in terms of the lawful dissent which is at the heart of our democracy.

I noticed that my right hon. Friend the Home Secretary in a carefully considered remark said that I was right to refer to the Leander judgment. I genuinely do not now believe, having reread my right hon. Friend's clause——

"The function of the Service shall be the protection of national security"—

that it will meet the contentions of the European Court. My right hon. Friend and the Government will have the greatest difficulty in any submission before the European Court of Human Rights in saying that national security is anything that the Minister deems. In a sense, that is the problem that we are experiencing at the moment. The issuing of warrants on that basis will not and does not meet our rule of law in this area.

As my right hon. Friend rightly said, these matters were based previously on prerogative power and for some reason our courts—and Sir John Donaldson—feel that the rule of law is thrown out of the window in the face of prerogative power. Now my right hon. Friend, quite rightly—everyone must applaud it—is putting that issue on a statutory basis. The very first principle, from Dicey onwards, in the law of the constitution is the rule of law. Of course, until today we could not have a statutory definition of what "national security" means because if nothing exists or if it is only under the shadow of prerogative power, one cannot legislate for a little bit of the prerogative power and say that it is still subsumed by the prerogative power because it becomes paramount to the prerogative power.

We are now asked to try to make the paramount power the legislative power. The supremacy of Parliament is enacted as if it were subordinate to and reflective of the needs of prerogative power, but with the added protection that no judge may look behind it. There is the instruction in clause 1(2) that, whatever the Home Secretary says that national security is and issues a warrant for, it is the law of the land. It is enacted by the House, with all its powers, and will reflect the sovereignty of Parliament in clause 1(2) of the Security Service Bill. I notice that in the Official Secrets Bill it is referred to as enacted in 1988, but we can correct that, no doubt, to 1989. This Bill does not meet our contentions as to the balance of the rights of citizens. Again and again my favourite Home Secretary is educating me on the constitution in an almost malign way, because on every issue he is not weighing up that important balance between the rights of the citizen, the rights of this House and the rule of law, which is why I believe that my right hon. Friend should reconsider the fact that there should be a statutory definition as to what constitutes national security.

Mr. Hurd: I have listened carefully to what has been said since I intervened last time. I understand clearly and I have never cast any doubts on the concerns felt on either side of the House about this matter. In my earlier intervention I tried to deal carefully with both the main points which have, as it were, re-emerged in the speeches of the hon. Member for Caithness and Sutherland (Mr.

[Mr. Hurd]

Maclennan) and other hon. Members, and especially in the speech of my hon. Friend the Member for Aldridge-Brownhills (Mr. Shepherd). I set out earlier the restrictions. It is not a matter of the Home Secretary saying that they exist—they are there in the construction of the Bill. My hon. Friend the Member for Aldridge-Brownhills and other right hon. and hon. Members will be able to see that tomorrow in print. Any interested right hon. or hon. Members who re-read my speech on Second Reading will find—in slightly shorter terms, I agree—in column 1115 of the *Official Report* for 15 December 1988 the same exposition of what the Bill is about as I have made today in response to the right hon. Member for Blaenau Gwent (Mr. Foot). I do not believe that there is a procedural difficulty here of the kind that the hon. Member for Kingston upon Hull, West (Mr. Randall) indicated. Indeed, the record should show that he spoke with something of a grin on his face.

We are in Committee of the whole House, and the Committee has spent today discussing a set of amendments to the Bill. I have tried patiently and at length to cover all the points, which I believe I have done, except for the point about economic well-being, about which I am courteously reminded. I believe that I can say quite honestly that the basis of the Bill and the point about national security being a matter for the United Kingdom as a whole really makes any amendment on that matter otiose.

I have set out at substantial length, point by point, why I believe that as we move towards statute the definitions and restrictions of clause 1(3) are a better way of proceeding than the way that my hon. Friend the Member for Aldridge-Brownhills and the Opposition have put forward. I believe that that is right and will turn out to be right. I was not seeking in the statement, which was treated as though it were something new, to divert attention or to add a little piece of sweetness at the top of the Bill, but I was actually defining what was in the Bill on the matters about which the House has shown concern.

The House is in Committee. It has choices before it. If anyone wishes to press these amendments to a Division, we shall see how the Committee feels about them. When I referred to not being able to make up our minds today, I was referring to the effort made in amendment No. 47 to do that and to set out in statute today an exhaustive definition of the ways in which the Security Service should work. It was in that context that I used that phrase. There are, of course, further amendments and other important parts of the Bill to consider, but if the House approves the Bill it will go to another place, where they have eyes to see and ears to hear, and it will be considered. I cannot go further and say that we shall reconsider it, because that would give my hon. Friend the Member for Aldridge-Brownhills, who made the suggestion, an impression that I do not want to give because I believe that it would be unfair. The Bill as drafted achieves the objectives which I stated on Second Reading and again today. I believe that I have shown that. It is now for this House and then the other place to decide whether they agree with that or whether they prefer some alternative formulation.

Mr. Tony Banks: Will the Home Secretary explain why all hon. Members who have spoken, on both sides of the Committee, have felt the need to incorporate into the Bill the interpretation that he actually gave? Why does he believe we want that? Apart from the Home Secretary, not one hon. Member has argued against that. Has nothing that has been said on either side of the Committee given rise to one smidgen of thought in the Home Secretary's head that he should perhaps think about this a bit more and come back with an announcement later?

Mr. Hurd: I have listened carefully. The hon. Gentleman will admit that I have hardly left the Chamber. I have tried to deal with the points, but I am not persuaded by them. The Committee has been reasonably well attended for a debate of this kind but, of course, not overwhelmingly. A good many supporters of the Bill in its present form have not found their voices today. I make no complaint about that. That is normal. However, I am sure from my conversations with them that they have thought deeply about the Bill—as deeply as the hon. Member for Newham, North-West (Mr. Banks) has. I believe that if I amplified my answer I should be indulging in vain repetition.

I believe that the Committee has obtained from this Dispatch Box not an addition to the Bill or a change in the Bill, but a rather fuller statement than I gave on Second Reading of what the Bill contains and does not contain on the issues that those right hon. and hon. Members who have spoken have emphasised. That appears to be a profitable and useful use of an afternoon and early part of an evening by this Committee. I believe that I must rest on that.

Question put, That the amendment be made:—

The Committee divided: Ayes 141, Noes 221.

Division No. 34] **[8.58 pm**

AYES

Abbott, Ms Diane	Crowther, Stan
Adams, Allen *(Paisley N)*	Cryer, Bob
Aitken, Jonathan	Cummings, John
Armstrong, Hilary	Darling, Alistair
Ashdown, Rt Hon Paddy	Davis, Terry *(B'ham Hodge H'l)*
Banks, Tony *(Newham NW)*	Dewar, Donald
Barnes, Harry *(Derbyshire NE)*	Dixon, Don
Barron, Kevin	Doran, Frank
Beith, A. J.	Douglas, Dick
Benn, Rt Hon Tony	Dunnachie, Jimmy
Bennett, A. F. *(D'nt'n & R'dish)*	Eadie, Alexander
Bermingham, Gerald	Eastham, Ken
Blair, Tony	Ewing, Harry *(Falkirk E)*
Blunkett, David	Ewing, Mrs Margaret *(Moray)*
Boateng, Paul	Fields, Terry *(L'pool B G'n)*
Boyes, Roland	Flynn, Paul
Bradley, Keith	Foot, Rt Hon Michael
Bray, Dr Jeremy	Foster, Derek
Brown, Gordon *(D'mline E)*	Foulkes, George
Brown, Ron *(Edinburgh Leith)*	Fyfe, Maria
Bruce, Malcolm *(Gordon)*	Galbraith, Sam
Buchan, Norman	Galloway, George
Buckley, George J.	George, Bruce
Callaghan, Jim	Godman, Dr Norman A.
Campbell, Menzies *(Fife NE)*	Golding, Mrs Llin
Campbell-Savours, D. N.	Gordon, Mildred
Carlile, Alex *(Mont'g)*	Graham, Thomas
Cartwright, John	Grant, Bernie *(Tottenham)*
Clark, Dr David *(S Shields)*	Griffiths, Win *(Bridgend)*
Clwyd, Mrs Ann	Grocott, Bruce
Cohen, Harry	Hardy, Peter
Cook, Frank *(Stockton N)*	Haynes, Frank
Cook, Robin *(Livingston)*	Heffer, Eric S.
Corbett, Robin	Hinchliffe, David
Corbyn, Jeremy	Home Robertson, John
Cousins, Jim	Hood, Jimmy
Cox, Tom	Howells, Geraint

Hughes, John *(Coventry NE)*
Hughes, Robert *(Aberdeen N)*
Hughes, Simon *(Southwark)*
Illsley, Eric
Ingram, Adam
Johnston, Sir Russell
Jones, Ieuan *(Ynys Môn)*
Kennedy, Charles
Kirkwood, Archy
Lambie, David
Leadbitter, Ted
Lewis, Terry
Livsey, Richard
Lofthouse, Geoffrey
Loyden, Eddie
McAllion, John
McAvoy, Thomas
McCartney, Ian
Macdonald, Calum A.
McFall, John
McKay, Allen *(Barnsley West)*
McKelvey, William
McLeish, Henry
Maclennan, Robert
McWilliam, John
Madden, Max
Mahon, Mrs Alice
Marek, Dr John
Martin, Michael J. *(Springburn)*
Martlew, Eric
Maxton, John
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Mitchell, Austin *(G't Grimsby)*
Morgan, Rhodri
Morley, Elliott
Mullin, Chris
Nellist, Dave
Patchett, Terry
Pike, Peter L.
Powell, Ray *(Ogmore)*
Randall, Stuart
Reid, Dr John
Richardson, Jo
Robertson, George
Rogers, Allan
Ross, Ernie *(Dundee W)*
Sheerman, Barry
Shepherd, Richard *(Aldridge)*
Short, Clare
Skinner, Dennis
Steel, Rt Hon David
Strang, Gavin
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Matthew *(Truro)*
Turner, Dennis
Vaz, Keith
Wall, Pat
Walley, Joan
Wardell, Gareth *(Gower)*
Welsh, Andrew *(Angus E)*
Welsh, Michael *(Doncaster N)*
Williams, Alan W. *(Carm'then)*
Wilson, Brian
Wise, Mrs Audrey
Worthington, Tony

Tellers for the Ayes:
Mr. David Winnick and
Mr. Nigel Spearing.

NOES

Alexander, Richard
Allason, Rupert
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Ashby, David
Baker, Nicholas *(Dorset N)*
Bevan, David Gilroy
Blaker, Rt Hon Sir Peter
Boswell, Tim
Bowis, John
Brandon-Bravo, Martin
Brown, Michael *(Brigg & Cl't's)*
Browne, John *(Winchester)*
Bruce, Ian *(Dorset South)*
Burns, Simon
Butcher, John
Butler, Chris
Butterfill, John
Carlisle, John, *(Luton N)*
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Cash, William
Chapman, Sydney
Chope, Christopher
Churchill, Mr
Clark, Hon Alan *(Plym'th S'n)*
Colvin, Michael
Coombs, Anthony *(Wyre F'rest)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon John
Couchman, James
Cran, James
Currie, Mrs Edwina
Davies, Q. *(Staml'd & Spald'g)*
Davis, David *(Boothferry)*
Devlin, Tim
Dicks, Terry
Dorrell, Stephen
Douglas-Hamilton, Lord James
Dover, Den
Dunn, Bob
Durant, Tony
Emery, Sir Peter
Evans, David *(Welwyn Hatf'd)*
Evennett, David
Favell, Tony
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Fishburn, John Dudley
Fookes, Dame Janet
Forman, Nigel
Forth, Eric
Franks, Cecil
Freeman, Roger
French, Douglas
Fry, Peter
Gale, Roger
Garel-Jones, Tristan
Gill, Christopher
Glyn, Dr Alan
Goodhart, Sir Philip
Goodlad, Alastair
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Gow, Ian
Greenway, John *(Ryedale)*
Gregory, Conal
Griffiths, Peter *(Portsmouth N)*
Grist, Ian
Ground, Patrick
Gummer, Rt Hon John Selwyn
Hamilton, Hon Archie *(Epsom)*
Hampson, Dr Keith
Hanley, Jeremy
Hargreaves, A. *(B'ham H'll Gr')*
Hargreaves, Ken *(Hyndburn)*
Harris, David
Hayes, Jerry
Hayhoe, Rt Hon Sir Barney
Hayward, Robert
Heathcoat-Amory, David
Heddle, John
Hicks, Mrs Maureen *(Wolv' NE)*
Hill, James
Hind, Kenneth
Hogg, Hon Douglas *(Gr'th'm)*
Holt, Richard
Howard, Michael
Howarth, Alan *(Strat'd-on-A)*
Hughes, Robert G. *(Harrow W)*
Hunt, David *(Wirral W)*
Hunt, John *(Ravensbourne)*
Hunter, Andrew
Hurd, Rt Hon Douglas
Irving, Charles
Jack, Michael
Jackson, Robert
Johnson Smith, Sir Geoffrey
Jones, Robert B *(Herts W)*
Jopling, Rt Hon Michael
Kellett-Bowman, Dame Elaine
King, Roger *(B'ham N'thfield)*
King, Rt Hon Tom *(Bridgwater)*
Kirkhope, Timothy
Knapman, Roger
Knight, Greg *(Derby North)*
Knight, Dame Jill *(Edgbaston)*
Knowles, Michael
Lang, Ian
Latham, Michael
Lee, John *(Pendle)*
Lennox-Boyd, Hon Mark
Lightbown, David
Lilley, Peter
Lloyd, Peter *(Fareham)*
Lord, Michael
Macfarlane, Sir Neil
MacKay, Andrew *(E Berkshire)*
Maclean, David
McLoughlin, Patrick
McNair-Wilson, Sir Michael
Malins, Humfrey
Mans, Keith
Maples, John
Marland, Paul
Marshall, Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Maxwell-Hyslop, Robin
Meyer, Sir Anthony
Mills, Iain
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David
Monro, Sir Hector
Morris, M *(N'hampton S)*
Moss, Malcolm
Moynihan, Hon Colin
Neale, Gerrard
Nelson, Anthony
Neubert, Michael
Nicholls, Patrick
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Norris, Steve
Onslow, Rt Hon Cranley
Oppenheim, Phillip
Page, Richard
Paice, James
Patnick, Irvine
Patten, John *(Oxford W)*
Pawsey, James
Peacock, Mrs Elizabeth
Porter, David *(Waveney)*
Portillo, Michael
Powell, William *(Corby)*
Price, Sir David
Raffan, Keith
Raison, Rt Hon Timothy
Redwood, John
Riddick, Graham
Roberts, Wyn *(Conwy)*
Roe, Mrs Marion
Ross, William *(Londonderry E)*
Rost, Peter
Rowe, Andrew
Rumbold, Mrs Angela
Ryder, Richard
Sayeed, Jonathan
Scott, Nicholas
Shaw, David *(Dover)*
Shaw, Sir Michael *(Scarb')*
Shelton, Sir William *(Streatham)*
Shephard, Mrs G. *(Norfolk SW)*
Shepherd, Colin *(Hereford)*
Shersby, Michael
Sims, Roger
Smith, Tim *(Beaconsfield)*
Soames, Hon Nicholas
Speller, Tony
Spicer, Michael *(S Worcs)*
Squire, Robin
Stanbrook, Ivor
Stanley, Rt Hon Sir John
Steen, Anthony
Stern, Michael
Stevens, Lewis
Stewart, Andy *(Sherwood)*
Stradling Thomas, Sir John
Sumberg, David
Summerson, Hugo
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Taylor, Teddy *(S'end E)*
Temple-Morris, Peter
Thompson, D. *(Calder Valley)*
Thompson, Patrick *(Norwich N)*
Thornton, Malcolm
Thurnham, Peter
Townend, John *(Bridlington)*
Townsend, Cyril D. *(B'heath)*
Tracey, Richard
Tredinnick, David
Trippier, David
Trotter, Neville
Twinn, Dr Ian
Waddington, Rt Hon David
Waldegrave, Hon William
Walker, Bill *(T'side North)*
Wardle, Charles *(Bexhill)*
Warren, Kenneth
Watts, John
Wells, Bowen
Wheeler, John
Whitney, Ray
Widdecombe, Ann
Wilkinson, John
Wilshire, David
Winterton, Mrs Ann
Winterton, Nicholas
Wood, Timothy
Yeo, Tim
Young, Sir George *(Acton)*

Tellers for the Noes:
Mr. Tom Sackville and
Mr. Michael Fallon.

Question accordingly negatived.

Clause 1 ordered to stand part of the Bill.

Clause 2

THE DIRECTOR-GENERAL

Mr. Richard Shepherd: I beg to move amendment No. 49, in page 1, line 16, at end insert—

'(1A) The Director-General shall be appointed to hold office for a term not exceeding five years; but a previous appointment shall not affect a person's eligibility for a second term of office provided that no person shall hold office for more than ten years in aggregate.'.

The Temporary Chairman: With this it will be convenient to consider amendment No. 50, in page 1, line 20, after 'obtained', insert 'nor retained'.

Mr. Shepherd: This is a short and not very important amendment, except in one respect. The amendment affects the terms of employment in a sense of the director-general. In the translation of the amendments from upstairs or in their transfer to the amendment sheet we appear to have lost the word "strictly" but that is not very important in view of the Government's spirit in these matters. Clause 2(2)(a) says:

"that there are arrangements for securing that no information is obtained by the Service except so far as necessary for the proper discharge of its functions or disclosed by it except so far as necessary for that purpose or for the purpose of preventing or detecting serious crime; and".

Amendment No. 49 is purely a business amendment to ensure that a director-general of the Security Service shall not be so immersed in his work that he is in the job for ever. The best example of that is the head of the FBI. Mr. Hoover was in office for so many years that many people thought he was dictating the course of American internal security. No one ever dared to challenge what he did on the basis that he knew too much about people.

The more important of the two amendments would ensure that no information was obtained or retained. When one is engaged in extremely intrusive necessary investigation, such as phone tapping, one will obtain additional information that has no bearing on unrefined, unrestricted national security—to use the Home Secretary's words. It seems wholly appropriate that material that has no bearing on the defence of what we call liberal democracy should not be retained. Our amendment is a protective addition to the clause.

9.15 pm

Mr. John Patten: My answer to the case put by my hon. Friend the Member for Aldridge-Brownhills (Mr. Shepherd) for amendment No. 49 is that, given the seniority of the appointment, it is unlikely in practice that we would have service by one individual for more than a total of 10 years. But I suppose it is not inconceivable that an individual might be appointed relatively early in his or her career and was then found eminently suitable to exercise continued and consistent responsibility for the work of the service over a period of years that might stretch for somewhat longer than 10 years.

What is the merit of a statutory limitation on the term of an appointment? I suppose it is not inconceivable that just when the director-general was bumping up against, say, a 10-year statutory limit, there might be some possible state of war or emergency, when it would be a millstone round the neck of the national interest to have to move the person, who knew what was in the interest of the service at that time and who had the experience to deal with the problem. I do not believe there is a particularly strong case for taking such a step.

Mr. Allason: Although it would be unlikely, as my hon. Friend said, may I ask if he is aware that the first director-general of the Security Service stayed in office for 32 years?

Mr. Patten: I was aware of that.

My hon. Friend the Member for Aldridge-Brownhills said that he put more store by amendment No. 50 on the retaining of information. We do not believe the amendment would help intelligence work in this country, although I assure my hon. Friend that we appreciate the concerns of individuals, and I shall come later to the question of information about individuals. The amendment would create an unnecessary requirement on the service and could under certain circumstances leave the service shorn of parts of its memory which could be vital to the conduct of operations at a later date.

One safeguard in the Bill is that the service can obtain information only that is relevant to its functions. That is a considerable safeguard. A second safeguard is that it can disclose it only for the purposes of those functions or for the additional function of detecting serious crime, and hon. Members will approve of that. Those safeguards go to the nub of the question, which is how and why the service acquires information and what it will do with it once it has it. Different considerations come into play in deciding the grounds for continuing to retain information.

A person now reviewing a piece of information properly obtained some time ago may conclude that it does not meet the strict criteria of the amendment. It is then disposed of, perhaps shredded, only for it to be discovered at a later date that the key part of some complex jigsaw—and some intelligence sagas last for many years—has, alas, been thrown away. That could act against the national interest. So statutory safeguards are built into the Bill in relation to why information is obtained.

There is also a statutory safeguard for the aggrieved individual, and we do not take such concerns lightly. If an individual were to feel aggrieved that the Security Service was wrong to continue to hold on to information about him, he could make a complaint to the tribunal. That is an important safeguard. Even if the tribunal found out at that stage and informed the alleged complainant or complainants that it thought the Security Service had been reasonable in initiating the complaint against the individual or individuals, it could still refer the issue of the need to retain the information to the commissioner who could investigate the matter. He would be able to consider the intelligence arguments and come to a view that he could then report to my right hon. Friend.

The Bill properly reflects the necessary intelligence requirement, but it also ensures that any points of concern can be investigated and reported. With that reassurance, I hope that my hon. Friend will not press his amendments to a vote.

Amendment negatived.

Mr. Richard Shepherd: I beg to move amendment No. 44, in page 2, line 6, at end insert—

'(3A)—(a) Subject to paragraph (b) below and in so far as it is strictly necessary for the proper discharge of the service's functions, the Service may enter into arrangements with

(i) a Government Department;

(ii) a police force

for help and assistance in carrying out the service's duties and functions save that no arrangement which relates to or includes entry on or interference with property shall be lawful unless it is authorised by a warrant issued under section 3 of this Act.

(b) Any such arrangement mentioned in (a) above shall only be made with the approval of the Solicitor General.

(c) A copy of written arrangements mentioned in (a) above shall be sent to the Inspector General and the Review Committee.

The First Deputy Chairman: With this it will be convenient to consider the following:

New Clause 6

Delegation of powers to other security services

'Nothing in this Act shall impower the security service to act as empowered by warrant in this Act through the agency of or by delegation of their powers to the security services of any other country.'.

New Clause 7

Delegation of powers to police force

'Nothing in this Act shall impower the security service to act as empowered by warrant in this Act through the agency of or by delegation of their powers to any police force.'.

Mr. Shepherd: The Security Service uses its foot soldiers, special branch, for this purpose. As this is a statutory arrangement by which we legalise the necessary entry to premises, which was traditionally called burglary and bugging, it is appropriate that the status of the operation should come under the remit of the Home Secretary in respect of warrants issued under clause 3 of the Bill.

The purpose of the amendment is to provide power for the Security Service to enter into such arrangements with special branch or with a Government Department and to ensure that the service does not bypass the arrangement. We believe that we would have set the measure in a statutory framework if there had been the necessary checks and balances, an independent review and a definition of the functions of the service, other than in respect of blanket national security, and the inclusion of the necessary elements to make the measure acceptable to the European Court. The Security Service could not then seek to bypass the requirement of receiving a warrant for entry into premises by going to friends in special branch, for example, who are under the supervision of the chief constables of the counties and may obtain the necessary information by other means. Some Conservative and Opposition Members are trying to obtain a balanced Bill through a series of balances and checks.

Mr. Andrew F. Bennett: I support the amendment of the hon. Member for Aldridge-Brownhills (Mr. Shepherd), although new clauses 6 and 7 press in the opposite direction—seeking to probe the Government and obtain clarification about the relationship between our Security Service and the security services of other countries.

I do not like the idea that the security services of other countries operate in the United Kingdom, but I accept that if we wish to stop international terrorism there may be occasions when another friendly country is taking the lead in trying to shadow a terrorist group and find out what it is doing, and it may be logical and necessary for that country to carry out some activities in this country to collect information that will be shared between us. If another organisation operates in this country, it is essential that it should operate by our laws. Will the Minister make it clear that if illegal activity is deemed necessary it will be carried out under the provisions for a warrant rather than simply by some foreign agent acting off his own bat?

My second point concerns the delegation and use of special branch. Hon. Members have discussed how much the Security Service uses the special branch of individual police forces. My impression is that it varies from police force to police force depending on the capability and size of the special branch concerned.

I hope that the Minister will state clearly the relationship between the warrants required under this legislation, the position of special branch within individual police forces and the operations carried out by friendly Governments who share a common interest in collecting intelligence about terrorist activities.

Mr. Bob Cryer (Bradford, South): I support amendment No. 44 proposed by the hon. Member for Aldridge-Brownhills (Mr. Shepherd) but I wish to speak to new clause 6, which states:

"Nothing in this Act shall impower the security services to act as empowered by warrant in this Act through the agency of or by delegation of their powers to the security services of any other country."

Tonight I had the pleasure of listening to Mr. John Stockwell, an ex-member of the Central Intelligence Agency, who was speaking in a Meeting Room in the House. He has written a good book about the CIA. That agency has bombed, bugged, assassinated, tortured and pillaged its way around most of the developing nations of the world in the interests of supporting American imperialism. It has done so without the consent of Congress. Mr. Stockwell resigned from the CIA because he knew that an operation in Angola 10 years ago was being carried out against the decision of Congress. He felt that that was not democratic. He also pointed out that the CIA, wherever it operated, developed a drugs ring, a golden triangle, in which it used CIA facilities to hand over drugs to various people, including the Mafia, in order to further its interests. I do not want our security services becoming involved with the CIA because it has a miserable and dirty record.

The previous Labour Government found that our security services were working with the CIA to the extent that when it wanted Agee and Hosenball expelled from this country they, to my everlasting regret, carried out its instructions and requests. No doubt our security services, working with their sister organisation, briefed the then Home Secretary on the dangers of Philip Agee, telling him that Agee was giving away information about the American security service and therefore should be excluded from our nation. Philip Agee was revealing secrets about the CIA such as those that I have just mentioned. It is essential that our Security Service should be excluded from working with the CIA.

The CIA is courteous—it does not carry out operations in our country without notifying MI5 and obtaining its agreement. Mr. Stockwell said that during an operation in Katanga of which he was in charge the CIA obtained the support of our Security Service to ensure the transit of mercenaries to be used against the Government that the CIA wished to usurp. The mercenaries went through Heathrow without any scrutiny or checks as a result of the involvement of our security services.

[Mr. Bob Cryer]

If that had become public knowledge, I dare say that there would have been a hue and cry because our citizens, quite properly, do not like such things. They do not like our security services becoming involved in illegal operations conducted by foreign powers, whether friendly or otherwise. Therefore, the Minister has a duty to accept new clause 6 in particular, to assure our citizens that the secret services are not involved in destabilising operations working against democracy and leading to serious situations and loss of life by linking our facilities to foreign operations in Britain or abroad.

9.30 pm

Whether the warrants would be issued to facilitate criminal or illegal activities, it is quite extraordinary that we are debating in the House of Commons the way in which Ministers can permit people to carry out what ordinarily would be criminal activities which we strongly criticise in a secret service. Although some people within those secret organisations may start off with the best intentions, because they are not accountable their enormous power can be abused. If that is done in conjunction with other people or organisations which have lied to Congress and got away with murder, sometimes literally, when it is revealed—not in Britain which is far too secretive, but in the United States which is much more open—our name would be dragged in and our personnel would be revealed as having been involved, perhaps even in deceiving the Minister about the purpose of the warrant and not revealing any intercontinental connection that might exist.

I should have thought that new clause 6 was very straightforward. It seeks simply to make sure that the Minister exercises his powers solely within the United Kingdom, that he could not be subject to any abuse and would therefore be accountable to the House which is passing the legislation. Unless some amendments are made, when the legislation is passed there will be no link of accountability enabling us to have future debates of this nature. The subject will be closed. The warrants will be issued behind the closed doors of Whitehall and in secrecy. The reports will be presented in private, and members of the Security Service will be cuddling up to the Minister and explaining how everything is justified. The director-general will be presenting a very pleasing picture of the important work of the Security Service, and we shall be unable to make a judgment on the matter. Therefore, it is important that the Minister should say, "Some of you do not like the legislation"—that will include me—"but we think that it is necessary and in the operation of the legislation we shall ensure that the warrants are issued only for operations within the United Kingdom and there will be no connection with any security services from any other nations".

Mr. John Patten: I listened carefully to what my hon. Friend the Member for Aldridge-Brownhills (Mr. Shepherd) said in his brief introduction, and to the hon. Member for Denton and Reddish (Mr. Bennett). I recall that the hon. Gentleman raised the same issues on Second Reading and that I tried in my speech to reply to at least one of the points on that occasion.

I hope that I can reassure my hon. Friend the Member for Aldridge-Brownhills and the hon. Members for Denton and Reddish—and for Bradford, South (Mr. Cryer), who appears to have come from quite an interesting meeting—that new clause 6 is not necessary, and I hope that I can do so briefly. I believe that the new clauses and amendment No. 44 are not necessary.

They could impair the service's effectiveness, and they overlook the fact that the commissioner, whose role and functions are set down in the Bill, will be all the time at my right hon. Friend's elbow and looking over his shoulder. The hon. Member for Denton and Reddish acknowledges that, from time to time, the Security Service must necessarily maintain contacts with foreign security and intelligence agencies. Such contact is vitally important in defeating, for example, IRA terrorism—as the recent seizure of shiploads of arms has shown. I am glad that the hon. Gentleman indicates assent.

Threats of terrorism and espionage are international. They can be identified only if like-minded agencies deal with them together. In the same way—this point interests the hon. Member for Denton and Reddish—the Security Service must work closely with the police from time to time, where the service's functions and the responsibilities of the police coincide. I again cite terrorism as a classic example where such co-operation is right.

Where others undertake work that is relevant to the service's functions and objectives, they will do so on the basis of their own powers and responsibilities. I say to my hon. Friend the Member for Aldridge-Brownhills that that is the context in which the Committee needs to consider the amendments. There are powerful and effective safeguards in the warrant procedure provided by clause 3, which we have not yet reached. I do not believe that the amendments will add significantly to them. A warrant application must be made by the Security Service, and it can be granted only if the Secretary of State is personally satisfied that the action is necessary to the functions of the Security Service—not to those of anyone else. The action must be to obtain information likely to be of substantial value in respect of the service's functions and which cannot be reasonably obtained by any other means. The warrant must specify both the action and the property. Furthermore, the commissioner is there to ensure that there is adherence to those criteria.

Mr. Teddy Taylor (Southend, East): I have been greatly assured by my hon. Friend's comments about the commissioner. May we know whether the commissioner has any powers to undertake supervision of the operations of other security services operating in this country at the request of our own service?

Mr. Patten: I was about to give an assurance to my hon. Friend and to the Committee that the Security Service is the only security and intelligence agency responsible for undertaking operations involving actions of the kind that will be authorised under the Bill. That was to be my closing note. With that assurance, I hope that my hon. Friend and Opposition Members will not press the amendment or the new clauses.

Amendment negatived.

Mr. Andrew F. Bennett: I beg to move amendment No. 83, in page 2, line 9, at end add

'and shall make such sections of his report public as he sees fit'.

The First Deputy Chairman: With this it will be convenient to consider the following amendments:

No. 55, in page 2, line 9, at end add

'and shall cause the Inspector General to be given a copy of each such report'.

No. 93, in page 2, line 9, at end add—

'(5) The Director-General shall make an annual report to Parliament'.

No. 87, in page 3, line 6, at end insert

'and the person to whom the information relates shall be informed of the Secretary of State's approval and the reasons for which the approval was given when information is disclosed in accordance with this subsection.'.

No. 85, in clause 3, page 3, line 4, at end add—

'(8) 10 years after the commencement of this Act and each year thereafter the Secretary of State shall review all warrants issued 10 years previously and shall compile a report to Parliament revealing as much information as he feels appropriate about the nature and the extent of warrants issued 10 years previously.'.

No. 12, in clause 4, page 3, line 19, after 'Prime Minister', insert

'and such report shall include:

(i) the number of telephone intercept warrants granted;
(ii) the number of other listening devices utilized;
(iii) the number of warrants to interfere with property granted;
(iv) the number of disciplinary proceedings taken;
(v) the number of complaints referred to the tribunal;
(vi) the number of Positive Vetting referrals handled;
(vii) an account of Security Service opinion on current threats ad priorities;
(viii) a case history relevant to the Service's work in the preceding year from each Security Service Branch; and
(ix) a statement from the Director-General relating to any significant changes in practice.'.

Mr. Bennett: Amendment No. 83 suggests that part of the director-general's report could, in certain circumstances, be made public. Clearly it is intended that the report will be given to the Home Secretary and to the Prime Minister. One of the reasons for the Bill is considerable public disquiet about the way in which the Security Service has appeared to operate in recent years. The Government's hope is that by putting the service on a statutory basis public concern will be allayed. However, the unsatisfactory way in which much of the Bill is drafted, which was highlighted in our earlier debate, will not allay that fear, and there will continue to be pressure for more and more information.

I believe that it will not be long before people in the Security Service realise that unless they are prepared to be more forthcoming about the way in which they operate, and particularly to assure the public that they do not engage in activities that have caused concern to Opposition Members, the system will fall further into disrepute. The amendment merely provides that if the director-general of the Security Service feels that it would be appropriate for parts of his report to be made public, they can be made public, but on his decision alone.

Amendment No. 85 deals with a much more complicated business—the general belief that a large number of burglaries and buggings are being carried out by the Security Service. I do not believe that the number is all that large, but from now on we shall have the opportunity for them to be recorded by warrants. There will, however, be no mechanism enabling the general public to know how many warrants are issued per year and how the process takes place. The amendment suggests that after 10 years there should be an opportunity for the number and extent of warrants to be made public.

In the vast majority of cases, what posed a security threat 10 years earlier will not continue to do so, and it would therefore be perfectly reasonable to provide some information about the extent of Security Service operations then. Clearly some operations will still be going on, and to divulge information about them would cause problems. I have therefore inserted the safeguard that, at the second date, it would be the Home Secretary who would decide whether it was appropriate to make the information public. Thus the original Home Secretary would give permission for a warrant to be issued, and 10 years later the information would become public unless the then Home Secretary believed that, in the interests of the Security Service and of the nation's security, it should not be made public.

I tabled the amendment largely to probe the Government's intention. I understand that in many security instances the 30-year rule does not operate and information is withheld from the public for even longer. I do not feel that the totality of operations should be kept from the public for as long as 30 years. This seems to me an issue on which Parliament has a right of scrutiny.

Mr. Cryer: My amendment No. 93 simply provides that at the end of clause 2 should be added the following provision:

"The Director-General shall make an annual report to Parliament".

Curiously, I have more faith in Parliament than perhaps it deserves, and I believe that when we talk about democracy we ought to practise it. I do not think that we should have double standards and be anti-democratic while preaching democracy. The Government claim that they support democracy, and here is an opportunity for them to put their claim into practice.

Many benefits flow from a requirement for the director-general to make an annual report to Parliament. It does not lay down what he must include: it does not provide, for example, that he must include the number of warrants issued. The director-general would be able to make the report at his discretion, and he would no doubt omit any matters that he deemed sensitive. That, after all, is the sort of job to which we appoint him.

The requirement for the director-general to make the report, however, would also push this place into a debate. We know that when what are termed sensitive areas develop the Government go through the usual channels and say, "We cannot deal with that just now", or "We shall follow the business with two Scottish orders so that the trouble-makers on the Front Bench below the Gangway do not keep the subject going for too long. We want to get rid of it—to sweep it under the carpet and out of the way."

So I think it is very useful for an obligation to be clearly put on the director-general to provide a report, because it does not say that it has to be debated but, having provided a report and put it in the House of Commons Library, there would be an opportunity to exert pressure for a debate, and then there can be that measure of accountability, as I say, without any details that the director-general regards as sensitive. The Minister would have to be briefed and answer questions on the debate, and that would provide some element of security in the minds of the citizenry that this secret organisation would be less likely to abuse its power and position.

It is always a salutary thought in all our minds that we are accountable to somebody. When we speak and vote

[Mr. Cryer]

here we are accountable to the electorates in our constituencies. We record our votes so that we cannot say one thing in our constituencies and vote the other way here, and it helps us to clarify our minds. When I go through the Lobby—and I go through the Lobby on a number of occasions on various issues—I always try to make up my mind so that, if somebody in Bradford, South questions me about what I have done, I can provide an answer. That is a degree of accountability.

9.45 pm

Therefore, when the burgling and bugging is taking place, in addition to having to justify matters to the Minister or to senior civil servants—because in the Bill as drafted the Minister is not the only one who can authorise the warrants, and we shall come to that very shortly—they will have to think, "Our director-general is going to have to put a report before Parliament. There is going to be a debate." It may be a bit of a nuisance that Members of Parliament discuss their affairs, and that is no doubt the view they will have. Nonetheless, we shall have that opportunity.

If we do not, what will happen? What has happened in the past? Several years ago there was an Adjournment debate on the security services. The various boxes were full of eminent people. The Home Secretary appeared for an Adjournment debate because it was deemed to be so unusual, so electrifying that the security services should actually be debated, and all the "big guns" turned out. That debate lasted just half an hour. It was not Government time; it was private Members' time and, of course, devices like the Consolidated Fund can be used. But I remind the House that, because of a consensus agreement between the parties, the Consolidated Fund is no longer a Consolidated Fund debate; it is a structured debate, fixed by Mr. Speaker; it is a series of Adjournment debates, and the ability of Back Benchers to scrutinise has thereby been diminished.

The Minister will resist putting this in the Bill, because Governments do not like too much scrutiny of anything. They prefer to stay in their offices in Whitehall and have a few jolly half-day debates in here, when they can get a few cheers from their Back Benchers, and limit it to that. However, we are concerned here with accountability over a very serious section of our Government forces, and it seems to me not unreasonable therefore that we should be able to hold them to account by having a debate and impose an obligation on the director-general to provide an annual report to Parliament.

I hope that there will be an opportunity to vote on this, because I would be interested to see those who are actually prepared to say that this House should be accountable and not just a place where a few empty words echo, nothing is done, and at 10 o'clock the Government bring out their troops and destroy what improvements might have been made to a piece of legislation. I shall be surprised if the Minister accepts the amendment but, if he has the concept of parliamentary democracy at heart, I would have thought it does no "damage" in his terms, because the director-general has the responsibility of providing the report; he can be selective. However, it does provide an opportunity for some sort of accountability to this House, so that those Members of Parliament who are interested can have that opportunity and exercise it. That is a reasonable request.

Mr. Allason: I am grateful for the opportunity to draw the Committee's attention to amendment No. 12. In view of the loss last night of any chance of parliamentary oversight, that amendment is extremely important. Some hon. Members have mentioned how important it is to have a report and the Government are to be congratulated on requiring the Security Service commissioner to offer up an annual report. That is important, but the Bill has one fundamental flaw in that it omits any detail about what should be considered by the commissioner in his report. That is vital.

Last night we accepted—some of us reluctantly—my right hon. Friend the Home Secretary's view that everything was safe in his hands. We lost the opportunity to have any parliamentary oversight. In effect, my right hon. Friend said that he and his successors would be able to cope with controlling all the other responsibilities that they have in the Home Office and be able to manage the affairs of the Security Service, and that any problems that there might have been in the past had now been put behind the Security Service.

The difficulty is that there is no suggestion about what should go into the report. In other words, the commissioner has total discretion and if he feels like it he can say virtually nothing of any relevance or interest. A vital opportunity has been lost. I draw the Committee's attention to the Canadian experience. In Canada an annual report is published by the security intelligence review committee with 10 important chapters. They are not just for voyeurs of the intelligence community, but represent a public relations exercise as well as an educational exercise. Let me explain briefly what I mean.

We have heard that my right hon. Friend the Home Secretary is prepared to bear the burden of supervising the Security Service without any assistance. The report that will be provided by the commissioner will go to him and the Prime Minister. But how are they to educate themselves? How are they to be well informed on the function, role and day-to-day activities of the Security Service? That surely is at the heart of accountability. Unless those two people have a firm grasp of the Security Service we shall put ourselves back in the position that we have experienced in the past when there have been mishaps —for example, when the director-general of the Security Service, Sir Percy Sillitoe, deliberately misled Attlee, and, on subsequent occasions, with Burgess and Maclean and so on.

If we can draw up some parameters for topics that should be included in the report, that would be worthwhile. That would not conflict with clause 4(7) which allows the Prime Minister to decide whether a document is of such a sensitive nature that parts of it should not be disclosed in public or to the House of Commons. That can be retained.

But is it not important, for example, to establish the number of warrants that have been issued under the Bill? The first example I list in the amendment is the number of telephone intercept warrants granted in any one year. Many of us believed that, with the Interception of Communications Act 1985, there would be greater public accountability and public knowledge about the way in which warrants were authorised and the number that were

authorised each year. Our expectations have turned out to be wrong and the amount of information that is supplied by the judge who reports annually on the interception of communications is less now than was previously available.

What about the other items that should be scrutinised, such as the number of warrants to interfere with property issued by the Home Secretary each year? That is a euphemism for burglary and it is a proper topic on which the commissioner should report to the Home Secretary and the Prime Minister. Let us not forget that the Prime Minister will not be privy to that particular information unless the Home Secretary decides to import it.

Other matters should be considered as well in the report, such as the number of internal disciplinary proceedings that take place in the Security Service. The Bettaney case demonstrates that routine disciplinary procedures take place which are of considerable importance. We know, for example, that Michael Bettaney was employed by the Security Service in spite of the fact that he had two convictions for dishonesty. We also know that he was on a bottle of whisky a day and that that information was supplied to the director-general of the Security Service, who did not deem it appropriate or necessary to disclose it to anyone else. The Home Secretary of the day was blissfully unaware of that although, within a matter of months, Bettaney had gone over the edge and was making improper approaches to a KGB officer in London. Is it not worthwhile to try to persuade the commissioner, who will be the author of the report, that such information should go regularly to the Home Secretary and the Prime Minister?

The Government are to be congratulated on setting up the tribunal, but how will we know about the performance of the tribunal and how many complaints have been referred to it? How will anybody know whether a complaint has been upheld or dismissed? The Canadian system provides a good example. In Canada, the names and some other details are excluded, but individual cases are mentioned in considerable detail in the report. Similarly, now that the Security Service is disposing of its mantle of secrecy, would it not be worthwhile to try such a system, which approaches a public relations exercise? Is it not appropriate that the Security Service should give an account of its work, as the service does in Canada? Is it not appropriate that the Security Service should publish some case histories to educate the public, to explain the threat and to explain what the Security Service perceives to have been its functions and responsibilites in the preceding year?

The last topic that should be included in the report is a statement from the director-general about significant changes in practice. Technology is moving ahead all the time. We know about the interception of communications through telephone intercept warrants and we know that technology allows bugs to be inserted into property, without the need for a warrant. But technology may move on. Is it not appropriate, therefore, that the commissioner or the director-general should include in his report, sections of which will be read only by the Prime Minister or the Home Secretary, information to keep them up-to-date with the latest developments?

I am grateful to you for your indulgence, Sir Paul, and I am sorry for the lateness of the hour, but I believe that the Committee should consider carefully whether these topics should be included in the Bill. Are we not giving hostages to fortune——

It being Ten o'clock, THE CHAIRMAN *left the Chair to report Progress and ask leave to sit again.*

Committee report Progress.

BUSINESS OF THE HOUSE

Ordered,

That, at this day's sitting, the Security Service Bill may be proceeded with, though opposed, until any hour—*[Mr. Fallon.]*

Security Service Bill

Considered again in Committee.

Question again proposed, That the amendment be made.

Mr. Allason: This is an important issue because we have lost the opportunity of parliamentary oversight and we have greatly increased the burden on the Home Secretary. Surely one lesson of the past must be that the Prime Minister and the Home Secretary of the day should be well informed of the activities of the Security Service, and what better way is there to keep them informed than through an annual report that could be examined not just by them but by the whole House?

Mr. Maclennan: The hon. Member for Torbay (Mr. Allason) said that we had lost the argument for parliamentary scrutiny. I believe that he is right in thinking that the Government will not concede that point at a later stage. They are a fortiori unlikely to concede the scrutiny by the back door for which the hon. Gentleman's amendment would provide. The hon. Member for Bradford, South (Mr. Cryer) is being over-optimistic if he thinks that the Government will be prepared to allow the director-general to report to the House on his duties. There is, in any event, a limitation upon the commissioner's ability to report on the Security Service.

The hon. Member for Torbay gave the impression—I do not know whether it was deliberate—that it would be within the ambit of the commissioner's duties to consider the matters set out in amendment No. 12. As the Bill stands, the commissioner has no such general authority or oversight of the Security Service. His tasks are strictly limited to the matter of warrants covered in clause 3 and to the matter of complaint set out in schedule 1. There is no responsibility upon the commissioner to consider the general practice of the Security Service that would enable him to answer questions of the kind set out in the amendment. There is no general responsibility for surveying the priorities of the service or the particular problems that the service faces, save as they may be revealed by his work in conducting the inquiries that are referred to him.

Mr. Allason: May I draw the hon. Gentleman's attention to subsection 4(4), which requires every member of the Security Service to supply to the commissioner whatever information he needs to discharge his function? My amendment suggests that we add those responsibilities to his function.

Mr. Maclennan: The hon. Gentleman may have overlooked the fact that the Bill describes an officer's functions quite precisely in both clause 3 and in schedule 1. Those functions do not include matters of the kind to which the hon. Gentleman has referred. If an officer were to have the duty of reporting to anyone, for example, to the Prime Minister within Government, or to Parliament, it would be necessary to give the commissioner a much

[Mr. Maclennan]

more wide-ranging remit than I believe it is the Government's intention to do. I do not raise that point in a spirit of carping criticism about the hon. Gentleman's intentions but simply to draw attention to the extremely limited nature of the role of the commissioner, who is not set in oversight over the conduct of the Security Service. It might reassure hon. Members if there were some independent oversight over the whole of the Security Service, but that is not the case.

The hon. Member for Bradford, South has said that that is for the director-general, but the director-general is not in oversight of the service; he is the embodiment of the service. He is the executive at the apex of the structure. Therefore, he is not charged with reporting, independently, on how the service is working.

One of the great weaknesses of the Bill to which, perhaps inadvertently, the hon. Member for Torbay has drawn our attention is that there is no independent judicial or other supervising authority to look at the sort of matters that he believes should not only be supervised but reported upon to the responsible Minister and to Parliament.

Mr. John Patten: I listened carefully to what the hon. Member for Caithness and Sutherland (Mr. Maclennan) said in his description of the provisions under the relevant clause and schedule, just as I listened to what my hon. Friend the Member for Torbay (Mr. Allason) said, and to what the hon. Member for Denton and Reddish (Mr. Bennett) said when he opened the debate on this group of amendments. However, apart from the proposals for a 10-year review—more of that later—which I do not think would add anything, the other amendments could lead to dangerous breaches in the barrier of secrecy which must protect the work of the service to make it efficient.

Let us look first at the idea of a director-general's annual report. There is no advantage in making such a report public for those who have no responsibility for the work of the service. Although that would certainly satisfy the curiosity of some—perhaps many—people, it would not do anything other than present a high risk to the security of the nation from time to time. Those who are hostile to this country will be interested in the policies and priorities of those who protect us. Risk assessments and assessments by directors-general of where they think that the threats are coming from are meat and drink to the intelligence agencies of other countries, ditto any explanation of our resources and capacities. Those are exactly the sort of managerial issues upon which the director-general must concentrate in his responsibilies for the efficiency of the service. Nor is there any need to require the Secretary of State to review decisions that were made 10 years ago, probably by his predecessors, as another amendment suggests. It is not the case that every threat that was live 10 years ago is necessarily dead 10 years later.

Mr. Andrew F. Bennett *rose*——

Mr. Patten: I will give way in a moment.

There may be a latency in threats to the security of the country, as can be seen from the history of this century when we have tried to defend the country against such threats.

Dr. Alan Glyn (Windsor and Maidenhead) *rose*——

Mr. Patten: I will give way first to the hon. Member for Denton and Reddish and then to my hon. Friend the Member for Windsor and Maidenhead (Dr. Glyn).

Mr. Andrew F. Bennett: Does the hon. Gentleman accept that I took that into account by making it possible for the new Home Secretary—the one 10 years later—to decide whether or not there was the opportunity to disclose that information? All that this group of amendments does, which I believe is what the House wants, is to appreciate that there will be continuing pressure for accountability of the security services. Unless the Home Secretary concedes a little more than he has so far, that problem will not go away for the Government and the Bill will not meet the Government's aims.

Mr. Patten: I understand the reasoned and reasonable way in which the hon. Gentleman has both drafted his amendment and spoken to it, but he does not take into account another important factor. We do not have the benefit of the right hon. Member for Morley and Leeds, South (Mr. Rees) in the Chamber at present, but there are constitutional issues involved. Sometimes, though not so often these days, there are changes of Government within a decade and issues about ministerial decision taking is the time of one Government being looked at by Ministers in the time of another. I do not believe that the amendment of the hon. Member for Denton and Reddish deals with that point.

Dr. Glyn: Intelligence is a jigsaw and even after 10 years the jigsaw might be completed with seemingly innocuous information which could nevertheless be important in the jigsaw.

Mr. Patten: Characteristically, my hon. Friend has put his finger right on it. From time to time intelligence can be a jigsaw and there may be matters which for 10 or 15 years have lurked in the undergrowth, but which suddenly turn out to be matters of relevance to the security of this country.

As the hon. Member for Caithness and Sutherland has said, under the Bill an independent commissioner—we must not lose sight of the fact that the commissioner is a senior judge—is charged with reviewing the exercise by my right hon. Friend the Secretary of State of the powers under clause 3 and to report in the way which has been described. That is a better safeguard than a report on warrants made a decade ago under the powers of another Secretary of State.

The hon. Member for Bradford, South (Mr. Cryer) said that he would like to see these matters debated more widely in the House. As the hon. Gentleman knows, in the time-honoured litany of junior Ministers at the Dispatch Box, matters concerning the arrangement of future business of the House are not for me. We shall, however, note what the hon. Gentleman said.

My hon. Friend the Member for Torbay has clearly put a great deal of thought into his amendment No. 12, but we believe that placing requirements upon the commissioner in preparing his annual report is both unreasonable and unsafe. For example, to set down in a public document risk assessments by the director-general or anyone else connected with the service would be most unhelpful to the security of the nation.

Mr. Allason: Will my hon. Friend give way?

Mr. Patten: I will, but my hon. Friend had some time to deploy his arguments earlier and I was trying to reply to his points.

Mr. Allason: My hon. Friend has suggested that it would be unsafe to supply this information to the Prime Minister or to the Home Secretary. He will recall that in this context I mentioned clause 4(7), which states:

"If it appears to the Prime Minister, after consultation with the Commissioner, that the publication of any matter in a report would be prejudicial to the continued discharge of the functions of the Service, the Prime Minister may exclude that matter".

All that I am suggesting is that these reports be supplied to the Prime Minister and the Home Secretary, which is surely helpful to them.

Mr. Patten: Of course, the supply of that information is necessary to my right hon. Friend the Secretary of State and, where and when necessary, to the Prime Minister. My hon. Friend has only to look at what he has presumably drafted in amendment No. 12 to see that its import is to prepare matters of this kind for some future publication. I do not accept that that is desirable. Much of the material that the commissioner will be obliged to include in some report, prepared presumably for publication but then subject to security deletions, is not within his functions to acquire, nor would it be right for him to do so. Other material goes right to the heart of Security Service operations, and I do not believe that it could be published. I differ from my hon. Friend the Member for Torbay on that point.

The aim of this group of amendments is to try to allow Parliament to know more about the Security Service and how it works. As was pointed out by my right hon. Friend the Home Secretary on Second Reading and by me during the winding up speech on that occasion, it is essential to our philosophy that the proper concerns of the public and of Parliament—they are extremely important—should be met by placing functions and safeguards, and a complaints procedure, on a statutory basis while ensuring that the secrets which are at the heart of our security can and should continue to be kept.

On those grounds, I hope that the amendments will not be pressed.

Amendment negatived.

10.15 pm

Amendment proposed: No. 93, in page 2, line 9, at end add—

'(5) The Director-General shall make an annual report to Parliament'.—*[Mr. Cryer.]*

Question put, That the amendment be made:—

The Committee divided: Ayes 123, Noes 209.

Division No. 35] **[10.15 pm**

AYES

Abbott, Ms Diane
Adams, Allen *(Paisley N)*
Aitken, Jonathan
Allason, Rupert
Alton, David
Armstrong, Hilary
Ashdown, Rt Hon Paddy
Barnes, Harry *(Derbyshire NE)*
Barron, Kevin
Battle, John
Beith, A. J.
Benn, Rt Hon Tony
Bennett, A. F. *(D'nt'n & R'dish)*
Bermingham, Gerald
Blair, Tony
Boateng, Paul
Bradley, Keith
Bray, Dr Jeremy
Brown, Gordon *(D'mline E)*
Brown, Ron *(Edinburgh Leith)*
Bruce, Malcolm *(Gordon)*
Buchan, Norman
Buckley, George J.
Campbell, Menzies *(Fife NE)*
Campbell-Savours, D. N.
Carlile, Alex *(Mont'g)*
Cartwright, John
Cohen, Harry
Cook, Frank *(Stockton N)*
Cook, Robin *(Livingston)*
Corbyn, Jeremy
Cousins, Jim
Cox, Tom
Crowther, Stan
Darling, Alistair
Davis, Terry *(B'ham Hodge H'l)*
Dewar, Donald
Dixon, Don
Doran, Frank
Douglas, Dick
Dunnachie, Jimmy
Dunwoody, Hon Mrs Gwyneth
Eadie, Alexander
Ewing, Harry *(Falkirk E)*
Ewing, Mrs Margaret *(Moray)*
Fields, Terry *(L'pool B G'n)*
Flynn, Paul
Foster, Derek
Fyfe, Maria
Galbraith, Sam
George, Bruce
Godman, Dr Norman A.
Golding, Mrs Llin
Gordon, Mildred
Hardy, Peter
Haynes, Frank
Hinchliffe, David
Home Robertson, John
Hood, Jimmy
Howells, Geraint
Hughes, John *(Coventry NE)*
Hughes, Robert *(Aberdeen N)*
Hughes, Simon *(Southwark)*
Illsley, Eric
Ingram, Adam
Johnston, Sir Russell
Jones, Ieuan *(Ynys Môn)*
Jones, Martyn *(Clwyd S W)*
Kennedy, Charles
Kirkwood, Archy
Lambie, David
Leadbitter, Ted
Lewis, Terry
Livsey, Richard
McAvoy, Thomas
McCartney, Ian
Macdonald, Calum A.
McFall, John
McKay, Allen *(Barnsley West)*
McLeish, Henry
Maclennan, Robert
McWilliam, John
Madden, Max
Mahon, Mrs Alice
Mallon, Seamus
Marek, Dr John
Martin, Michael J. *(Springburn)*
Martlew, Eric
Maxton, John
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Michie, Mrs Ray *(Arg'l & Bute)*
Morgan, Rhodri
Morley, Elliott
Mowlam, Marjorie
Mullin, Chris
Nellist, Dave
Patchett, Terry
Pike, Peter L.
Powell, Ray *(Ogmore)*
Randall, Stuart
Robertson, George
Ruddock, Joan
Sheerman, Barry
Shepherd, Richard *(Aldridge)*
Short, Clare
Skinner, Dennis
Spearing, Nigel
Steel, Rt Hon David
Strang, Gavin
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Matthew *(Truro)*
Wall, Pat
Walley, Joan
Wardell, Gareth *(Gower)*
Welsh, Andrew *(Angus E)*
Welsh, Michael *(Doncaster N)*
Williams, Alan W. *(Carm'then)*
Winnick, David
Wise, Mrs Audrey
Worthington, Tony
Wray, Jimmy

Tellers for the Ayes:
Mr. Bob Cryer and
Mr. Tony Banks.

NOES

Alexander, Richard
Arbuthnot, James
Ashby, David
Baker, Nicholas *(Dorset N)*
Beggs, Roy
Bevan, David Gilroy
Blaker, Rt Hon Sir Peter
Boswell, Tim
Bowden, Gerald *(Dulwich)*
Bowis, John
Brandon-Bravo, Martin
Brazier, Julian
Brown, Michael *(Brigg & Cl't's)*
Browne, John *(Winchester)*
Bruce, Ian *(Dorset South)*
Burns, Simon
Butcher, John
Butler, Chris
Butterfill, John
Carlisle, John, *(Luton N)*
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Cash, William
Chapman, Sydney
Chope, Christopher
Churchill, Mr
Coombs, Anthony *(Wyre F'rest)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon John
Couchman, James
Cran, James
Currie, Mrs Edwina
Davies, Q. *(Stamf'd & Spald'g)*
Davis, David *(Boothferry)*
Devlin, Tim
Dicks, Terry
Dorrell, Stephen
Douglas-Hamilton, Lord James
Dover, Den
Durant, Tony
Evennett, David
Fallon, Michael
Favell, Tony
Fenner, Dame Peggy
Fishburn, John Dudley
Fookes, Dame Janet
Forman, Nigel
Forth, Eric
Franks, Cecil
Freeman, Roger
French, Douglas
Fry, Peter

Gale, Roger
Garel-Jones, Tristan
Gill, Christopher
Glyn, Dr Alan
Goodhart, Sir Philip
Goodlad, Alastair
Gorman, Mrs Teresa
Gow, Ian
Gower, Sir Raymond
Greenway, John *(Ryedale)*
Gregory, Conal
Griffiths, Peter *(Portsmouth N)*
Grist, Ian
Ground, Patrick
Gummer, Rt Hon John Selwyn
Hamilton, Hon Archie *(Epsom)*
Hanley, Jeremy
Hargreaves, A. *(B'ham H'll Gr')*
Hargreaves, Ken *(Hyndburn)*
Harris, David
Hayes, Jerry
Hayhoe, Rt Hon Sir Barney
Hayward, Robert
Heathcoat-Amory, David
Hicks, Mrs Maureen *(Wolv' NE)*
Hill, James
Hind, Kenneth
Hogg, Hon Douglas *(Gr'th'm)*
Holt, Richard
Hordern, Sir Peter
Howard, Michael
Howarth, Alan *(Strat'd-on-A)*
Howarth, G. *(Cannock & B'wd)*
Hughes, Robert G. *(Harrow W)*
Hunt, David *(Wirral W)*
Hunt, John *(Ravensbourne)*
Hunter, Andrew
Jack, Michael
Jackson, Robert
Johnson Smith, Sir Geoffrey
Jones, Robert B *(Herts W)*
Jopling, Rt Hon Michael
Kellett-Bowman, Dame Elaine
King, Roger *(B'ham N'thfield)*
King, Rt Hon Tom *(Bridgwater)*
Kirkhope, Timothy
Knapman, Roger
Knight, Greg *(Derby North)*
Knowles, Michael
Lang, Ian
Latham, Michael
Lee, John *(Pendle)*
Lennox-Boyd, Hon Mark
Lightbown, David
Lilley, Peter
Lloyd, Peter *(Fareham)*
Lord, Michael
Macfarlane, Sir Neil
MacKay, Andrew *(E Berkshire)*
Maclean, David
McLoughlin, Patrick
McNair-Wilson, Sir Michael
Mans, Keith
Marland, Paul
Martin, David *(Portsmouth S)*
Maxwell-Hyslop, Robin
Mellor, David
Meyer, Sir Anthony
Mills, Iain
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David
Molyneaux, Rt Hon James
Monro, Sir Hector
Morris, M *(N'hampton S)*
Moss, Malcolm
Neale, Gerrard
Nelson, Anthony
Neubert, Michael
Nicholls, Patrick
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Norris, Steve
Onslow, Rt Hon Cranley
Oppenheim, Phillip
Page, Richard
Paice, James
Patten, John *(Oxford W)*
Pawsey, James
Peacock, Mrs Elizabeth
Porter, David *(Waveney)*
Portillo, Michael
Powell, William *(Corby)*
Price, Sir David
Raffan, Keith
Raison, Rt Hon Timothy
Redwood, John
Riddick, Graham
Roberts, Wyn *(Conwy)*
Roe, Mrs Marion
Ross, William *(Londonderry E)*
Rost, Peter
Rowe, Andrew
Ryder, Richard
Sayeed, Jonathan
Shaw, David *(Dover)*
Shaw, Sir Michael *(Scarb')*
Shephard, Mrs G. *(Norfolk SW)*
Shepherd, Colin *(Hereford)*
Shersby, Michael
Sims, Roger
Smith, Tim *(Beaconsfield)*
Smyth, Rev Martin *(Belfast S)*
Soames, Hon Nicholas
Speller, Tony
Spicer, Michael *(S Worcs)*
Squire, Robin
Stanbrook, Ivor
Steen, Anthony
Stern, Michael
Stevens, Lewis
Stewart, Andy *(Sherwood)*
Stradling Thomas, Sir John
Sumberg, David
Summerson, Hugo
Taylor, Ian *(Esher)*
Taylor, Teddy *(S'end E)*
Tebbit, Rt Hon Norman
Temple-Morris, Peter
Thompson, D. *(Calder Valley)*
Thompson, Patrick *(Norwich N)*
Thornton, Malcolm
Thurnham, Peter
Townend, John *(Bridlington)*
Townsend, Cyril D. *(B'heath)*
Tracey, Richard
Tredinnick, David
Trippier, David
Trotter, Neville
Twinn, Dr Ian
Waddington, Rt Hon David
Wakeham, Rt Hon John
Waldegrave, Hon William
Walker, Bill *(T'side North)*
Wardle, Charles *(Bexhill)*
Warren, Kenneth
Watts, John
Wells, Bowen
Wheeler, John
Whitney, Ray
Widdecombe, Ann
Wilkinson, John
Wilshire, David
Winterton, Mrs Ann
Winterton, Nicholas
Wood, Timothy
Yeo, Tim
Young, Sir George *(Acton)*

Tellers for the Noes:
Mr. Tom Sackville and
Mr. John M. Taylor.

Question accordingly negatived.
Clause 2 ordered to stand part of the Bill.

Clause 3

WARRANTS

Mr. Richard Shepherd: I beg to move amendment No. 56, in page 2, line 10, at beginning insert—

'( ) Where the Director-General believes, on reasonable grounds, that a warrant under this section is required to enable the Service to investigate a threat to national security, he may after having obtained the approval of the Solicitor General, make an application in accordance with the provisions of this section.'.

The First Deputy Chairman: With this it will be convenient to consider the following amendments:

No. 58, in page 2, line 11, leave out 'the Secretary of State' and insert

'an order of a Judge of the High Court upon application by the Service'.

No. 94, in page 2, line 12, at end insert

'but this section shall not exclude an application to court for a judicial review of the reasons for the issue of the warrant and the consequent actions'.

No. 59, in page 2, line 13, leave out subsections (2) to (7) and insert—

'(2) An application to a judge for a warrant under subsection (1) shall be made ex parte in writing and be accompanied by an affidavit of the applicant deposing to the following matters, namely—

(a) the facts relied upon to justify the belief, on reasonable grounds, that a warrant under this section is required to enable the Service to obtain information which is likely to be of substantial value in assisting the Service to discharge its functions;

(b) that other investigative procedures have been tried and have failed or why it appears that they are unlikely to succeed, that the urgency of the matter is such that it would be impractical to carry out the investigation using only other investigative procedures;

(c) the type of information, records, documents or things proposed to be obtained and the powers referred to in paragraphs (a) to (c) of subsection (3) below proposed to be exercised for that purpose;

(d) the identity of the person, if known, who has possession of the information, record, document or thing proposed to be obtained;

(e) the persons or class of persons to whom the warrant is proposed to be directed;

(f) a general description of the place where the warrant is proposed to be executed, if a general description of that place can be given;

(g) the period, not exceeding sixty days or six months, as the case may be, for which the warrant is requested to be in force that is applicable by virtue of subsection (5); and

(h) any previous application made in relation to a person identified in the affidavit pursuant to paragraph (d), the date on which such application was made, the name of the judge to whom each such application was made and the decision of the judge thereon.

(3) Notwithstanding any other law, where the judge to whom an application under subsection (1) is made is satisfied of the matters referred to in paragraphs (a) and (b) of subsection (2) set out in the affidavit accompanying the application, the judge may issue a warrant authorising the persons to whom it is directed to obtain any information, record, document or thing and, for that purpose,

(a) to enter any place or open or obtain access to any thing;

(b) to search for, remove or return, or examine, take extracts from or make copies of or record in any other manner the information, record, document or thing; or

(c) to install, maintain or remove any thing.

(4) There shall be specified in a warrant issued under subsection (3)—

(a) the type of information, records, documents or things authorised to be obtained and the powers referred to in paragraphs (3)(a) to (c) authorised to be exercised for that purpose;

(b) the identity of the person, if known, who has possession of the information, record, document or thing to be obtained;

(c) the person or classes of persons to whom the warrant is directed;

(d) a general description of the place where the warrant may be executed, if a general description of that place can be given;

(e) the period for which the warrant is in force; and

(f) such terms and conditions as the judge considers advisable in the public interest.

(5) A warrant shall not be issued under subsection (3) for a period exceeding—

(a) sixty days where the warrant is issued to enable the Service to investigate a threat to national security within the meaning of paragraph (d) of the definition of that expression in subsection (2) of section 1; or

(b) six months in any other case.

(6) On application in writing to a judge for the renewal of a warrant issued under subsection (3) made by a person entitled to apply for such a warrant after having obtained the approval of the Solicitor General, the judge may, from time to time, renew the warrant for a period not exceeding the period for which the warrant may be issued pursuant to subsection (5) if satisfied by evidence on oath that

(a) the warrant continues to be required to enable the Service to investigate a threat to national security; and

(b) any of the matters referred to in paragraph (b) of subsection (2) are applicable in the circumstances.

(7) The Director-General shall be under a duty—

(a) to apply in writing to a judge requesting the cancellation of a warrant at any time when he reasonably believes that the action authorised is no longer necessary;

(b) to destroy forthwith any information, record, document or thing obtained as a result of the exercise of the warrant and which does not relate to the individual named in the warrant;

(c) to destroy forthwith any information, record, document or thing which proves to be irrelevant to the investigation for the purposes of which the warrant is issued.

(8) An application under subsection (1) to a judge for a warrant or a renewal of a warrant shall be heard in private.

(9) The Solicitor General may make regulations—

(a) prescribing the forms of warrants that may be issued under subsection (3);

(b) governing the practice and procedure of, and security requirements applicable to, hearings of applications for such warrants and for renewals of such warrants; and

(c) notwithstanding the Rules of the Supreme Court 1965 as amended, specifying the places where such hearings may be held and the places where, and the manner in which, records or documents concerning such hearings shall be kept.'.

No. 95, in page 2, leave out lines 29 to 32 and insert 'by a Minister in his Department'.

Mr. Shepherd: Amendments Nos. 56, 58 and 59 relate to the judicial issuing of warrants. An integral part of the scheme to give the checks and balances that are needed in the Bill was a requirement that warrants be issued by a judge. The amendments set out the terms and conditions under which the warrants would be issued. I am mindful that hon. Members are becoming impatient, but it is an essential concept that it should not be an arbitrary power, albeit that it is laid down in statute—if that is not a contradiction in terms—that determines that a warrant be issued.

Under the arrangements that we were seeking to make in the Bill to give the checks and balances which we hoped

[Mr. Shepherd]

would make the Bill conform to the democratic requirements, it was necessary for the director-general of the Security Service to seek the permission of the Home Secretary or the responsible Minister who would authorise the application for a warrant. The director-general of the Security Service would then apply to a judge and these criteria would have to be satisfied. The omission from the Government scheme is that the issuing of a warrant will not be subject to any judicial authority. It will be solely an administrative decision taken by the Executive, and that is worrying.

I know that the Government are well aware that this is contrary to the principle recommended by the Royal Commission on criminal procedure, that a person who is to be the subject of, for example, electronic surveillance should have his interests represented by the Official Solicitor or a similar body at a hearing prior to authorisation by a judicial authority. I am not certain whether that could be accommodated. I am also worried that the procedure is contrary to the procedures adopted by the United States and most European countries. Our amendments reflect what the Home Secretary referred to as the Canadian cloth. It is worrying lest a questionable practice is being included in the Bill, following the European Court judgment in Klass *v.* Federal Republic of Germany, which questioned

"whether an administrative decision without judicial authority would meet the court's requirement of independence 'in a field where abuse is potentially so easy in individual cases and could have such harmful consequences for democratic society as a whole'."

10.30 pm

I will not delay the Committee by going through each part of the amendment. It is designed to ensure that the rule of law prevails—that the Executive is subject to a degree of independent scrutiny from the judiciary and that the actions of the judiciary in a narrowly defined way are subject to those tests.

That is an important principle of our system of government, but in the Bill it is done away with for a number of things. The worry is that now that we have no definition of "national security" we are in the position, as we have said when debating earlier amendments, that, whatever the Home Secretary says is national security, it now becomes a lawful basis on which to enter premises.

Thus, the criterion that we were seeking—a definition of "national security"—is not available for a judge to endorse when granting a warrant. Our purpose is to try, at each stage of the Bill, to ensure the continued democratic values and protections of society. That comes down to ministerial responsibility, with the services being responsible to Ministers.

A judicial review of these aspects is necessary, for without those protections none of us can be free people. Otherwise it means the arbitrary power of the Home Secretary determining what he perceives to be a threat to national security, perhaps on the advice of the security services, and that could be the object of the scrutiny of the state through the surveillance of or entry on to premises. There is no safeguard of this judicial intervention.

That was the reason for having, in addition, independent oversight, plus the Government's proposed commissioner or what we would have described under other amendments as the inspector-general. That would have put all the necessary forms in place, with an inspector-general to review the warrants after they were issued to ensure that the purposes, duties and intent of the warrants were met by the Security Service in the execution of the warrants.

In addition, those warrants could be scrutinised by an independent review committee comprised of, we suggest, Privy Councillors who could be within or without the House. That was designed to meet the anxieties of many hon. Members on these Benches who fear that genuine Security Service matters could suffer were there to be any extension of what is called the circle of secrecy.

We do not see how this can be a reasonable Bill without there being some judicial oversight to ensure that the warrant that is issued conforms with the functions, needs and tasks of the Security Service.

Mr. Cryer: I endorse the comments of the hon. Member for Aldridge-Brownhills (Mr. Shepherd), who will agree that the amendments standing in my name, Nos. 94 and 95, are simpler than his. After the opening words of clause 3:

"No entry on or interference with property shall be unlawful if it is authorised by a warrant issued by the Secretary of State under this section"

my amendment No. 94 would add:

"but this section shall not exclude an application to court for a judicial review of the reasons for the issue of the warrant and the consequent actions.".

It appears very final for the House to say to anyone, including a Minister, that he can interfere with property through burglary, which is normally a serious criminal offence, albeit on the understanding that members of the security services are trying to protect us from terrorism or in the interests of national security, although that is very loosely defined. It could be in the interests of protecting the Prime Minister's reputation or position. Such wide definitions are possible under the terms of the Bill.

This is a serious matter. People will be burgled unjustly and mistakenly. The security services contain people who will be less than effective. We have already heard about the way in which Michael Bettaney was selected at a time when he was drinking a bottle of whisky a day. The security services people operate in a twilight world. They cannot say around the table what they do. They cannot say, when the brown Windsor soup and other courses are out of the way, "I work for the security services and our work is very interesting." It is not that sort of job. They have to be secretive and, at some stage, they must deceive a number of people by lying about their occupation. That places stress and strain on them and can produce fumbled judgments and mistaken decisions. As a consequence, they can burgle people mistakenly and, in pursuit of such burglaries, possibly injure or harm people to cover up their operations.

It is therefore reasonable that we should not be prepared to say that, simply because a warrant has been issued, there can be no challenge and that nothing done in pursuance of the issue of that warrant is unlawful. That is quite outrageous. My first amendment does not exclude the possibility of a judicial review of

"the reasons for the issue of the warrant and the consequent actions".

The Minister may say that we must give absolute sanctions to the people who carry out the duties laid down in the warrant. Under the Bill, the commissioner will be a senior member of the judiciary. The Minister may say that the

Government place great store by members of the judiciary and, if the Government place great store by them, why should not the ordinary citizen do so if he feels aggrieved and has direct access to the courts, irrespective of the complaints procedure established in the Bill?

My second amendment states that a warrant shall not be issued except under the hand of the Secretary of State. There is a confused jumble in which a warrant can be issued when the Secretary of State says that it is all right to do so. It is endorsed by him and can be issued under the hand of an official of his Department.

Too much work is given to Secretaries of State. We appoint junior Ministers and there is in every Department, particularly the Home Department, a junior Minister on duty when the Secretary of State is out of the country. We should not hand such a duty to an official, no matter how senior. The proposal in the Bill presents difficulties and possibilities for misinterpretations. My amendment simply states that a warrant shall be issued under the hand of the Secretary of State or a Minister in his Department. It will be clear that, when the Secretary of State has gone off to some conference of Common Market Home Office Ministers and their equivalents, the junior Minister who is in charge will be given the task of authorising warrants. I know that it is unusual for junior Ministers to be given important jobs, but junior Ministers are appointed and are part of the Government. When they make mistakes they are accountable, and sometimes the Government are embarrassed by their errors and discreetly get rid of them, so a junior Minister would be responsible for making sensible decisions. After all, junior Ministers sit in the House, and it would be wrong in principle if the Government, in producing the legislation, were prepared to hand over a very important task to a senior official "of or above Grade 3"—a description which smacks of "Brave New World".

My amendment No. 95 simply places an obligation on the elected Government Ministers of the day to carry out the duty which they consider to be so important. I hope that my modest attempts to improve the Bill—which I do not like very much—will lead the Minister to recognise the attempts by the Committee to improve the degree of accountability and accept the amendments. That would save the time of the Committee.

Mr. Aitken: I support the amendment so ably moved by my hon. Friend the Member for Aldridge-Brownhills (Mr. Shepherd). I support the principle that he enunciated of the desirability of having the judiciary rather than the Home Secretary in charge of the warrants. I shall not develop the same theme, because, given my views on the possible lack of infallibility of the Secretary of State, it is obvious that I should support it.

I wish to develop the argument that was touched on by the hon. Member for Bradford, South (Mr. Cryer) relating to the issue of warrants by the Secretary of State. We already know that my right hon. Friend the Home Secretary and my hon. Friend the Minister of State have the strictest possible instructions not to make any concessions towards accepting any amendment so that the dreaded thought of a Report stage must be avoided at all costs. No matter how badly the Bill is drafted or how awful a dent is being made in our civil liberties, no amendments are to be conceded. However, I think that I have found a classic example of how MI5, the drafters of the Bill, have shot themselves in the foot disastrously and will have to amend the Bill.

Clause 3(3) deals with the issuing of a warrant. It states:

> "A warrant shall not be issued under this section except—
> (a) under the hand of the Secretary of State: or
> (b) in an urgent case where the Secretary of State has expressly authorised its issue".

Presumably, when the Secretary of State is in the north of Scotland, he can authorise a warrant by telephone and an official in his Deprtment can sign it.

The problem is that that scenario concentrates all warrant authorisation by signature or on the telephone exclusively and entirely in the hands of the Secretary of State. That is unworkable as there will be many occasions when the security services need a warrant quite quickly and the Secretary of State is unobtainable. For example, I understand that the Secretary of State is to visit the kingdom of Saudi Arabia. It is a semi-official visit, but knowing something of the hospitality there, I have no doubt that his schedule will include some up-country trips, perhaps a spot of falconry in the desert or some camping miles away from telephones or possible communication with the office in London. There could be many such occasions in the Secretary of State's life. He could be on holiday, swimming in the sea out of range of a telephone, or he could be ill or incapacitated.

Mr. Maclennan: I wish that I could believe that the hon. Member for Thanet, South (Mr. Aitken) has discovered such a flaw, but it is a canon of statutory interpretation that use of the phrase "Secretary of State" does not confine itself to any particular Secretary of State. If, as he suggests, the Secretary of State for the Home Department is unavailable, the Bill empowers the Secretary of State for the Environment or the Secretary of State for Scotland, or another, to fulfil the task.

10.45 pm

Mr. Aitken: I know that that has been past practice. It is well known that, when seeking warrants, the security services have often called upon what might be called the weakest link in the chain—the Minister of Agriculture, Fisheries and Food, or the Secretary of State with responsibility for drains, as being the last man in Whitehall on a Friday afternoon, because he does not have a clue about what goes on and can be counted on briskly to sign the authorisation.

Mr. Allason: I cannot believe that other Secretaries of State are authorised to sign warrants. In the past, and under the Interception of Communications Act 1985, it has been the practice to identify the Secretary of State for the Home Department. It will be improper if other Secretaries of State, who are not aware of the background, consider the detailed submissions that must be made to obtain a warrant.

Mr. Aitken: No doubt the Minister will elucidate that point, but the Bill appears to give no scope for any person other than the Secretary of State for the Home Department, to whom the Bill refers throughout as the Home Secretary, and who is responsible for oversight and monitoring supervision, to sign warrants.

I am baffled by the notion that the Secretary of State for the Home Department will not, in any circumstances, take a day off. If that is so—and clause 3(3) reads that way—it reveals a defect in the arrangements. Clearly, although

[Mr. Aitken]

the Home Secretary has summoned up for himself amazing powers of oversight and monitoring, he cannot be everlastingly omnipresent and eternally vigilant so as to authorise warrants.

I suggest that an amendment must be made to allow Secretaries of State—in the plural—to authorise warrants. It would be preferable if the judiciary, who are plural, did so. I hope that the point made by the hon. Member for Caithness and Sutherland (Mr. Maclennan) concerning the canon of interpretation is not valid. As I read the Bill, it contains a defect, and the provision for issuing warrants will have to be amended.

Mr. Menzies Campbell (Fife, North-East): I wish to speak briefly in support of amendments Nos. 56, 58 and 59, which were eloquently and persuasively spoken to by the hon. Member for Aldridge-Brownhills (Mr. Shepherd). However, I do so with reservations, because amendment No. 58 refers to

"an order of a Judge of the High Court",

which I interpret to mean an English High Court judge.

We have within the United Kingdom one other separate legal jurisdiction. In circumstances in which an application relating to Scotland is made by the Solicitor-General—leaving aside the question of whether or not it should be the Solicitor-General for Scotland—it is only right and proper that it should be made to a judge within the Scottish jurisdiction; whether of the Court of Session or of the High Court of Justiciary is something we need not debate this evening. That can easily be corrected at a later stage in the Bill's progress.

We are concerned with a matter of principle. Where the innovation of one's personal rights, whether in respect of liberty of property, is to be justified by the issuing of warrants, it is only right and proper that the warrant by which such enervation takes place should be issued by a source that can have no interest in the consequential outcome. Judges, for all their faults, have long been more effective guardians of the freedom of United Kingdom citizens. It was not a Secretary of State who said:

"Be you ever so high the law is above you."

Had we had to rely on Secretaries of State to protect our personal liberties, I suspect that those personal liberties would have been in a far less effective and vibrant condition than they are today.

Mr. Buchan: I believe that the interpretation of the hon. Member for Caithness and Sutherland (Mr. Maclennan) was right: normally "the Secretary of State" means "any Secretary of State", which is even more appalling. The element of secrecy surrounding the Bill, and the fact that there is no scrutiny Committee with any public responsibility or accountability, but that all is left in the hands of the Home Secretary—who may be missing—and the Prime Minister, mean that if the one person who is being reported to in any detail on the workings of the Security Service is missing, an entirely unknown Secretary of State, for example, the Minister of Agriculture, may sign the warrant.

Mr. Aitken: I am fascinated by all the constitutional experts who are popping up on the Opposition Benches. Perhaps the hon. Gentleman will clarify the matter a little further. If the words "the Secretary of State" can mean "any Secretary of State", does that apply throughout the Bill? Can the director-general be appointed by any Secretary of State, or the monitoring be done by any Secretary of State? Are all Secretaries of State transferable?

Mr. Buchan: I think that legally the short answer is yes. The practical, empirical answer is of course no, but I think that that is the case unless it is written into the appropriate clause that the Secretary of State referred to is the Home Secretary or the Secretary of State for Scotland. That is very common: agriculture Bills tend to refer to the Minister of Agriculture and the Secretary of State for Scotland. If that definition is not given, what I have described could happen.

Whether it happens or not, however, the position remains serious. We said yesterday that the whole apparatus of grim secrecy will be left in the hands of only one accountable person in Parliament—the Home Secretary, reporting to the Prime Minister. The director-general, and his position in relation to the Home Secretary, makes the thing even more private, even more secret and even more dangerous.

It would be better if the wording were clarified, but of course the Government do not want to clarify it now. Many defects have been pointed out in the past two days, but the Government have dodged them all. Earlier this evening we saw an astonishing phenomenon whereby Conservative Members accepted the main burden of the argument put forward in the form of a statement by the Home Secretary, but there was no offer to bring it into legislation. They are afraid of the tiniest amendment because they do not want to come back to the Bill on Report, when more thought could be given to it.

Mr. Cryer: What my hon. Friend has said suggests that any Secretary of State can ring up an official and say, "I expressly authorise a warrant." The official jots it down and then simply says, "The Minister of Agriculture happened to ring this morning and issued a warrant, which I endorse under my hand", and that fulfils the purpose of subsection (3)(b).

Mr. Buchan: In some circumstances I think that that could be the legislative and technical position, but we shall find out shortly from the Dispatch Box. In practical terms it would not be the case, because there would already be a working arrangement between the Secretary of State, that curious group of people MI5, and the various ancillaries.

Of course, it would be better if the matter were in the hands of a judge—if the judiciary in one form or another had given its imprimatur. But do not let us be too confident about that either. It was a head under a wig that made that infamous declaration in the Ponting case that the interests of the state were synonymous with those of the Government of the day. Incidentally, it is a terrible indictment of parliamentary democracy that we must lean on judges rather than on this place to try to save our democracy and freedom, and I understand why hon. Members say that accountability should be secured by a Committee of the House. It was, for example, a judge—the Lord Advocate—who signed the warrant to allow the invasion of the Scottish BBC, over the Zircon case—another entirely unnecessary and dangerous invasion of our freedoms.

Mr. Menzies Campbell: Perhaps the hon. Gentleman will recall that the Lord Advocate was a Minister, but it was a Scottish judge who regarded the first warrant as incompetent and reduced it.

Mr. Buchan: I withdraw what I said. The hon. and learned Gentleman is absolutely right. The judge rejected it as being a portmanteau warrant and therefore improper.

I believe that the amendments put forward by two Conservative Members and supported by members of the SDP—or whatever strange name they call themselves nowadays—should be supported. It takes a lot for me to say that. The Government knew they were wrong throughout the debates yesterday and today. It was clear they knew they were wrong. They did not seem prepared to make the slightest amendment. Have some courage. Say yes.

Mr. Harry Cohen (Leyton): I shall be brief as I do not wish to delay the Committee too much longer. I raised this issue on Second Reading, but the Minister did not respond. I want to give him a chance to do so because it raises serious implications. As we are discussing warrants, there is an opportunity legitimately to raise this matter. Under this legislation there will be warrants authorising breaking and entering and burglary, allegedly in the interests of the state. Under the Bill, burglary would become legal. In those circumstances, what I described on Second Reading as the "Hilda Murrell" implications arise. We should have some answers from the Minister about those implications.

What if the home-owner comes home and finds the warranted burglar, for want of a better word—it might not even be an MI5 man in these days of privatisation, as the job might have been contracted out to somebody—in his or her home and resists? That is not a hypothetical question. When people find burglars in their home they tend to resist. Many people put up a fight in defence of their property. What orders will the warranted burglar or MI5 man have in those circumstances? Can the Minister tell us? What will the MI5 man say in those circumstances? It is an important point and it has further implications. Ordinary burglars who are not MI5 men might say, if caught in the act, "I am doing it for MI5." What is the situation?

What if the warranted burglar assaults the home-owner? Will he be subject to prosecution? Will the police have a role, or will they be told that they have to cover up for MI5 because it is secret and in the national interest? If the home-owner is injured, will he be eligible to claim compensation? In general, if home-owners are hurt they can claim from the Criminal Injuries Compensation Board. How will a home-owner go about seeking compensation in these circumstances? What if the home-owner assaults the warranted intruder? Will the home-owner then be prosecuted? Will he be punished or will he be left not knowing what is going on, perhaps waiting in fear for some sort of revenge from the burglar because he got the best of the issue?

What will happen in such cases? The ensuing struggle might result in murder. What happens if the warranted burglar—the MI5 man—murders the home-owner? Will the matter ever come to court? Will it ever come out into the open? What will happen in those circumstances? Conversely, what happens if the home-owner murders the MI5 man? Will he be quietly bumped off or will he be taken to court?

The Government are making a new law with all those implications. They are not hypothetical questions. What is the position in law? The Government should tell us.

11 pm

Mr. John Patten: What an interesting debate this has been. It started quietly when my hon. Friend the Member for Aldridge-Brownhills (Mr. Shepherd) opened the batting for himself and his hon. Friend the Member for Thanet, South (Mr. Aitken). I appreciate their concern for democracy and for the individual, but they can be met in a number of different ways and in the end one has to judge which is the best.

First, let me deal with judicial intervention in the warrant-making process, which is where my hon. Friend the Member for Aldridge-Brownhills began. Then I shall deal with the interesting and important points raised by the hon. Members for Bradford, South (Mr. Cryer) and for Caithness and Sutherland (Mr. Maclennan) and my hon. Friend the Member for Thanet, South on the meaning of the words "Secretary of State" in the authorisation of warrants. Last but not least, I shall deal with the point raised by the hon. Member for Leyton (Mr. Cohen), which he also made on Second reading at column 1174 of *Hansard*, to which I was unable to respond due to pressure of time.

The proposals on the role of the judiciary in the warrant-making process are not practicable in the context of Britain. It is always as well to begin with one's own country rather than some theoretical situation. The amendments in the name of my hon. Friend the Member for Aldridge-Brownhills propose a two-stage procedure involving approval by the Solicitor-General and a submission in writing to a High Court judge. Let us remember that in Britain the terrorist threat may be rather different from that in many other countries, as hon. Members on both sides of the House recognise. Matters may be extremely urgent. Terrorists do not wait for legal procedures to be completed before they act. We all recognise that.

Therefore, it is essential to be able to deal with applications for warrants as quickly as possible. If we adopted some scheme for judicial intervention such as that put forward by my hon. Friends, argument would be on the basis of written papers. The judge might have no previous understanding of or experience in Security Service issues. He will have to make a first judgment on issues that have never been before him. [HON. MEMBERS: "So will the Secretary of State."] But Secretaries of State will at least—it is an important at least—have had considerable briefing on the Security Service and how it works. The judge will have had no previous experience in the consideration of Security Service work, or knowledge of the policy or background to the work. It is then up to the learned judge, according to my hon. Friends' amendment, to authorise individuals to obtain information and to do anything listed in subsection (3) of amendment No. 59. Moreover, the judge becomes involved in operational issues. I do not know whether that is my hon. Friend's design. He may set such terms and conditions as he considers advisable in the public interest.

[Mr. John Patten]

What is the director-general to do if he finds that the warrant has allowed an operation to take place in theory but that it has been frustrated in practice because of the way in which judicial intervention has worked, because of pre-conditions laid down by the learned judge, or because of the value judgments made by the judge that some members of the service might have been placed at considerable personal risk? Those are important considerations.

Mr. Richard Shepherd: I am charmed by my hon. Friend's hypotheses, but surely that is all that they can be. He has not produced any evidence to suggest that his hypotheses have any bearing in fact. For some time now, some of us have contended that our proposals are based on the statutory provisions of a country that shares our concepts of the rule of law, parliamentary democracy and ministerial responsibility and a judicial system not unlike our own. The Canadians have not had the hypothetical difficulties that my hon. Friend mentioned. The Canadians have to deal with terrorism too. They have had to deal with separatists—although the terrorist problem may not have been of the same dimension as ours—and they are part of the international community. An Air India aircraft originating from Canada was lost through terrorist activity.

We are trying to bring to the Minister's attention the fact that there is substantial evidence to show that the Canadian system works. He may go off on a detour about hypotheses and say that people in this country are too foolish and that our situation is so special that such matters cannot be understood. The Home Secretary said that cloth that is woven anywhere other than in Whitehall is not relevant.

Mr. Patten: I make no apology for speaking hypothetically, any more than my hon. Friend has. We are both speaking hypothetically about the possible adoption by this Government, or some other, of the proposals in amendment No. 56.

Mr. Menzies Campbell *rose*——

Mr. Patten: May I address myself first to my hon. Friend the Member for Aldridge-Brownhills before I give way? We have to deal with what may happen, so we are both speaking hypothetically. I had not, especially, wanted to discuss the Canadian system because I intend my remarks to be informed by the British experience. However, unfortunately from our point of view, it seems that in Canada—and I have looked into this too—it can take up to two days to achieve a judicial warrant. On some occasions, two days would not matter, but on others, when there was a serious terrorist threat, two days would matter.

Mr. Menzies Campbell: I apologise if, through an excess of zeal, I appeared to be interrupting the Minister when he was answering another hon. Member.

Will the Minister leave aside the hypotheses for a moment and address himself to the principle, about which hon. Members feel most strongly? Does he accept that, as the security services are an arm of the Executive, it is only right and proper, if they are to be authorised to commit what would otherwise be illegal acts, that the authorisation should come from the judiciary and not from the Executive?

Mr. Patten: I do not accept that. In the context of the threats that we face in this country and the long-established roles of the judiciary and the Executive, to which the hon. and learned Gentleman, with his considerable experience in the law—albeit north of the border—has referred—[HON. MEMBERS: "There is nothing wrong with that."] I agree that there is nothing wrong with that. I did not realise that I had touched a raw nerve. The judiciary should not become involved in the day-to-day operational decisions of the Security Service. When one considers the threats that this country faces, one realises that to take decisions about warrants requires an appreciation of the overall objectives of the Security Service and the considerations relating to the well-being and security of this country.

The judiciary could not reasonably be expected to assume such major operational responsibilities. It has been the theme of my right hon. Friend the Home Secretary and myself that such responsibilities are, properly, for Ministers. The system that is proposed in the Bill, with the additional protections given by the tribunal and the commissioner, is, I would point out to the hon. and learned Member for Fife, North-East (Mr. Campbell), an effective way to protect the interests of the nation as a whole.

I shall now deal with the interesting point, which was raised by the hon. Member for Bradford, South and referred to by the hon. Member for Caithness and Sutherland and my hon. Friend the Member for Thanet, South, about the system for signing warrants.

Our present system is a very good one. My right hon. Friend the Secretary of State for the Home Department is assiduous in his duties. He is not normally unobtainable, and I can tell the House—as a matter of the free dissemination of information—that neither falconry nor camping will be part of my hon. Friend's programme during his forthcoming visit to Saudi Arabia.

All these points stem from the constitutional doctrine that any Secretary of State can carry out the functions conferred upon a Secretary of State. The hon. Member for Caithness and Sutherland put his finger on it; he was quite right. It is nevertheless fanciful to suggest that the appointment of the director-general or the oversight of the service will be carried out by anyone other than my right hon. Friend the Home Secretary.

My hon. Friend the Member for Thanet, South raised some important points, but I can confirm that the judgment of the hon. Member for Caithness and Sutherland was right. Let me explain what would happen in the process. If my right hon. Friend the Home Secretary is fully informed while he is away from the office of the reasons why a warrant should be granted, he can give a civil servant of grade 3 or above the authority to sign the warrant. He can do that by his own direct personal authority. But that signature remains valid only for two days and the warrant can be renewed only over the hand of my right hon. Friend the Secretary of State. Incidentally, I share the view of the hon. Member for Bradford, South, who said that he deplored the new description "grade 3". I rather liked the old phrase "under-secretary". Perhaps they will all be given numbers shortly.

I have described what will happen when my right hon. Friend the Home Secretary is available. It is quite clear that another Secretary of State could authorise a warrant under the Bill—the point raised by the hon. Member for

Paisley, South (Mr. Buchan)—but it is nonsense to suggest that a Secretary of State will be authorised to sign warrants without any background knowledge. It will not surprise the Committee to learn that my right hon. Friend the Secretary of State for Northern Ireland is closely involved in these matters, and my right hon. and learned Friend the Secretary of State for Scotland is also involved. I remind the House that the language used in the Bill is exactly the same as that used in the Interception of Communications Act 1985. There is no change.

Mr. Maclennan: May we clarify the procedure? Suppose that the Home Secretary is in Saudi Arabia—not indulging in falconry but nevertheless unavailable to receive the intelligence from the Security Service that a particular matter requires the issue of a warrant. The Security Service will then have to convey that information to another Secretary of State; perhaps the Secretary of State for the Environment will be the only one available. As I understand the clause, an official of above grade 3 at the Department of the Environment would have to issue the warrant in the absence of the Home Secretary. I do not regard that rather bizarre set of circumstances as entirely fanciful. It is perfectly clear that from time to time the Ministers who are in touch with these matters and aware of the background are simply not available.

Mr. Patten: The hon. Gentleman is not usually known in the House for his flights of fancy, although he is known for many other things. Before his lengthy intervention, which turned into a speech, I said that that it was the other Secretaries of State concerned with security issues—for example, my right hon. Friend the Secretary of State for Northern Ireland—who would properly have an interest in these matters from time to time.

I come to the points raised by the hon. Member for Leyton. Although I think that I can give him a clear assurance, if he does not mind I shall not refer to the case of Hilda Murrell because I am not aware of it, and in any event I should not wish to comment on a past case. However, I can give the hon. Gentleman a cast-iron assurance that only activities that are legal and properly authorised will be carried out by the service. All that a warrant can authorise is action in respect of a named property, and both the action and the name of the property must be on the warrant. In no circumstances can a warrant authorise any attack on or interference with a person—that is no part of the service's task. So if, in the purely hypothetical case that was put to me by the hon. Member for Leyton, the owner resisted, he or she would be in exactly the same position as anyone else if he or she reasonably believed that the person entering was an intruder acting unlawfully.

With that reassurance, I hope that the hon. Member for Leyton, other hon. Gentlemen and some of my hon. Friends will not seek to press their points in the Lobbies.

11.15 pm

Mr. Cryer: An amendment that was designed simply to ensure greater ministerial accountability has developed a little. From subsection 3(3) it now appears that any Secretary of State can authorise a warrant. The hon. Gentlemen who pointed that out were quite right because the particular Secretary of State is not defined. Moreover, any Secretary of State can not only authorise a warrant; he can authorise a warrant over the telephone to an official above grade 3. The official then takes down a message, saying that the Secretary of State, or rather in this case the Minister of Agriculture, Fisheries and Food, authorises a warrant for entering an intervention store. Under paragraph 3(3)*(b)* the note by the official accompanies the issue of the warrant.

It may turn out that the Secretary of State did not make that authorisation, but that the official misheard what he said over the telephone. That sort of arrangement is permissible and authorised under the Bill. Therefore, under the Bill the Secretary of State does not have to write anything for a warrant to be issued—an official can simply take down a note.

The Minister said that issuing a warrant involves a Secretary of State who is concerned with security issues——

Mr. John Patten: It could.

Mr. Cryer: Yes, it could, but the Minister actually said "concerned with security issues". That would be in the ordinary run of the mill, but that is not what the Bill states. It states "the Secretary of State". Curiously, paragraph 3(3)*(b)* does not state "where a Secretary of State has expressly authorised its issue", it states

"where the Secretary of State has expressly authorised its issue".

I suspect that those who drafted the Bill were not too sure about the position and drafted it in a general and sloppy way so that they could invoke anybody, if they so chose, without any criticism being directed at them.

I have used the example of the Minister of Agriculture, Fisheries and Food. If any hon. Member tables a question about the intervention stores in this country, the Minister of Agriculture, Fisheries and Food will not reveal where they are because it is a secret. Therefore, it could be legitimately argued that the Minister of Agriculture, Fisheries and Food is concerned with security issues because his Department has to hide all the locations of the cereal intervention stores. If somebody finds out that inside one of the intervention stores there are supposed to be cereals, but that instead it contains rotten apples, and if the Minister of Agriculture, Fisheries and Food needs to find out that information——

The Second Deputy Chairman of Ways and Means (Miss Betty Boothroyd): Order. The hon. Gentleman is very amusing, but he is straying from the amendment.

Mr. Cryer: My amendment No. 95 in fact requires a junior Minister to issue a warrant, and would exclude an official having anything to do with it.

The Second Deputy Chairman: The hon. Gentleman must keep to the point of the issue of the warrant.

Mr. Cryer: I am absolutely with it. The point I am making is that the reasons that could be advanced for the issue of a warrant from a Department, which seem on the face of it highly unlikely, are actually a possibility in reality, because of the curious way in which we keep those intervention boards secret. Therefore, the Minister might argue that it is necessary to obtain a warrant and evidence that the secret of an intervention store is coming out.

Mr. Buchan: Can I draw my hon. Friend's attention to clause 1(3), because we have been mystified up to now——

The Second Deputy Chairman: Order. The Committee has disposed of clause 1.

Mr. Buchan: It is completely relevant to this.

The Second Deputy Chairman: It may be relevant, but the Committee has dealt with clause 1, with respect, and I must remind the hon. Gentleman——

Mr. Buchan: Can I——

The Second Deputy Chairman: Order. I want to be reasonable about this, but the Committee has dealt with clause 1—that has gone.

Mr. Buchan: It is precisely because we have dealt with it that it becomes relevant to this section. Clause 1(3) refers to problems posed by the actions or intentions of persons outside the British Islands, which is precisely the point that my hon. Friend is making about intervention stocks in this country, because they could have come from Belgium, Holland or France and they could be on the fiddle.

The Second Deputy Chairman: Order. The amendment deals strictly with the warrant and not with any intervention stores. The hon. Member for Bradford, South (Mr. Cryer) had come back to the point of the amendment, and perhaps he would now pursue that.

Mr. Cryer: My hon. Friend is saying that the issue of a warrant could be justified under clause 1(3), and it is the issue of the warrant about which we are concerned. I entirely accept, Miss Boothroyd, your injunction to keep to the point of the warrant, but the issue of the warrant is so vague. If it was an issue for a warrant to pop on a box of chocolates to say that it was approved by the Ministry of Agriculture, Fisheries and Food or whatever, we would not be too concerned, but we are talking about a warrant that authorises burglary. As my hon. Friend the Member for Leyton (Mr. Cohen) said, it is a warrant that authorises burglary with the possible consequence of people being injured. We believe that Hilda Murrell was killed by the security services. She was frightened, they were probably frightened, too, and something went terribly awry and she finished up dead.

We are talking about something that is extremely important, yet here we have a set of circumstances laid down in this Bill. At the end of the day, whatever the Minister says, it will not be a question of what is contained in *Hansard*. The words of the Bill will define the procedure to be undertaken. We are saying that this procedure is sloppy and that it has no adequate definition. If the Minister says that it has been done in the interception of communications legislation, I was not in the House at that time—no doubt missed greatly for the scrutiny that I can apply. This is new legislation on something which this House has never done before—the right physically to enter other people's property and to carry out what in every other case would be a serious criminal offence, with a possible penalty of several years' imprisonment.

I believe that the Minister should reconsider this, because it is a serious set of circumstances when any Secretary of State can authorise a warrant. It is no good the Minister saying that, of course, in practice it would not be any other Minister;, the fact is that under this legislation it apparently can be any other Secretary of State. The Minister is, in effect, saying that we are giving powers to every Secretary of State of every Department to issue warrants. That Minister will not be there all the time. We could have more nefarious, unscrupulous or ignorant Ministers—[HON. MEMBERS: "Or Labour Ministers."] *Labour will get rid of this licence for Ministers to authorise* burglary and bugging. It is outrageous.

The Bill does not depend on assurances from the Minister that its remit will be confined. Once the Bill is passed the power is handed over to be applied by any Minister who happens to be appointed at the time. Although the Minister of State may give us genuine, fond assurances that that power will be concerned for paltry accountability, and all the other platitudes that Ministers tumble out from time to time, we are worried about the law that is laid down in the Bill.

As we understand it, any Secretary of State can authorise a warrant for burglary under the Bill. Consequently, a Secretary of State does not have to write anything to issue a warrant. He simply must say to someone, either directly, over the telephone or by other means, "Yes, I authorise you to issue a warrant." It could be that the Secretary of State's intention is distorted by a bleep in the electronic communications. The official may write down that the warrant is issued, whereas the Secretary of State said "The warrant is not issued." The official, in good faith, writes down that that warrant is authorised and it is then issued. It is absolutely incredible that such legislation is being pursued in the House.

Do the Government have the same standards when issuing regulations for social security benefits? No, they do not. When the Government are dealing with social security benefit legislation they lay down page after page of careful drafting. There are regulations on every detail and schedules to ensure that the poor and wretched do not get a penny more than they are authorised to receive.

If the Minister is doing something serious that authorises potentially criminal activity, he should, at least, be as careful in the primary legislation, as the Government are in other legislation on social security and other activities. That is not the case with the Bill. The Government are guilty of shoddiness because, once the Bill is passed, it will not come back to Parliament. It is true that there will be a parliamentary report from the commissioner, but there are no guarantees that it will be debated.

Behind closed doors there will be lots of telephoning and mistaken messages will be recorded. All that will be covered up. Officials may be told that MAFF authorised a warrant, but that it did not mean to and that it wants that warrant to be returned. The reply to the Ministry may well be, "Sorry, we have done the burglary." The outcome will be "Hard lines. It is just one of those things."

Nothing will be brought back to Parliament. That is not good enough and the Minister should be decent enough to issue a statement tonight to the effect that the Government will have another look at this matter and clarify the Bill to ensure that there is no mistake.

Given that important and potentially dangerous powers are to be authorised, we should, at least, have some sort of clarity in the legislation. If the Minister is unable to obtain such clarification from the Home Department, he should go to the Department of Social Security, because it has had lots of practice at issuing clear legislation to stop the poorest in the land getting an extra penny. The Minister should bring such scrutiny to bear on the Bill.

Mr. Maclennan: As the debate has progressed, the case for the judicial issue of the warrants has become stronger.

My hon. and learned Friend the Member for Fife, *North-East (Mr. Campbell) asked the Minister whether he* accepted the principle of judicial warrants. The Minister said that he did not because he believed that the person who issued the warrant should have some understanding of the background to the Security Service and the matters in hand. It has become clear from the debate that the Bill does not provide for that. It is clear that any Secretary of State may issue a warrant, not just the Secretary of State with responsibility for the Security Service. Worse, in an emergency the Secretary of State in question may not even be consulted. If the service judges that there is an emergency which requires the issue of a warrant, the Bill entitles it to shop around for a Secretary of State who is favourable to issuing one. It can then be issued by an under-secretary. That is not fanciful—it is farcical. It is an unacceptable intrusion on fundamental rights and freedoms, and the Bill entitles the Security Service to make that intrusion.

11.30 pm

The emergency provisions in clause 3(3), which amendment No. 59 seeks to tackle more satisfactorily, are not acceptable. The implication that a court cannot move with the rapidity of a Minister is not sustainable either. The courts are accustomed to keeping duty judges sitting for just such eventualities, and it is perfectly possible to ensure that duty judges—High Court judges, or judges of equivalent status in Scotland—are on hand at all times. It would be easier to do that than to ensure that a Minister of the appropriate level was always on hand. In the nature of things, Secretaries of State are called to perform many duties, and it is highly improbable that there will always be a Minister familiar with the workings of the Security Service at this level when one is needed.

I hope that the Minister will eschew his position to the proposals on the grounds of practicality. Not only is it practical to operate a system of judicial warrants in this country, but such a system has been successfully operated in Canada and no one has ever suggested that it put the Canadian security service at risk or rendered its operations less effective.

Ms. Abbott: Clause 3 is subtitled "Warrants". It should be titled, in the immortal words of Peter Wright, "Bugging and Burgling." It is about the conditions under which the Security Service can break the law. It is because it is about the power and capacity of the Security Service to break the law and intervene in the lives of ordinary people that I support the amendments.

I listened with great attention to the Minister's explanation of why the amendments should not be accepted. It is always a pleasure to hear him lecture us on the facts of political life with his usual confidence, verve, elan and panache, but I suggest in all timidity that he did not quite meet the case. The Minister made three points with which my hon. Friends and I might differ. He accused the hon. Member for Aldridge-Brownhills (Mr. Shepherd) of making a hypothetical case, but the case was based on Canadian experience and was thus grounded in fact. It was the Minister's case that was hypothetical. He claimed that the problem with the Canadian system was that it might take up to two days. We do not accept that. We are quite sure that in urgent cases the judiciary could move more quickly than that. There are plenty of examples of judges being whipped from their beds to issue warrants.

The Minister claimed that the considered, careful and precise drafting of the amendment was not necessary because there would be a tribunal and a commissioner. The Minister has missed the point. The tribunal and the commissioner can come into play only after the bugging and burglary have taken place. The amendment seeks to make sure that before any elaborate illegality takes place the matter has gone through the due judicial process. Given the power and the capacity of the security services to break the law, intervention by the judiciary is not only necessary but appropriate. Even at this late stage, I hope that the Minister can be prevailed upon to change his opinion of the reasonable amendments that have been tabled.

Mr. Aitken: I intervene to press my hon. Friend the Minister for a more convincing explanation of the procedure on the warrants as it affects the Secretary of State. I maintained in an earlier intervention that clause 3(3) is clearly directed at the Secretary of State, meaning the Home Secretary only. After a great deal of scribbling and passing of notes backwards and forwards between the Minister and his advisers and a little help from the hon. Member for Caithness and Sutherland (Mr. Maclennan) who is so learned in the law, it emerged that "Secretary of State" can mean any Secretary of State. So be it: we must respect the views of constitutional and legal experts.

If that is the case, why on earth has the drafter of the Bill put in paragraph (b)? There is now an elaborate procedure for urgent cases by which grade 3 civil servants can have telephone instructions and can get two-day endorsements. Why is paragraph (b) necessary if any old Secretary of State can sign the warrant? My hon. Friend's position does not make too much sense if the Bill was drafted as correctly and as perfectly as he would have us believe. If "Secretary of State" means any Secretary of State, the procedure is simple and a warrant can be signed in many places in Whitehall. If that is the case we do not need the complex machinery of endorsements lasting two days made by grade 3 officials. Either that is the case or, as I suspected all along, the clause, like many others in the Bill, has been badly drafted. I press my hon. Friend for a better explanation than the one that he has given.

Mr. John Patten: The explanation that I gave earlier to my hon. Friend the Member for Thanet, South (Mr. Aitken) will be in *Hansard* for him to read. Tomorrow, when he gets the chance to reflect upon it, he will recognise that the system provides for complete overall supervision by my right hon. Friend the Secretary of State for the Home Department. The Bill provides that in an emergency another Secretary of State, normally as I explained the Secretary of State for Northern Ireland or the Secretary of State for Scotland, would have a hand in this. In addition, an under-secretary of state or deputy under-secretary of state who might take instructions by telephone about these issues on the personal authorisation of my right hon. Friend the Secretary of State for the Home Department, would be a Home Department official.

Mr. Aitken: My hon. Friend cannot be allowed to get away with this so easily. Perhaps I could use a cricketing analogy. We have heard about a wicket keeper, a deputy wicket keeper and a long stop. We have never heard of a Bill in which 11 long stops are easily obtainable. Not only

[Mr. Aitken]

can the warrants be signed by all Secretaries of State, but by many civil servants. Will my hon. Friend accept that this should be tidied up in another place?

Mr. Allason: The Minister has made the extraordinary claim that any Secretary of State can sign one of these warrants. In the past these warrants have been signed, for example, in Scotland by the Secretary of State for Scotland and in Northern Ireland by the Secretary of State for Northern Ireland. The procedure is detailed in the interception of communications legislation, on which this provision is clearly based. But the idea that in an emergency another Secretary of State could examine the detailed submissions that must be made before a warrant is granted is absolutely bizarre and I hope my hon. Friend will take this opportunity to correct himself.

Ms. Abbott: The Minister said that there could not be judicial intervention in the signing of warrants because the judiciary would not have the expertise and briefing available to the Home Secretary. We are now being told that any Secretary of State—be he responsible for taxi cabs, agriculture and fisheries or whatever—will do. The hon. Gentleman must be aware that that contradicts his earlier statement that only the Home Secretary or a Minister in the Home Office with expertise could perform this task.

Mr. Andrew F. Bennett: I am surprised that the debate on this issue has gone on for so long without the Minister really answering the point that has been adduced. I understand this to be simply a drafting matter. Whereas, in the past, in legislation specific Ministers were named, a point came when the Prime Minister wished to reallocate responsibilities and problems arose. So it has become a convention in recent legislation to refer to the Secretary of State and for the duties of a particular Secretary of State to be authorised from time to time by the Prime Minister. It seems that this legislation is simply following that convention. The Minister might have told us that at a much earlier stage.

Mr. Tony Banks: Having been absent from the Committee for only a short while this evening, I return to find the Mad Hatter's tea party in progress. Will the Minister explain whether there are any parallels in legislation that would explain the situation that is giving rise to so much concern in the Committee?

Mr. Maclennan: The mystery of the Minister's reluctance to answer the questions that have been put to him can be explained by recognising that he is endeavouring to retain the absolutely unfettered freedom of the Security Service to obtain warrants and to be in no way trammelled by the non-availability of a Minister.

We recognise that urgency is an important factor, but the Minister cannot at the same time argue for urgency and for experts being available. Ministers with knowledge and background will not always be available. The Security Service will have to seek warrants from time to time without being able to adduce arguments with the support of a Minister with such expertise. The Minister has, by his reluctance to address this point, shot down his earlier argument that this had to be done by people with expertise and could not be done by a judge.

Mr. Aitken: I have a final suggestion, it having now been revealed that a complex safeguarding of civil rights procedure is not involved in the issuing of warrants. Indeed, warrants can be instantly available. In this building there is an efficient organisation which, among other things, issues rail warrants. It is called the Fees Office. Would it not be simpler to put the Fees Office in charge of issuing these warrants on behalf of the Security Service, thereby solving the problem?

Question put, That the amendment be made:

The Committee divided: Ayes 50, Noes 180.

Division No. 36] **[11.44 pm**

AYES

Abbott, Ms Diane
Aitken, Jonathan
Alton, David
Ashdown, Rt Hon Paddy
Banks, Tony *(Newham NW)*
Barnes, Harry *(Derbyshire NE)*
Beith, A. J.
Bennett, A. F. *(D'nt'n & R'dish)*
Boateng, Paul
Bradley, Keith
Bruce, Malcolm *(Gordon)*
Buchan, Norman
Buckley, George J.
Cohen, Harry
Cryer, Bob
Davis, Terry *(B'ham Hodge H'l)*
Douglas, Dick
Dunnachie, Jimmy
Ewing, Mrs Margaret *(Moray)*
Fyfe, Maria
Gordon, Mildred
Hardy, Peter
Hughes, John *(Coventry NE)*
Hughes, Simon *(Southwark)*
Kennedy, Charles
Kirkwood, Archy
Leadbitter, Ted
Livsey, Richard
McAvoy, Thomas
Macdonald, Calum A.
McFall, John
McKay, Allen *(Barnsley West)*
McTaggart, Bob
Mahon, Mrs Alice
Martin, Michael J. *(Springburn)*
Martlew, Eric
Michie, Mrs Ray *(Arg'l & Bute)*
Moonie, Dr Lewis
Morley, Elliott
Nellist, Dave
Shepherd, Richard *(Aldridge)*
Skinner, Dennis
Spearing, Nigel
Steel, Rt Hon David
Strang, Gavin
Taylor, Matthew *(Truro)*
Welsh, Andrew *(Angus E)*
Williams, Alan W. *(Carm'then)*
Winnick, David
Wray, Jimmy

Tellers for the Ayes:
Mr. Robert Maclennan and
Mr. Menzies Campbell.

NOES

Allason, Rupert
Arbuthnot, James
Beggs, Roy
Boswell, Tim
Bowden, Gerald *(Dulwich)*
Bowis, John
Brandon-Bravo, Martin
Brown, Michael *(Brigg & Cl'th's)*
Burns, Simon
Butcher, John
Butler, Chris
Butterfill, John
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Cash, William
Chapman, Sydney
Chope, Christopher
Churchill, Mr
Coombs, Anthony *(Wyre F'rest)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon John
Couchman, James
Cran, James
Currie, Mrs Edwina
Davies, Q. *(Stamf'd & Spald'g)*
Davis, David *(Boothferry)*
Devlin, Tim
Dicks, Terry
Dorrell, Stephen
Douglas-Hamilton, Lord James
Dover, Den
Durant, Tony
Evennett, David
Favell, Tony
Fenner, Dame Peggy
Fishburn, John Dudley
Fookes, Dame Janet
Forman, Nigel
Forth, Eric
Franks, Cecil
Freeman, Roger
French, Douglas
Fry, Peter
Gale, Roger
Garel-Jones, Tristan
Gill, Christopher
Goodhart, Sir Philip
Goodlad, Alastair
Gorman, Mrs Teresa
Gow, Ian
Greenway, John *(Ryedale)*
Gregory, Conal
Griffiths, Peter *(Portsmouth N)*
Grist, Ian
Gummer, Rt Hon John Selwyn
Hamilton, Hon Archie *(Epsom)*
Hanley, Jeremy
Hargreaves, A. *(B'ham H'll Gr')*
Hargreaves, Ken *(Hyndburn)*
Harris, David
Hayes, Jerry
Hayhoe, Rt Hon Sir Barney
Hayward, Robert
Heathcoat-Amory, David
Heddle, John
Hicks, Mrs Maureen *(Wolv' NE)*
Hill, James
Hind, Kenneth
Holt, Richard
Howard, Michael

Howarth, Alan *(Strat'd-on-A)*
Howarth, G. *(Cannock & B'wd)*
Hughes, Robert G. *(Harrow W)*
Hunt, David *(Wirral W)*
Hunt, John *(Ravensbourne)*
Hunter, Andrew
Hurd, Rt Hon Douglas
Jack, Michael
Jackson, Robert
Johnson Smith, Sir Geoffrey
Jones, Robert B *(Herts W)*
Kellett-Bowman, Dame Elaine
King, Roger *(B'ham N'thfield)*
King, Rt Hon Tom *(Bridgwater)*
Knapman, Roger
Knight, Greg *(Derby North)*
Lang, Ian
Latham, Michael
Lee, John *(Pendle)*
Lennox-Boyd, Hon Mark
Lightbown, David
Lilley, Peter
Lloyd, Peter *(Fareham)*
Lord, Michael
Lyell, Sir Nicholas
Macfarlane, Sir Neil
Maclean, David
McLoughlin, Patrick
Malins, Humfrey
Mans, Keith
Marland, Paul
Martin, David *(Portsmouth S)*
Meyer, Sir Anthony
Mills, Iain
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David
Monro, Sir Hector
Morris, M *(N'hampton S)*
Moss, Malcolm
Neale, Gerrard
Nelson, Anthony
Neubert, Michael
Nicholls, Patrick
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Norris, Steve
Onslow, Rt Hon Cranley
Oppenheim, Phillip
Page, Richard
Paice, James
Patten, John *(Oxford W)*
Pawsey, James
Peacock, Mrs Elizabeth
Porter, David *(Waveney)*
Portillo, Michael
Powell, William *(Corby)*
Price, Sir David
Raffan, Keith
Redwood, John
Riddick, Graham
Ridley, Rt Hon Nicholas
Rifkind, Rt Hon Malcolm
Roberts, Wyn *(Conwy)*
Roe, Mrs Marion
Ross, William *(Londonderry E)*
Ryder, Richard
Sackville, Hon Tom
Sayeed, Jonathan
Shaw, David *(Dover)*
Shaw, Sir Michael *(Scarb')*
Shephard, Mrs G. *(Norfolk SW)*
Shepherd, Colin *(Hereford)*
Smith, Tim *(Beaconsfield)*
Speed, Keith
Speller, Tony
Spicer, Michael *(S Worcs)*
Squire, Robin
Stanbrook, Ivor
Stern, Michael
Stevens, Lewis
Stewart, Andy *(Sherwood)*
Stradling Thomas, Sir John
Sumberg, David
Summerson, Hugo
Taylor, Ian *(Esher)*
Tebbit, Rt Hon Norman
Thompson, D. *(Calder Valley)*
Thompson, Patrick *(Norwich N)*
Thurnham, Peter
Townend, John *(Bridlington)*
Tracey, Richard
Tredinnick, David
Trippier, David
Trotter, Neville
Twinn, Dr Ian
Waddington, Rt Hon David
Walker, Bill *(T'side North)*
Wardle, Charles *(Bexhill)*
Warren, Kenneth
Watts, John
Wells, Bowen
Wheeler, John
Whitney, Ray
Widdecombe, Ann
Wilkinson, John
Wilshire, David
Winterton, Mrs Ann
Winterton, Nicholas
Wood, Timothy
Yeo, Tim

Tellers for the Noes:
Mr. John M. Taylor and
Mr. Michael Fallon.

Question accordingly negatived.

Mr. Andrew F. Bennett: I beg to move amendment No. 84, in page 3, line 4, at end add—

'(8) Where any individual reports to the police any event which appear to be criminal, and where the police are satisfied prima facie evidence of a crime exists, they shall inform the individual if no crime has been committed because the events were permitted under a warrant issued under this act by the Secretary of State; and shall inform the individual of his rights to have the matter investigated by a tribunal as specified in Schedule 1 to this Act.'

When speaking to the last group of amendments, my hon. Friend the Member for Leyton (Mr. Cohen) referred to a situation that I want the Minister to address—*[Interruption.]*

The Second Deputy Chairman: Order. I shall be grateful if right hon. and hon. Members leaving the Chamber will do so quietly, so that the hon. Member for Denton and Reddish (Mr. Bennett) can be heard.

Mr. Bennett: In the previous debate, my hon. Friend the Member for Leyton referred to a problem that amendment No. 84 is designed to overcome, where something goes wrong with the activities of the Security Service. Clearly, the main purpose of warrants will be to undertake burglary or bugging, in such a way that the individual whose property is burgled or whose telephones are tapped will not know of it.

If such activities are successfully undertaken, the individual is unlikely to know of them and to be in a position to complain. However, if something goes wrong, the individual will be left in considerable doubt as to what has happened. The purpose of amendment No. 84 is to ensure that the individual is given a clear statement that what he believed to be a criminal offence was not criminal but something authorised by the Home Secretary—and that as a result, he has a right, under schedule 1 to the Act, to appeal to the tribunal for redress.—*[Interruption.]*

The Second Deputy Chairman: Order. It is very difficult for the hon. Member for Denton and Reddish to be heard. If right hon. and hon. Members at the Bar wish to continue their conversations, I shall appreciate it if they will do so on the other side of the swing doors, so that those of us who are involved in the Committee can hear the proceedings.

Mr. Bennett: I am grateful to you, Miss Boothroyd.

If a security operation goes wrong and the individual concerned discovers that his property has been burgled or bugged and makes a complaint to the police, they should be able quickly to establish that it was done under the Home Secretary's warrant. In those circumstances, the police should inform the individual accordingly. If a person returns to his property and discovers an intruder whom he then detains or arrests and hands over to the police, it will be most unsatisfactory if the police allow that intruder to go free without giving the victim an explanation and the information that the intruder is a member of the Security Service.

I hope that the Minister will make it clear that, where an individual discovers that his property has been burgled or bugged and complains, he will be informed of the warrant and of his right to complain to the tribunal.

Mr. John Patten: Sadly, the amendment would provide a ready means for anyone who suspected that the Security Service had discovered his or her activities to check, through the police, whether a property warrant existed in respect of any property in which he or she had an interest. I rather doubt that the hon. Gentleman meant that to be the effect of the amendment, but that would be its effect in practice. For example, a spy or terrorist would have a ready-made route to finding out as promptly as possible whether he was under surveillance. The Bill, however, contains a ready-made route for a citizen who feels aggrieved to go through a complaints mechanism. As with the Interception of Communications Act 1985, leaflets will be made widely available to anyone who wants them in such places as police stations, public libraries and citizens advice bureaux, making clear the avenues of complaint.

12 midnight

I do not think that the matter can be dealt with on a case-by case basis in the light of a particular warrant operation, as the amendment proposes. I appreciate the point about individual liberty with which the hon.

[Mr. John Patten]

Gentleman is trying to deal, but whatever the purpose of the amendment its net effect would be to provide an open door for anyone engaged in illicit activity to damage the security of the state.

Mr. Buchan: The Government have said, "We quite agree that individual liberty will be expended, but it is important that we retain the provision." That is nonsense. There is no question of a spate of individuals setting in train the demolition, stealing or removal of business papers or other material from their own homes—in such a way that the police accept that a prima facie case has been established—to try to investigate whether they are being bugged by MI5. Some of us have suspected that in the past, but by no stretch of the imagination would we have created an apparent crime that would convince the police that prima facie evidence of a crime existed.

When civil liberties are weighed against a minor problem facing the Security Service, the House should always come down on the side of individual liberty. The Government are a disgrace to parliamentary democracy and the liberty of this country.

Mr. Tony Banks: The Minister always responds to perfectly reasonable suggestions by claiming that the amendment, if carried, would give aid and succour to a terrorist or spy. I can understand that: I do not particularly want to end up dead in my bed having been killed by a terrorist, and if I thought that the Bill would protect me from such a sad eventuality I should be a little more enthusiastic about it.

What concerns me about the amendment, which is perfectly reasonable, is how individuals who feel that they have suffered from criminal activity—because their houses have been broken into—know that they have grounds of complaint to the tribunal. Will the police officer be able to tell them, "Don't worry about it, Jimmy. It was not an ordinary burglar; it was someone who had managed to get a warrant from the Transport Office at the House of Commons"? It has been suggested that that might be the most convenient way of obtaining one.

I should like to know the mechanisms, just in case I happen to be on the receiving end of a burglary and happen to catch the individual. I get in touch with Forest Gate police station; the police come and take the individual away. When I go along to find out whether I can press charges, will the police then say, "There is nothing to worry about; it was done through a warrant"? If the individual has the right of redress through the tribunal, what information will be given that will enable him to lodge a complaint? If no such information is given, what is the point?

Mr. Andrew F. Bennett: Supposing someone detains someone in his property and takes him down to the police station, what do the police do? Do they just let that individual walk away and give no explanation at all, leaving one to assume that it is not incompetence on the part of the police but the fact that they know a warrant existed?

I am very disappointed with the Minister's reply because I did take the trouble in this amendment to make it clear that there had to be prime facie evidence that some criminal activity had actually occurred. As far as I can see, anybody who is likely to be involved in terrorist or other activities who finds someone has broken into or bugged his property is going to know perfectly well that the Security Service was involved, or at least he will jump to that conclusion. What we are describing in this amendment is the protection for the individual whose civil liberties have actually been infringed, and wrongly infringed, so that they can have some clear evidence to take to the tribunal.

I also suggest to the Minister that there is a practical problem. There is a great deal of disquiet in this country at the moment that often the police do not take investigations in burglaries sufficiently seriously. Is the Minister suggesting that every time an individual that feels his property has been burgled and the police have not pursued it with sufficient diligence he should refer it to the security tribunal to try and find out whether it is merely that the police have not shown much enthusiasm for his complaint or whether no crime had been committed because a warrant had been issued?

Surely the Minister does not want to get thousands of cases being referred to the tribunal. He wants to make sure that those people who have a legitimate complaint have their cases investigated, and to avoid a huge number of complaints coming in. It does seem to me that there ought to be a clear process by which people can be told, if it has become obvious to them that their property is being interfered with, that it was done under the due process of a warrant.

Amendment negatived.

Question proposed, That the clause stand part of the Bill.

Mr. Tony Banks: I am not going to detain the Committee long. The point that I want to make is that this Committee seems to be inordinately relaxed about the way civil liberties are disappearing. There seems to be no real scrutiny of this clause or previous clauses. This is a Committee stage. If the Minister wants to reduce the whole thing to low farce, we should, by all means, continue in the way that we are going on.

I ask legitimate questions. I do not want to keep myself out of my own bed tonight. I am not finding it particularly enjoyable to be here, and I am sure that is true of right hon. and hon. Members. Those of us who are taking part in this Committee stage are here because we want to assure ourselves about certain rather disturbing aspects of this Bill. Up to now we have been gravely disappointed, and we shall go away far more worried about this Bill than we were when we arrived here for the Committee stage.

I ask that Ministers at least answer some of the questions directed specifically towards the clause stand part debate by me. I want to know how the procedure works. Is it unreasonable, even at eight minutes past midnight, to ask some specific questions in what is supposed to be the Committee stage of a Bill, when we can ask Ministers questions, and Ministers can respond? The rules of debate that apply to a Second Reading and other stages do not apply here. This is where we are supposed to be giving scrutiny to this Bill, and up to now we most certainly have not done that. We have been derelict in our duty, because the Minister has refused to treat this measure seriously.

Mr. John Patten: I have given a full and helpful explanation to the Committee, and I ask that the clause stand part of the Bill.

Question put and agreed to.

Clause 3 ordered to stand part of the Bill.

Clause 4

THE SECURITY SERVICE COMMISSIONER

Mr. Allason: I beg to move amendment No. 1, in page 3, line 5, leave out from 'appoint' to end of line 7 and insert 'two Commissioners for the purpose of this Act.'

The Second Deputy Chairman: With this it will be convenient to discuss the following amendments:

No. 60, in page 3, line 5, leave out 'a Commissioner' and insert 'an Inspector General'.

No. 2, in page 3, line 8, leave out 'Commissioner' and insert 'Commissioners'.

No. 68, in page 3, line 8, leave out 'Commissioner' and insert 'Inspector General'.

No. 3, in page 3, line 9, leave out

'his appointment and there shall be paid to him'

and insert

'their appointment and there shall be paid to them'.

Clause 4, page 3, line 11, leave out subsection (3) and insert—

'(3) In addition to his functions under the subsequent provisions of this Act, the Inspector General shall be under a duty—

(a) to monitor the compliance by the Service with its operational policies;

(b) to review the operational activities of the Service; and

(c) to submit certificates pursuant to subsection (4A) below; and

(d) to keep under review applications made and warrants issued under section 3 and, in particular, the execution of such warrants'.

No. 4, page 3, line 11, leave out 'his' and insert 'their'.

No. 5, in page 3, line 12, leave out 'Commissioner' and insert 'Commissioners'.

No. 6, in page 3, line 13, leave out 'his' and insert 'their'.

No. 79, in page 3, line 13, leave out 'section 3 above' and insert 'this Act'.

No. 7, in page 3, line 16, leave out 'Commissioner' and insert 'Commissioners'.

No. 8, in page 3, line 16, leave out from 'as' to end of line 17 and insert

'they may require for the purpose of enabling them to discharge their functions'.

No. 9, in page 3, line 18, leave out 'Commissioner' and insert 'Commissioners'.

No. 64, in page 3, line 18, leave out 'Commissioner' and insert 'Inspector General'.

No. 10, in page 3, line 19, leave out 'his' and insert 'their'.

No. 11, in page 3, line 19, leave out

'him on any matter relating to his'

and insert

'them on any matter relating to their'.

No. 13, in page 3, line 22, leave out 'Commissioner' and insert 'Commissioners'.

No. 65, in page 3, line 22, leave out 'Commissioner' and insert 'Inspector General'.

No. 14, in page 3, line 26, leave out 'Commissioner' and insert 'Commissioners'.

No. 70, in page 3, line 26, leave out 'Commissioner' and insert 'Inspector General'.

No. 15, in page 3, line 31, leave out 'Commissioner' and insert 'Commissioners'.

No. 71, in page 3, line 31, leave out 'Commissioner' and insert 'Inspector General'.

No. 16, in page 3, line 32, leave out 'Commissioner' and insert 'Commissioners'.

No. 72, in page 3, line 32, leave out 'Commissioner' and insert 'Inspector General'.

No. 17, in page 3, line 33, leave out 'his' and insert 'their'.

No. 18, in clause 5, page 3, line 39, leave out

'Commissioner shall have the functions conferred on him'

and insert

'Commissioners shall have the functions conferred on them'.

No. 19, in page 3, line 42, leave out 'Commissioner' and insert 'Commissioners'.

New Clause 1—Duty of Commissioners to attend meetings of Security Service Directorate—

'It shall be the duty of the Commissioners appointed under this Act to attend all meetings of the Security Service Directorate unless the Commissioners decide that the discharge of their functions does not require such attendance.'.

New Clause 8—*The Security Service Commission*—

'(1) The Prime Minister shall appoint a Commission consisting of not more than three persons for the purpose of scrutinising the efficiency and effectiveness of the Security Service.

(2) Members of the Commission shall hold office in accordance with the terms of their appointment and there shall be paid to them by the Secretary of State such allowances as the Treasury may determine.

(3) It shall be the duty of every member of the Service to disclose or give to the Commission such documents or information as they may require for the purpose of enabling them to discharge their functions.

(4) The Commission shall make an annual report on the discharge of their functions to the Secretary of State and may at any time report to him on the discharge of their functions.

(5) The Secretary of State shall lay before each House of Parliament a copy of each annual report made by the Commissions under subsection (4) above together with a statement as to whether any matter has been excluded from that copy in pursuance of subsection (6) below.

(6) If it appears to the Secretary of State, after consultation with the Commission, that publication of any matter in a report would be prejudicial to the continued discharge of the functions of the Service the Secretary of State may exclude that matter for the copy of the report as laid before each House of Parliament.

(7) The Secretary of State may, after consultation with the Commission and with the approval of the Treasury as to numbers, provide the Commission with such staff as the Secretary of State thinks necessary for the discharge of its functions.

No. 20, in schedule 1, page 5, line 36, leave out 'Commissioner' and insert 'Commissioners'.

No. 21, in page 5, line 37, leave out 'he finds' and insert 'they find'.

No. 22, in page 5, line 38, leave out 'he' and insert 'they'.

No. 23, in page 5, line 41, leave out 'Commissioner' and insert 'Commissioners'.

No. 24, in page 5, line 41, leave out

'his conclusion on any complaint so far as referred to him'

and insert

'their conclusion on any complaint so far as referred to them'.

No. 25, in page 5, line 50, leave out 'Commissioner' and insert 'Commissioners'.

No. 26, in page 6, line 2, leave out 'Commissioner' and insert 'Commissioners'.

No. 27, in page 6, line 4, leave out 'Commissioner' and insert 'Commissioners'.

No. 28, in page 6, line 19, leave out 'Commissioner' has and insert 'Commissioners' have.

No. 29, in page 6, line 20, leave out 'he considers' and insert' they consider'.

[The Second Deputy Chairman]

No. 30, in page 6, line 21, leave out 'Commissioner considers' and insert 'Commissioners consider'.

No. 31, in page 6, line 23, leave out 'Commissioner' and insert 'Commissioners'.

No. 32, in page 6, line 28, leave out 'Commissioner' and insert 'Commissioners'.

No. 33, in page 6, line 37, leave out 'Commissioner' and insert 'Commissioners'.

No. 34, in page 6, line 38, leave out

'Commissioner may report any matter referred to him'

and insert

'Commissioners may report any matter referred to them'.

No. 35, in schedule 2, page 7, line 40, leave out 'Commissioner' and insert 'Commissioners'.

No. 36, in title, line 4, leave out 'a Commissioner' and insert 'Commissioners'.

No. 37, in title, line 6, leave out 'Commissioner' and insert 'Commissioners'.

Mr. Allason: I shall not detain the Committee long. I fear that the late hour has in considerable part been caused by the Minister's performance. I take no pleasure in saying that. The Bill and the amendments are about checks and balances. My hon. Friend has consistently pushed aside the initiatives that have been taken. He has pushed aside the Canadian precedent by talking about the so-called British experience. He was blithely dismissive of a series of constructive proposals and he has rubbished useful initiatives.

That is odd, bearing in mind that earlier my right hon. Friend the Secretary of State took a much more positive line and was helpful. Indeed, he conceded that there have been problems in the past with supervision and control of the Security Service which it would be incorrect to ignore.

Is there any matter of greater importance than the security of the nation? The amendments seek once again, probably in vain, to impose checks and balances. They seek to double the number of commissioners. Canada has no fewer than five members of the security and intelligence review committee. I am not going that far, but I urge the Government to consider two commissioners.

The Minister has persuaded Government Members this evening—I am as guilty as everybody else—to go through the Lobbies and authorise my right hon. Friend the Secretary of State for Environment and the Secretary of State for Energy to issue warrants to burgle homes. That is utterly bizarre. At the same time, he tells us that everything is safe in the hands of the Home Secretary.

Let me give a couple of examples of where the Minister's confidence appears to have gone a little adrift. He rubbished the suggestion made by my hon. Friend the Member for Aldridge-Brownhills (Mr. Shepherd) that there be a limit on the service of a director-general of 10 years. He said that it was unlikely to be longer than that. He clearly was not aware that the first director-general of the Security Service remained in that post for no fewer than 31 years.

There was an attempt last night to impose some kind of parliamentary oversight. That was rejected. So too was the proposal to have some kind of arrangement with Privy Councillors. Again, that was a reasonable attempt to share the burdens of the Secretary of State. That too was cast aside. We have now had a ridiculous performance over judicial warrants. The last Division took place because the Minister, for reasons that are still not clear to me, seemed determined to give authority for burglary and telephone intercept warrants to Secretaries of State who have nothing to do with those responsibilities. Indeed, that was in clear contravention of the Interception of Communications Act 1985.

The amendments do not cast doubt on the commissioner's role. I seek to have two commissioners because experience tells us—I do not share my hon. Friend's confidence on the history of the Security Service—that when a single individual has overseen the role of the Security Service things have gone wrong. The examples are legion. I shall mention just three. There was the chairman of the Security Commission who was clearly misled over the Bettaney case; the chairman of the Vassall committee, going back years ago, and the evidence supplied by the Security Service; and the more notorious case of Lord Denning.

I promised to be brief, so I shall merely urge the Committee to consider doubling the number of commissioners to two to avoid the danger of a single individual being nobbled. Anybody with a knowledge of what has happened in the past will concede that that is a real danger.

12.15 am

Mr. Maclennan: This large group of amendments may be characterised as seeming to provide for the oversight of the security services in various aspects by means more secure than those set out in clause 4. I shall confine my remarks to two of the amendments, although I support strongly several others, especially new clause 8 and amendments Nos. 60, 68, 62, 7, 64, 65, 70, 71 and 72, which the hon. Member for Aldridge-Brownhills (Mr. Shepherd) may wish to address. I want to deal with amendments Nos. 62 and 79.

Amendment No. 62, again, is based on the Canadian experience. It proposes that the inspector general—the officer whose functions are, essentially, those of the commissioner as proposed in clause 4—will have a more wide-ranging duty of scrutiny and supervision than under clause 4. It is appropriate for a service costing about £100 million per annum that there should be such oversight of the service beyond consideration by the Secretary of State of warrant practices, which we have been considering in relation to clause 3. It is right to ensure by establishing such an officer—the Government contemplate that he should be of the highest judicial standing—that not only how the Secretary of State has discharged his duties under clause 3, but whether the service is conducting itself appropriately in accordance with the Bill is scrutinised. It is important for that officer to stand apart, to some extent, from the direction of the service, which will be the responsibility of the director-general at the apex of the service. It is clear that a Minister cannot effectively do the job. That case has been partially conceded by the Home Secretary in seeking to appoint a commissioner. Amendment No. 79 seeks to ensure that the inspector general shall keep under review the exercise by the Secretary of State of his powers not only under clause 3 but generally.

I accept that the provisions for warrants may constitute the single most important aspect of the functions of the Secretary of State under the Bill, but there are several other important functions of the Secretary of State which should

be subject to review. I draw attention to one provision in particular. Under the Bill it is open to the Secretary of State to specify the circumstances in which information held by the Security Service may or may not be released for consideration in determining whether a person should be employed. That very considerable power is exercised not under clause 3 but under clause 2. It seems to me that the power to intervene to affect employment opportunities —not only in respect of individuals, who would be entitled to make a complaint under the procedure set out in schedule 1, but in respect of the guidelines under which such information may be released—should be supervised by a commissioner as it has to be done in accordance with the provisions made by the Secretary of State.

The proposal represents a modest extension of the commissioner's powers. I can see no argument of principle or of practice against it. I hope that the Minister will therefore respond positively.

Mr. Aitken: In common with many of the amendments, new clause 8 returns to the question of oversight. Yesterday we had a long discussion about parliamentary oversight, which the Home Secretary rejected on the somewhat curious ground that Parliament could not be trusted. We also examined at some length the notion of a non-parliamentary, Canadian-type oversight, which the Home Secretary rejected on the somewhat curious ground that, although it worked well in Canada, it could not possibly work well in this country.

New clause 8 is a probing proposal, whose purpose is to find out whether any form of oversight would be acceptable to the Home Secretary—in particular a form of oversight that fulfils the three important criteria that he spelt out in the days when he was by no means hostile to the idea of oversight. On 3 December 1986, in response to a motion tabled by the right hon. Member for Plymouth, Devonport (Dr. Owen), the Home Secretary suggested that an oversight system might be acceptable if three tests were passed—the tests of preserving secrecy, of increased public confidence in the House, and of the need to avoid blunting and diminishing the clear responsibilities of the Prime Minister and the Home Secretary in monitoring the security services.

New clause 8 falls firmly within those parameters and meets all those criteria. It involves what might be called "professional oversight"—a group of genuine professionals who would have nothing to do with Parliament, politics or Privy Councillors and who could go behind the barrier of secrecy to give a vital dimension of continuity. Such continuity is most important in the light of the revelation by the right hon. Member for Morley and Leeds, South (Mr. Rees) that to his knowledge no incoming Government are allowed to examine the previous Government's monitoring of the security services. Such a group could monitor, above all, the effectiveness and efficiency of the Security Service. I cannot imagine a softer touch being applied to any organisation in terms of performance review and the monitoring of professional efficiency than is applied to the Security Service, which is simply monitored by the Home Secretary of the day who is arguably the busiest Minister in the Government.

The case for monitoring the efficiency and effectiveness of the Security Service stems from the famous case of Michael John Bettaney. That gentleman lives on in the folklore of the security services. Although he now languishes in Coldingley prison for his treachery, he will surely one day have his statue in the hall of history and fame of world security services because he caused extraordinary changes in our own Security Service, without which the grave defects of the past would still undoubtedly be with us.

No novelist could have invented Michael John Bettaney and if any novelist had invented him, that novelist could not have written a plot in which Michael John Bettaney rose steadily to higher and higher posts of importance within our Security Service. He was an alcoholic, a misfit, a fantasist, a curious wild and way-out character, whose fatal weakness was alcohol in a big way. He used to be so drunk among his Security Service colleagues that he could not stand up. On one occasion, he even set fire to himself. He had two convictions for criminal dishonesty. At social occasions in the MI5 mess he used to say things such as, "Come and see me in my dacha when I retire". "I am sure the East Germans would look after me better." "I am working for the wrong side." Incidentally, those quotations were taken from the Security Commission's own report on the Bettaney case.

However, despite all those clues that something might be slightly wrong with Mr. Bettaney, he was steadily promoted, even though officials had gone to their superiors to mention such incidents. After that epic saga, Bettaney sent notes to the Soviet embassy, revealing the order of battle and all kinds of secrets. He took all sorts of documents home but the Soviet embassy could not believe that such a figure existed and completely ignored him, so no great damage was done by Mr. Bettaney.

Mr. Bettaney's story was finally told in the 1985 report of the Security Commission. From the Bettaney story it became perfectly obvious that the Security Service was in dramatic need of wholesale managerial reform. It must be stressed that none of this would have come to light had not the story that I have told come to a denouement with Mr. Bettaney sending letters to the Soviet embassy and, disappointed that there was no reply, finally knocking on the door of the Soviet embassy, thus getting caught.

Mr. Winnick: Is it not possible that MI5 was so busy at the time that it is understandable that that lapse took place? If MI5 was spending all its time—as the hon. Member for Torbay (Mr. Allason) told us earlier—trying to discover whether Lord Wilson was a Soviet agent, surely so many resources had to go into that that MI5 could not worry about other matters.

Mr. Aitken: The hon. Gentleman has a point below his humour because the same mentality and managerial efficiency that went into investigating the fantasies about Lord Wilson was the same kind of business efficiency that could not spot Michael Bettaney. There was a deep flaw in the whole of the Security Service. It is as well that the Committee recognises that successive Home Secretaries in charge of the monitoring of the efficiency of the Security Service had failed to notice that there was anything wrong, despite repeated assurances to the House from Home Office Ministers that they were monitoring the Security Service well.

The case that I am deploying has nothing to do with politics or Parliament. I am saying that there is a case for an ongoing business or managerial oversight of the security services by professionals within the barrier. On one occasion only the Security Commission was able to do that.

[Mr. Aitken]

In my new clause I recommend that there should be three commissioners and that they should be, for example, a former senior officer in the armed services, an academic who has specialised in the study of Communism or terrorism, a trade union official, a senior civil servant or a diplomat. They should certainly not be former members of the intelligence community, but quite separate and independent from its history. It should be a genuine independent oversight body with a small staff working on a continuous but part-time basis.

The entire purpose of this is to ask such questions as arose out of the Bettaney case. For example, is the Security Service satisfied with the level of training and education? We know that Security Service officers are given training in what might be called trade craft and mechanics. On the Irish terrorism desk, however, there is some indication that there is little education in the true history and the politics of Ireland which would give the Security Service official the breadth of knowledge needed to grasp the dimensions of the problem.

Someone should look at the extraordinary turnover of directors-general of the Security Service—five in the past 10 years. There have been about four directors of the counter-espionage branch in the past 10 years. Someone should look closely, above all, at the management of personnel and resources. Those are the sort of performance review duties which need to be carried out on a permanent basis. I submit that the Home Secretary has not the time, the thoroughness or the continuity of approach to tackle those matters in the depth required.

I cannot understand why this country carries on being the only democracy in the English-speaking world which has no form of independent oversight, but simply says that we can trust one man—the Home Secretary of the day. He is assisted, no doubt, from time to time by the Prime Minister, but basically there is one Minister to do the job which the Security Commission did on one occasion in such a devastating way, but that was just a one-off ad hoc committee and we want something continuous.

Mr. Allason: My hon. Friend is right about the point that he made about the Bettaney Security Commission report, but it is worth reminding the House that the parts that have been quoted were the publicly available sections of the report, and that the Security Commission reported at that time that there was an equally large and more damning annex to that report that was never published.

Mr. Aitken: I am always getting nuggets of inside information from my hon. Friend which strenghthen my argument, and I am grateful to him.

A permanent monitoring body of the kind I am suggesting could have the advantage of being able to be permanently behind the secrecy barrier and, therefore, completely fall within the basic criteria set by the Home Secretary.

It has not been emphasised enough that in this strange world of the Security Service one of its most important roles is that of long haul counter-espionage. One must watch for years in this world and the monitoring in that area needs to be long on continuity and carried out on a long-term basis.

My hon. Friend the Member for Windsor and Maidenhead (Dr. Glyn) made a valuable intervention in this debate. He reminded us that the world of intelligence was a jigsaw, which is a good word for it. Such a jigsaw can only be put together and watched by those whose lifespan of monitoring is far longer than that of a politician or Home Secretary, which is why some form of permanent oversight body, on a purely professional managerial level, is highly desirable.

I commend this proposition to the House in the great hope that the Minister will recognise that new clause 8 falls firmly into the category of acceptable oversight as outlined by his right hon. Friend the Home Secretary, and, if there were any justice in this world regarding amendments, it should be entirely acceptable.

Mr. Richard Shepherd: I want to support amendments Nos. 62, 64, 65 and consequential amendments Nos. 60, 68 and so on. The consequential amendments indicate the change from the term commissioner to inspector general. Essentially it is a cosmetic change, but it keeps the thread of continuity with the Canadian model.

The purpose of amendments Nos. 62, 64 and 65, which should have been debated with amendment No. 63 in the first group of amendments yesterday, is to provide the opportunity for reinforcing ministerial responsibility and therefore accountability. The inspector general's job is to act internally to monitor the issuance of warrants, and compliance with those warrants, to determine that the service has acted ethically, appropriately and in accordance with the law, and to report back to the responsible Minister. That mechanism in law ensures that there is one limb of oversight, primarily on behalf of Ministers, which makes a report. This is set out clearly in amendments, but to get a more coherent picture my hon. Friend should read the amendments in conjunction with amendment No. 63. The amendments deal with the internal means of monitoring.

The overall structure that we are seeking is ministerial responsibility to Parliament. Ministers will have an internal inspector general who monitors the issue of warrants and who reports on the conduct of the service and the pursuit of its objectives. That would ensure that the service conforms with the law, with propriety and with the instructions and directions from the political element of the management of the security service.

That is the basis of our actions. If the Government accepted those processes, they would be reinforced by an external oversight procedure, which would give the public confidence that it was not just an internal matter.

Mr. John Patten: The suggestions put forward in this interesting group of amendments fall into three categories. First, there is the idea of an inspector general, proposed by my hon. Friends the Members for Aldridge-Brownhills (Mr. Shepherd) and for Thanet, South (Mr. Aitken). Secondly, there is the idea of non-executive directors or commissioners proposed by my hon. Friend the Member for Torbay (Mr. Allason). I listened carefully to what my hon. Friend said at the beginning of his speech. When he reads the record of the debate in *Hansard* he will see that everyone's questions have been answered by Ministers. He may wish to reassess his remarks in the light of that. The third suggestion was the full scheme outlined in new clause 8 for up to three commissioners, proposed by my hon. Friend the Member for Thanet, South. All the amendments and new clauses illustrate the muddle and confusion that could arise when there are attempts to

distort and change the clear statutory nature and function of the Security Service commissioner proposed in the Bill into a mutant new person with a new set of powers or into a group of people with de facto unlimited and unclear powers.

Let us consider the widening of the oversight powers. Whether one is talking about an inspector general or two or three commissioners, my right hon. Friend the Home Secretary and I believe that the same impossible situation arises. In effect, the proposals give power without responsibility. That may not be the intention of those who have drawn up the amendments and new clauses, but they provide a recipe for intervention and muddle which could, on occasions, be dangerous and does nothing for those who want the director-general of the service and the Minister under whose authority he works to be accountable to Parliament. That accountability is already achieved by the clear structure set out in the Bill.

Wider functions of review and scrutiny can only usurp the responsibilities of Ministers and of the director-general. It is that belief which separates my right hon. Friend and myself from people like my hon. Friend the Member for Aldridge-Brownhills, who looks as though he is hovering to intervene and to whom I had better give way.

Mr. Richard Shepherd: The whole purpose of the amendments is to support the Minister. How can the Minister assure himself that the political objectives of the system are carried out in the way he wants by the service? If things are concealed from the responsible Minister, that is a matter of concern for the Minister and for the House. Things have been so concealed in the past. To assist Ministers in their responsibilities, we tried to construct a clear mandate for an official with the power to overlook the activities of the service. That was intended to support the Minister, not to muddy the waters. Our aim was to enable the Minister to assure the House that he was informed, that he understood what was happening in the service and that it was done in accordance with his requirements.

Mr. Patten: I appreciate the constructive way in which my hon. Friends put forward the amendment, but in a previous Adjournment debate I described the clear line of relations from the service to the director-general, from him to my right hon. Friend the Home Secretary, and in certain circumstances from the Home Secretary to the Prime Minister. Those relations are based on clear lines of responsibility and accountability, the commissioner always being at my right hon. Friend's elbow or looking over his shoulder. In practice, these matters cannot be reviewed effectively by someone who does not also carry the responsibility for what he reviews.

Mr. Shepherd: Before I came to the House I was a business man. I employed an accountant, who was responsible to me. He handled money and affairs close to the success, or otherwise, of the business. Fortunately, the law also requires that independent auditors come in to do the same accounting. That was helpful to me, as my knowledge of book-keeping might have been limited. The practice of everyday life is not inappropriate for the security services. The Government are in extraordinary awe of their security services. Such mystification should not exist. It is in all our interests that the security services be made accountable, but Ministers are acting in a subservient way and claiming that everything is perfect as it is.

I have eschewed listing historical cases of the problems that have occurred, but we must remember experience elsewhere. Reform has been predicated on massive scandals in almost every civilised western democracy in which the security services have got out of control or not been kept on a leash. We want to avoid that happening here. The Government's deference is as much as to say that they cannot discuss these issues with the House—or introduce the rule of law—or, indeed, do anything at all because it would not be appropriate. Every time a route out is offered to Ministers—the Bettaney case has been mentioned, and there were many others before it—Ministers say that it is impossible.

Is the Minister in such awe of, or so subordinate to, the security services that he cannot weigh up the rule of law, common decency and appropriate action for the courts? Liberty and freedom must be balanced in any decision on how to control and review the service.

Mr. Patten: That was a long intervention, but I will do my best to reply to it.

I accept that my hon. Friend needed an accountancy service from outside for his business. He had his auditors. In the same way, my right hon. Friend the Home Secretary closely audits what goes on in the Security Service. He is responsible not for a successful business, such as that which my hon. Friend ran, but for a non-commercial organisation which deals with the security of the state. That is the difference which separates my hon. Friend the Member for Thanet, South (Mr. Aitken) and others from the Home Secretary and me. It is the divide that was between us in the earlier part of the debate when we discussed judicial intervention in the warrant-making process.

My hon. Friend the Member for Aldridge-Brownhills would like to see some functions reviewed in different ways by outsiders, and to that end he has put forward helpful amendments. In practice, these matters cannot be effectively reviewed by people who do not also carry the responsibilities for the matters that they would review. That is the issue of judgment that separates my hon. Friend the Member for Aldridge-Brownhills and me.

12.45 am

I can illustrate that by saying that the degree to which the amendments would require the overseer—if I may use that shorthand term—to become involved in the detailed operations and policy of the Security Service is startling. That would be an inevitable and unavoidable consequence of giving people free range over the activities of the whole service. The same argument applies when we look in detail at the role of the inspector general. I am now moving from the general to the three specific cases that have been put forward. Not much would be achieved by way of public assurance because the inspector general in his other guises would be responsible to Ministers for their work.

It seems impossible for annual reports to be published without dangerously breaching the security within which the service must operate. Each of the proposals suggests that that should happen. Such reports could not go into many, if any, of the wider review findings. The director-general would not be much helped in the discharge of his responsibilities by the appointment of an

[Mr. Patten]

inspector general. I know that my right hon. Friend the Secretary of State for the Home Department would not be helped in the discharge of his responsibilities by such an appointment.

The idea of two non-executive directors or commissioners was put forward by my hon. Friend the Member for Torbay (Mr. Allason). He seems to think that two heads would be better than one and does not seem to think there is any special advantage in appointing senior judges to these positions. We do not think that this job would be best carried out by a two-man crew or perhaps even the three-man crew suggested by my hon. Friend the Member for Thanet, South. From the amendment drafted, I presume, by my hon. Friend the Member for Torbay, it is not clear whether the commissioners would jointly review every warrant decision by the Secretary of State and come to a collective view. If they disagreed, who would arbitrate and decide what was to happen?

We attach considerable importance to the need for the commissioner to have senior judicial experience for carrying out his adjudicating functions and grave responsibilities. New clause 8 certainly does not disbar the idea of senior judicial figures being appointed as commissioners. However, the sort of work that the Bill identifies for the commissioner should not be carried out by a wider commission. I and my right hon. Friend the Home Secretary think that these are matters for an independently minded judge of standing and authority drawn from the senior judicial bench and not matters for a committee.

The work of a commission of up to three people would be much wider than the work provided for in the Bill and would be a substantial change to the way in which the Bill is cast. For the reasons that I have given, the Government are clear that such a wider role is not necessary. My hon. Friend the Member for Thanet, South asked whether my right hon. Friend the Home Secretary would regard his scheme as providing acceptable oversight. It is clear from what my right hon. Friend said yesterday and earlier today that such a scheme does not fall into the category of acceptable oversight. Clearly, a substantial difference in principle and view divides my hon. Friends and me. I regret that, and I hope that they will not press their amendments.

Ms. Abbott: The Minister having rejected any form of parliamentary oversight, clause 4 offers a chance of securing administrative oversight. The idea of parliamentary scrutiny was not acceptable to the Minister because, he said, he could not trust Members. His argument against administrative scrutiny rests on the claim that all would be muddle and confusion.

I do not follow the Minister's logic. I see no difference between having a panel of commissioners under this legislation and the existing prisons inspectorate, which has oversight but which does not have political responsibility. Either the Minister has not read his brief properly or he is not acquainted with the structure of his Department.

I say that because there are many examples in the Home Office of groups of administrators exercising oversight without carrying responsibility of the type that we are discussing. That is no coincidence because of all the great offices of state, the case load, complexity and accident-proneness of the Home Office is the greatest.

It cannot sensibly be argued that the Home Secretary is in a position to exercise oversight without the assistance of some of the structures to which hon. Members have referred. We regret the Minister's failure seriously to address our arguments on administrative oversight. Instead, he has thrown up a smokescreen of bogus considerations. There is no reason why the structure that we propose should not work in practice. Will the hon. Gentleman at least explain why this structure would not work in principle?

Mr. Maclennan: The Minister rejected the various forms of oversight proposed in this long series of amendments by saying that they all provided for power without responsibility, and he thus swept them aside. But the commissioner whom he envisages establishing to conduct part of the job of oversight will, by the hon. Gentleman's definition, enjoy power without responsibility. Why does he seek to confine this oversight simply to his role in the issuing of warrants and the investigation of complaints?

Will the Minister now reply to my amendment No. 79, which would at least give the commissioner responsibility, not for supervising the entire Security Service, but for supervising the Minister's role under the measure? I drew attention to the Minister's powers to deprive people of employment on the ground that they had in some way been found unacceptable to the Security Service. Although the hour is late, we are dealing with matters of great importance. After all, we are having a very short debate on truncating the civil liberties of the people by a measure which empowers the Security Service to do what without the Bill would be illegal.

The Minister's attempts to answer the case put by his hon. Friends were perfunctory, but at least he tried to answer it. My amendment would enlarge in a modest way, without infringing any principle or practical consideration, the role of the high judicial officer, whom he and his right hon. Friend think it appropriate to supervise the issue of warrants. Why could not that officer supervise the conduct of the duties of the Secretary of State in respect of the provisions of the Bill generally?

Amendment negatived.

Clause 4 ordered to stand part of the Bill.

Clause 5

INVESTIGATION OF COMPLAINTS

Mr. Maclennan: I beg to move amendment No. 80, in page 3, line 42, leave out subsection (4).

I move this amendment in search of information as well as to make a proposal that I hope may command itself to the Government. I am not fully clear about the impact of clause 5(4), which provides that

> "The decisions of the Tribunal and the Commissioner . . . shall not be subject to appeal or liable to be questioned in any court."

That appears to deprive the citizen of the right of judicial review enjoyed at present and appears to be the deliberate intention of the Bill. However, the proposal may go further than that. It may deprive the citizen of the right to take a case to the European Court of Human Rights. If that is the case, that should be explicit in the Bill. If it is the Government's intention to exclude the jurisdiction of the European Commission or the Court of Human Rights, it should be so provided in the Bill. Does the Minister intend

to notify the Commission of an intention to derogate from the convention in any way so as to deprive the citizen of that right which is currently being exercised by the hon. Member for Peckham (Ms. Harman)?

The Minister nods his head negatively and I am, therefore, living in hope that he does not intend to exclude the jurisdiction of the Court of Human Rights, but we better have that from the Minister's own lips.

Mr. Buchan: I cannot resist following that beautiful remark which appears to describe the conduct of Ministers over the past few days. They have either been nodding their heads negatively or shaking their heads positively on issue after issue. I understand the depth of feeling experienced by the hon. Member for Aldridge-Brownhills (Mr. Shepherd). We have received the same negative approach from the Government on every issue. I cannot understand it. We suggest a judge and the Government say, "We cannot accept anything judicial." We suggest a commissioner and they say "We cannot accept a commissioner." The sole Government intention that has emerged has been to keep MI5 inviolable. I understand the difficulties of a junior Minister, but the Home Secretary shook and nodded his head with equal positivism and negativism.

Once upon a time, Ministers received their instructions from the Box, whose occupants said, "Resist", occasionally, "Accept". and often, "Resist, but agree to consider". There is no such middle ground here; there is only resistance. Ministers' instructions are not to listen to and consider the debate or even to obtain the best decisions for the security services.

A number of proposals have been put forward, not to criticise the operation of the Security Service, but to attempt to make it even more efficient. However when we complain about the infringement of liberty—from personal experience and other factors—and when other people—including the Conservative Back Bench element who are knowledgeable about MI5—and—two hon. Gentlemen who are concerned above all about the freedom of the individual, the liberty of the state and parliamentary democracy as well as the efficiency of the service support us, the Government do not listen.

I am

Why in heaven's name, when we are discussing an issue which is crucial to our freedom and our liberties, has a Minister been sent to this Committee—Parliament is supposed to be the sovereign authority in this country—with one instruction—to prevent a Report stage? Are the Government afraid that if the debate continues for another week or two more evidence and more case histories will be produced? I believe that Opposition Front Bench Members made an appalling error in agreeing to a two-day timetable. If the Bill had been considered in Committee under normal procedures, there would have been hours of discussion on issue after issue and amendment after amendment. I was pleased to learn that the Bill was to be debated on the Floor of the House. I considered that it was the proper place to examine our problems. Now, because of the Government's behaviour during the two-day slot that we accepted, mistakenly or with difficulty, the Bill has been shuffled through without ever touching the conscience or the consciousness of this country. We have witnessed shocking behaviour, especially as the Bill is linked with a number of other forthcoming measures.

What does the amendment seek that the Government find so difficult to accept? After the tribunal has made a decision, someone may wish to appeal. That will not reveal any issue of security. It will merely provide a little safety for some individuals who have been caught up in such issues. Is the Minister really saying that indviduals cannot appeal to the European Court of Human Rights? Under clause 1(3) foreign elements can be investigated by MI5, but because we have brought about such an appalling regime of lack of justice, lack of appeal and lack of openness in this country, it will be impossible even to appeal abroad. If that is the case, a new tyranny will be deployed throughout all the available courts in Europe and elsewhere. The Minister is shaming the nation.

The amendment is mild and does not shame our liberties. The Bill is pulling away the last strand to which someone can appeal. For God's sake, the Minister should respond or at least allow the matter to be discussed. He should consider it instead of being afraid of a Report stage. He should send for the Home Secretary—we shall discuss the matter until he returns. At this final stage he should allow that to happen.

I am appalled by what I have seen tonight and by the way in which the Minister has treated his Back Benchers. But I am more appalled at what he is doing to the freedoms of this country. We have seen the record of MI5. Points have been raised about the errors committed by most security services when they are under a dictatorship or when they are not sufficiently controlled. No methods of control have been allowed or considered. There is no measure of appeal. No man who has been burgled can find out whether he was subject to the actions of MI5 or the Security Service. Now the Government are saying that the decisions of the tribunal established to deal with those problems cannot be investigated. We are not all absolutely correct on all issues. Let us leave a loophole through which some errors can be rectified. We appeal to the Minister to do that. If he accepts the amendment, the matter can be considered on Report and the Home Office can consider it again.

I fear that the civil servants have listened with more openness than the Ministers. Perhaps the Prime Minister can be brought to her senses if she is causing this. Above all, the Minister might come back on Report with a paper which said, "Resist, but reconsider at a later stage if forced to." It is late, but we would love that to happen.

Mr. Ian Gow (Eastbourne): In so far as I understood the speech of the former leader of the Social Democratic Party, he felt that there should be an appellate procedure involving the European Court.

Mr. Maclennan *indicated dissent.*

Mr. Gow: I understood the hon. Member for Caithness and Sutherland (Mr. Maclennan) to say that there should be an appellate procedure involving the European Court. I believe that he was not in his place when, earlier today, my hon. Friend the Minister for Public Transport told the House that the Government's excellent proposals for privatising BREL will require the European Commission's consent. I regard that statement as an affront to the House, and I am against the amendment that I thought was moved by the SDP's former leader.

If anything is clear about this country's security services, it is that we do not require a right of appeal using any apparatus involving Europe.

Mr. Buchan: The hon. Gentleman makes his analysis of what he thought was said, and states that he is not in favour of any appeal involving Europe. However, the Bill concerns itself also with this country's judiciary procedure. Is the hon. Gentleman saying that he is against citizens of this country having access to an appellate procedure in this country? If not, he should support the hon. Member for Caithness and Sutherland (Mr. Maclennan).

Mr. Gow: I was confining my remarks only to the idea that a European tribunal should have jurisdiction over decisions taken under the Bill's provisions. It was at that aspect that I directed my remarks.

Mr. Richard Shepherd: We are signatories to a convention that already makes us liable, should the need arise, to appearances before the European Court. Unfortunately, the Government find themselves in some difficulties in respect of that court. It has found against us on a number of occasions, and that happened also to Labour Governments. The court's existence is a fact, and it is also a fact that we are signatories to the agreement. If my hon. Friend is saying we should tear up the agreement, that is not germane to the amendments before the Committee.

Mr. Gow: I am grateful to my hon. Friend for the opportunity he gives me to say that I deeply deplore the fact that we are a signatory to an agreement that gives to a foreign jurisdiction the right to impose its will on the decisions of the House of Commons and to superimpose its will on United Kingdom tribunals. Because some right hon. and hon. Members still believe that the ultimate tribunal in this land ought to be the House of Lords, and because the SDP's former leader seemed to assert the legal superiority of the European Court, I wanted to make that plain in this my first, my only, and—you will be glad to know, Sir Paul—my last intervention in Committee.

Mr. John Patten: I must disappoint the hon. Member for Paisley, South (Mr. Buchan). I can say no more than that to him.

As to the remarks of the hon. Member for Caithness and Sutherland (Mr. Maclennan)—and I acknowledge the pointed intervention of my hon. Friend the Member for Eastbourne (Mr. Gow)—clause 5(4) does not exclude the Strasbourg bodies, so the European convention on human rights will apply. However, my right hon. Friend the Home Secretary and myself are convinced that the Bill's apparatus for helping the aggrieved citizen—the tribunal and the commissioner—will guarantee that a successful application will never go before the European Court.

I have only one other thing to say. It does not surprise me that no other hon. Member in the Chamber—apart from one member of the Social, Liberal and Democratic party—has put his name to the amendment. I read a rather cruel article about the SLD in the *Financial Times* yesterday, which said of its Front Bench spokesmen:

"Performances in the Commons have rarely been inspiring, some barely competent, and there is thinly-disguised despair among certain Democrat MPs about the ability and commitment of some of their colleagues."

I know that that did not refer to the hon. Member for Caithness and Sutherland (Mr. Maclennan), because he has been sitting here for the last two days paying close attention to the Bill and making some important points. I must tell him, however, that the net effect of amendment No. 80 is absolutely dotty. It would undermine the security of the state. It would allow an aggrieved citizen to bring before a court of law in this country all the details that would be necessary for the judicial review process, and whether that process took place in open court or in camera, the defence—including those acting for international terrorists—would have available to them all the information that they would simply love to have.

The intention behind the amendment may have been a fine one, but its effect—as I have said—is absolutely dotty, and I urge the Committee to reject it if it is forced to a Division.

The First Deputy Chairman: The Question is, That the amendment be made—

Mr. Maclennan *rose*——

The First Deputy Chairman: As many as are of that opinion say Aye, to the contrary No. I think the Noes have it—

Mr. Buchan: On a point of order, Sir Paul. The hon. Member for Caithness and Sutherland (Mr. Maclennan) was plainly on his feet with the intention of replying. With respect, this is a Committee stage.

The First Deputy Chairman: I do not think that the hon. Member for Caithness and Sutherland (Mr. Maclennan) was seeking to catch my eye, but if he was, wholly exceptionally, I shall reverse engines and call him.

Mr. Maclennan: I am exceedingly grateful, Sir Paul, and regret that I may not have made my intentions clear.

I listened to the Minister with interest. These matters are at present subject to review in the courts. If it has been alleged that the security services have burgled or bungled their way into the homes of private citizens, they can appear before the courts. The suggestion that that should still be the case does not seem to me as dotty as the Minister has suggested, and to seek—as I did at the beginning of my remarks—an assurance that the jurisdiction of the European Court of Human Rights would not be excluded by the clause is to introduce a matter of considerable importance.

I am bound to say that, in the light of some of the Minister's earlier assurances, given no authority at all, I find it difficult even to accept his assertion that the plain language of the Bill does not mean what it says—which is that any court may not consider these matters, and that the issues

"shall not be subject to appeal or liable to be questioned in any court."

By what rubric of construction is the Court of Human Rights in Strasbourg not "any court" within the meaning of the Bill? What provision of what statute makes this not apply to that court? I ask the Minister to address that question, and unless he does I feel bound to divide the House.

Question put, That the amendment be made:—

The Committee divided: Ayes 66, Noes 139.

Division No. 37] **[1.14 am**

AYES

Abbott, Ms Diane	Buchan, Norman
Adams, Allen *(Paisley N)*	Campbell, Menzies *(Fife NE)*
Aitken, Jonathan	Cryer, Bob
Barnes, Harry *(Derbyshire NE)*	Darling, Alistair
Beith, A. J.	Davis, Terry *(B'ham Hodge H'l)*
Bennett, A. F. *(D'nt'n & R'dish)*	Dewar, Donald
Bray, Dr Jeremy	Dixon, Don

Doran, Frank
Douglas, Dick
Dunnachie, Jimmy
Dunwoody, Hon Mrs Gwyneth
Eadie, Alexander
Ewing, Harry *(Falkirk E)*
Foster, Derek
Foulkes, George
Fyfe, Maria
Galbraith, Sam
George, Bruce
Godman, Dr Norman A.
Golding, Mrs Llin
Griffiths, Nigel *(Edinburgh S)*
Haynes, Frank
Home Robertson, John
Hood, Jimmy
Hughes, John *(Coventry NE)*
Hughes, Robert *(Aberdeen N)*
Hughes, Simon *(Southwark)*
Ingram, Adam
Kennedy, Charles
McAllion, John
McAvoy, Thomas
Macdonald, Calum A.
McFall, John
McKay, Allen *(Barnsley West)*
McKelvey, William
McLeish, Henry
Maclennan, Robert
McTaggart, Bob
Martin, Michael J. *(Springburn)*
Maxton, John
Meale, Alan
Michael, Alun
Michie, Mrs Ray *(Arg'l & Bute)*
Mowlam, Marjorie
Nellist, Dave
Pike, Peter L.
Robertson, George
Ross, Ernie *(Dundee W)*
Sheerman, Barry
Shepherd, Richard *(Aldridge)*
Skinner, Dennis
Spearing, Nigel
Steel, Rt Hon David
Taylor, Matthew *(Truro)*
Welsh, Andrew *(Angus E)*
Wilson, Brian
Winnick, David
Wise, Mrs Audrey
Wray, Jimmy

Tellers for the Ayes:
Mr. Archy Kirkwood and
Mr. Malcolm Bruce.

NOES

Arbuthnot, James
Boswell, Tim
Bowden, Gerald *(Dulwich)*
Bowis, John
Brandon-Bravo, Martin
Burns, Simon
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Cash, William
Chapman, Sydney
Chope, Christopher
Coombs, Anthony *(Wyre F'rest)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon John
Cran, James
Currie, Mrs Edwina
Davies, Q. *(Stamf'd & Spald'g)*
Devlin, Tim
Dicks, Terry
Dorrell, Stephen
Douglas-Hamilton, Lord James
Dover, Den
Durant, Tony
Favell, Tony
Fenner, Dame Peggy
Fishburn, John Dudley
Forman, Nigel
Forth, Eric
Franks, Cecil
Freeman, Roger
French, Douglas
Fry, Peter
Gale, Roger
Garel-Jones, Tristan
Gill, Christopher
Goodhart, Sir Philip
Gorman, Mrs Teresa
Gow, Ian
Greenway, John *(Ryedale)*
Gregory, Conal
Griffiths, Peter *(Portsmouth N)*
Gummer, Rt Hon John Selwyn
Hamilton, Hon Archie *(Epsom)*
Hanley, Jeremy
Hargreaves, A. *(B'ham H'll Gr')*
Hargreaves, Ken *(Hyndburn)*
Harris, David
Hayes, Jerry
Hayward, Robert
Heathcoat-Amory, David
Heddle, John
Hicks, Mrs Maureen *(Wolv' NE)*
Hill, James
Hind, Kenneth
Holt, Richard
Howarth, Alan *(Strat'd-on-A)*
Howarth, G. *(Cannock & B'wd)*
Hughes, Robert G. *(Harrow W)*
Hunt, David *(Wirral W)*
Hunt, John *(Ravensbourne)*
Hunter, Andrew
Hurd, Rt Hon Douglas
Jack, Michael
Jones, Robert B *(Herts W)*
Kellett-Bowman, Dame Elaine
King, Roger *(B'ham N'thfield)*
Knapman, Roger
Lang, Ian
Latham, Michael
Lennox-Boyd, Hon Mark
Lightbown, David
Lilley, Peter
Lloyd, Peter *(Fareham)*
Lord, Michael
Maclean, David
McLoughlin, Patrick
Malins, Humfrey
Mans, Keith
Martin, David *(Portsmouth S)*
Meyer, Sir Anthony
Mills, Iain
Mitchell, Andrew *(Gedling)*
Monro, Sir Hector
Morris, M *(N'hampton S)*
Moss, Malcolm
Neubert, Michael
Nicholls, Patrick
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Norris, Steve
Oppenheim, Phillip
Page, Richard
Paice, James
Patten, John *(Oxford W)*
Peacock, Mrs Elizabeth
Porter, David *(Waveney)*
Portillo, Michael
Powell, William *(Corby)*
Price, Sir David
Raffan, Keith
Redwood, John
Ridley, Rt Hon Nicholas
Roberts, Wyn *(Conwy)*
Roe, Mrs Marion
Ryder, Richard
Sayeed, Jonathan
Shaw, David *(Dover)*
Shaw, Sir Michael *(Scarb')*
Shephard, Mrs G. *(Norfolk SW)*
Shepherd, Colin *(Hereford)*
Speed, Keith
Spicer, Michael *(S Worcs)*
Squire, Robin
Stanbrook, Ivor
Stern, Michael
Stevens, Lewis
Stewart, Andy *(Sherwood)*
Stradling Thomas, Sir John
Sumberg, David
Summerson, Hugo
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Thompson, D. *(Calder Valley)*
Thompson, Patrick *(Norwich N)*
Tracey, Richard
Trotter, Neville
Twinn, Dr Ian
Waddington, Rt Hon David
Walker, Bill *(T'side North)*
Warren, Kenneth
Watts, John
Wells, Bowen
Wheeler, John
Whitney, Ray
Widdecombe, Ann
Wilkinson, John
Wilshire, David
Wood, Timothy
Yeo, Tim

Tellers for the Noes:
Mr. Michael Fallon and
Mr. Tom Sackville.

Question accordingly negatived.

Mr. Aitken: I beg to move amendment No. 92, in page 3, line 44, at end add—

'(5) Complaints from serving or former members of the Security Service may at the request of the complainant be dealt with informally by the Staff Counsellor of the Security Service.

(6) The Staff Counsellor shall be appointed by the Prime Minister.

(7) The Staff Counsellor shall be available to be consulted by any member or former member of the Security Service who has complaints or anxieties relating to the work of his or her past or present service.

(8) The Staff Counsellor shall have access to all relevant documents and to any level of management in the Security Service. He will also have access to the Secretary of the Cabinet, the Secretary of State and to the Prime Minister.

(9) The Staff Counsellor shall be available to give guidance to members or former members of the Security Service who are seeking authorisation to publish information about their past or present service.

(10) The Staff Counsellor shall make an annual report on his activities and on the working of the system to the Prime Minister.

(11) The Prime Minister shall lay before each House of Parliament a copy of each annual report made by the Staff Counsellor under subsection (10) above together with a statement as to whether any matter has been excluded from that copy in pursuance of subsection (12) below.

(12) If it appears to the Prime Minister, after consultation with the Staff Counsellor, that the publication of any matter in a report would be prejudicial to the continued discharge of the functions of the Service, the Prime Minister may exclude that matter from the copy of the report as laid before each House of Parliament.

(13) The Secretary of State may after consultation with the Staff Counsellor and with the approval of the Treasury as to numbers provide the Staff Counsellor with such staff as the Secretary of State thinks necessary for the discharge of his functions.'.

I realise that the House is fibrillating at the prospect of three hours of Scottish business as soon as possible, so I shall not detain it unduly. However, the amendment is important and has a particular significance to our proceedings. Those hon. Members who have managed to endure this marathon will have noticed that the Government have had a wild determination at all costs not to give way to any amendment because, for some mysterious reason, they oppose a Report stage. No matter how bad the drafting and no matter how deep the hole they have got themselves into, they have not dreamed of accepting an amendment.

[Mr. Aitken]

Here at last, however, I believe that I have managed to draft an amendment from which it will be impossible even for my hon. Friend the Minister of State—the great Houdini in this debate—to escape. My amendment has only two ingredients—the words of my right hon. Friend the Prime Minister and a promise given to the House by my hon. Friend the Minister of State. With those two elements, the amendment is almost inescapable and I wait with interest to see how Houdini can escape from it, as I know that he will endeavour to do.

The amendment seeks to write into the Bill the position, role and duties of the staff counsellor of the security services. A staff counsellor was, until recently, an unknown animal in the world of security, but was created in 1987 as a direct result of the activities of Mr. Michael Bettaney, of blessed memory, whose activities have already been discussed and whose treachery and subsequent story have been relayed already to the House.

What emerged from the Security Commission's report on the Bettaney case is that throughout the Security Service many officers had been deeply anxious about the conduct of Michael Bettaney, his possible treachery and his instability. I treasure the memory of the report by the Security Commission on a Mrs. X, an employee of the Security Service, who was cloaked in suitable anonymity. She had gone to a party with Mr. Michael Bettaney and a woman friend and Mr. Michael Bettaney had, in the course of the party, drunk two bottles of neat whisky, set fire to himself and announced that he would much rather be working for the Russians. Despite that, back at the office the following morning Mrs. X felt unable to tell anybody about this dimension of Bettaney's instability, insecurity and unworthiness to be a member of the Security Service because there was no one to tell. After a great deal of internal criticism and soul-searching, the Security Service said, "We really need to have someone to whom the troops can talk in confidence about their grievances, worries and fears about their desire to see a more efficient and effective Security Service."

Another incident confirmed the need for a staff counsellor of the Security Service. A distinguished committee investigated the case of Sir Roger Hollis. Rightly or wrongly, it concluded that the "preponderance of probability"—a good bureaucratic phrase—was that Sir Roger Hollis was a Soviet agent, but its members could not then tell anybody. They eventually found someone to tell because Mr. Stephen DeMowbray had a cousin at No. 10 Downing street. He was somewhat surprised when the doorbell rang, but asked for an appointment for Mr. DeMowbray, who managed to get in to see the Cabinet Secretary by that circuitous route to tell him that the head of MI5 was, in the view of a number of his colleagues, a Soviet agent.

1.30 am

The fact that the routes of communication were so unsatisfactory led even the Government—who, as we know, believe in the total efficiency and wizardry of the solo monitoring of the Security Service by the Home Secretary—to decide that it was time to do something. The appointment of the staff counsellor was announced by my right hon. Friend the Prime Minister on 2 November 1987 in a written answer which described his functions and terms of reference. The words of the Prime Minister are encapsulated, more or less verbatim, in the amendment, which would write into the Bill the terms and conditions of the staff counsellor as announced by the Prime Minister. Some of us do not necessarily approve of government by written answer. If the staff counsellor is to play a pivotal role, let us not rely on a written answer given in 1987. If we are to restructure the legal basis of the Security Service, let us write into the Bill the appointment of the staff counsellor, because he fulfils an important role.

I have added one further function to the functions of the staff counsellor—a development that dates from 21 December, when the Official Secrets Bill had its Second Reading. I have forgotten which statesman said that he had caught the Whigs bathing and walked away with their clothes. [HON. MEMBERS: "Disraeli."] In that case, I have donned the mantle of Disraeli. I have caught my hon. Friend the Minister of State buying votes, walked away with his promise and sought to put it into the Bill.

My right hon. Friend the Member for Brighton, Pavilion (Mr. Amery), who is unavoidably detained, travelling in the southern hemisphere, has authorised me to say that he supports my amendment. He expressed considerable concern about the impossibility even of innocuous and patriotic memoirs and comments by former members of the Security Service ever being authorised. In a very good speech on 21 December, my right hon. Friend argued that some members of the Security Service might from time to time wish to express their views on policy matters—while not revealing any operational secrets—and that there was no system of authorisation to allow for that. Even Mr. Anthony Cavendish, who dug up only innocuous old remains, received the message "Please delete eight chapters" when he sent his Christmas card in for authorisation.

Closer to home, one recalls that on the day when the BBC was to put out the first of an admirable but basically boring and anodyne series of programmes on the security services called "My Country, right or wrong" the Attorney-General rushed to the Dispatch Box, hurled out writs like confetti and banned the programme because some members of the Security Service had commented on it. When the dust settled—when the writs had stopped flowing and somebody had finally listened to the programmes and read the transcripts—not one sentence or comma was deleted. Several weeks later it transpired that the only comments made by the former members of the Security Service had been in the most responsible areas —suggesting, for example, views on whether it was desirable to have oversight which could not deserve a ban.

Clearly, there are situations in which, despite all the talk about absolute bans and life-long confidentiality, former members of the Security Service can make comments and express views that have no bearing on national security, which do not in any way jeopardise secrets, but which are just comments on policy. Therefore, it is desirable to have some means of authorisation.

In the debate on official secrets my right hon. Friend the Member for Pavilion pressed for a system whereby, if a former member of the Security Service were dissatisfied and found himself unreasonably blocked from saying anything and forced into the role of a Trappist monk, he would have somewhere to turn. My right hon. Friend said, "I am not prepared to vote for this Bill unless I can get an assurance on this subject." I suspect that my hon. Friend the Minister of State flew off on an excitable unpinioned wing to buy off my right hon. Friend's vote because he did

not want a well-known patriotic Privy Councillor such as my right hon. Friend the Member for Pavilion to vote against the Government on official secrets legislation.

The Minister quickly cobbled together a formula to buy back the vote of my right hon. Friend. He did so with the following words:

"My right hon. Friend then asked where a member of the service would turn if he still felt dissatisfied. He will turn to the staff counsellor. At present our distinguished staff counsellor is Sir Philip Woodfield. That is a matter of public knowledge. This applies not just to present members but to former members of the services. If a member or former member is seeking to use publication to report anxieties that he or she may have about his or her work or former work, or if he or she is concerned about the reasons for a refusal of publication, he or she can go to the staff counsellor".—[*Official Report*, 21 December 1988; Vol. 144, c. 538.]

In this vital area of free speech for former Security Service officials, the staff counsellor was suddenly shot into the role of arbiter, adviser, man of guidance and the man who would steer the former Security Service official wishing to publish his memoirs or say his piece on the radio on to the strait and narrow path of authorised disclosure. Subsection (9) of my amendment therefore simply adds to the staff counsellor's role the words:

"shall be available to give guidance to members or former members of the Security Service who are seeking authorisation to publish information about their past or present service."

My right hon. Friend the Member for Pavilion has asked me to say that he strongly approves and supports that part of the amendment.

I think that I have made out my case, using the Prime Minister's words taken straight from a written answer, and the promise made by the Minister of State. The amendment is perfectly tailored to fit the Bill. It is an ideal amendment to the Bill. How will Houdini escape? Watch this space, Sir Paul.

Mr. Cryer: We should not allow this matter to pass without comment. I know that there is pressure of business, but this is an important measure and the Bill and amendments have been debated without wasting any time. During our debates important issues have been raised. I thought that the Minister proposed to remain immobile and would not answer the points that have been raised, so I should like to raise one or two more points so that he can give a reasoned reply. However, I have no doubt that the Minister will refuse to accept the amendment.

If we consider the work that spies undertake, we must recognise that they are under great pressure. They have to lie to people, often to their own families, and deceive other people in their close circles. Naturally, they will not want to do that. They cannot disclose by whom they are employed. They must say, "I am employed by Box 500", which would be a less than satisfactory explanation, or they must dream up a more conventional excuse. That naturally leaves them in a closed world in which their only understanding and relationship is with people who can share their secrets. Because of the nature of their occupation, they cannot chatter to friends and acquaintances, as most ordinary mortals can, about difficulties at work. The staff counsellor can, therefore, perform a useful function.

In addition, as the hon. Member for Thanet, South (Mr. Aitken) said, there is the question of writing memoirs as a means of divulging information. The staff counsellor will be able to point to a few useful alternatives. In the past, when the Government wanted to publish information about the spies, they did not allow the spies to write directly, but told them to get in touch with Chapman Pincher of the *Daily Express*, who would publish it as being from non-attributable sources, which is what they did with Peter Wright. The Government became hot and bothered about Peter Wright's revelations, but we should bear in mind that one of Peter Wright's grumbles was that Chapman Pincher did not do a very good job in ghosting his memoirs and did not include all the information. Those were memoirs that were approved by officers of the Government.

When the Government said that there was a life-time obligation of secrecy, that was not quite accurate. They were prepared to allow some information to dribble out as long as it did not appear to have the absolute authenticity of a real full-time working spy but just came from a hack. The staff counsellor will be able to give advice as to who to contact at the *Daily Express* and the ghosting cost for providing information on "My life as a spy". He will be able to take the heat off the difficult circumstances in which people, who, after all, are ordinary human beings following a somewhat extraordinary occupation, can find themselves.

The amendment contains a bit more parliamentary accountability. It takes one's breath away that people can sit on the Treasury Bench and talk about there being a parliamentary democracy, which these spies are working to protect, but in the next breath they can take away the essence of that accountability in a parliamentary democracy. Yet subsection (11) of the amendment provides

"The Prime Minister shall lay before each House of Parliament a copy of each annual report made by the Staff Counsellor",

with the qualification that, if there is anything that prejudices the network, the information or the position, it can be deleted by the Prime Minister. It will assure people in this difficult occupation that the staff counsellor is doing his job. The spies, too, will be doing theirs without encountering any difficulty. The staff counsellor will have the information about pensions at his finger tips if a new Peter Wright comes along and says, "Look, my pension will be rotten; I need another earner. Can you give me some guidance?" He will be able to produce new figures for pensions. As everybody knows, that is the basis on which Mr. Wright wrote his book, and that is something which he reiterates again and again in the book.

An annual report by the staff counsellor laid before Parliament would be a bit more pressure to provide time in this House. As the Minister said in an earlier debate, it is not just a question of curiosity. This Parliament is the most important Chamber in the country. We all face elections, we are all accountable, and it is not just a question of vicarious enjoyment in some sort of Bond escapism.

We are talking about a serious section of Government work. Therefore, we should have the opportunity to have debates on that work. I believe that subsection (11) provides that opportunity.

I hope—I do not have faith that it will happen—that the Minister will accept the amendment and, if there are deficiencies in its drafting, will suggest that it be moved in another place.

1.45 am

Mr. John Patten: As they used to say in the old days when the great escapologist broke free, "With one bound he was free."

My hon. Friend the Member for Thanet, South (Mr. Aitken) used the excellent words of my right hon. Friend the Prime Minister, which he reported accurately. He also reported words when I replied to my right hon. Friend the Member for Brighton, Pavilion (Mr. Amery) and I thought that they sounded rather good. My hon. Friend the Member for Thanet, South has introduced the themes in his amendment, but he has not demonstrated the vital missing ingredient of need and, therefore, why the amendment is necessary. Hence my ability to escape, Houdini-like, from the dialectical trap of the well-honed words of my right hon. Friend the Prime Minister and myself into which he attempted to encompass me.

When my right hon. Friend the Prime Minister announced the appointment of the staff counsellor to a surprised House on 2 November 1987 she made his functions clear. I refer hon. Members to column 512 of the *Official Report* for that day, to which my hon. Friend the Member for Thanet, South has already referred.

The system is in place and is working well. It does not need any legislation to underpin it. I understand that the staff are well aware of the staff counsellor's existence and of the arrangements for consulting him, which are simple and direct.

On 21 December, during Second Reading of the Official Secrets Bill—to to which my hon. Friend the Member for Thanet, South referred—I made clear the sort of circumstances in which the staff counsellor might be approached by a member of the security and intelligence services regarding a member's wish to publish information about his experiences in the services. That system had never been spelt out so fully before and I have nothing to add to what I then said.

I see no need for my hon. Friend's proposal to extend into statute law the life of an official who is successfully carrying out his role as staff counsellor.

Mr. Maclennan: The Minister said, as he might have said before the Bill was introduced, that the system is working well and that there is no need to put it on to a statutory basis. We do not think that the system is working well and certain admissions from Ministers during our deliberations tonight confirm our view. For that reason we want the system set on a statutory basis.

The reality is that what a Minister concedes under pressure from his Benches one day he can withdraw on another day. The statutory provision, along the lines outlined in the amendment, would provide a degree of permanence to an arrangement that, by its nature, is transitory. There is a need for permanency, at least until Parliament can think of a better way in which to provide for anxious members of the Security Service.

When the right hon. Member for Brighton, Pavilion (Mr. Amery) returns from the nether regions or from the Antipodes, I doubt whether he will be satisfied with what the Minister has said. No doubt the right hon. Gentleman will want to consider his stance on the Official Secrets Bill carefully once he has read this debate. The Minister has advanced no argument of substance against a statutory basis. Once again he has shown the Government's unwillingness to accept any amendment, however sound and however much support it enjoys.

Mr. Aitken: As they say in American show business, "The opera ain't over until the fat lady sings." In this case she is played by Sir Philip Woodfield, the Security Service staff counsellor. We are solemnly told that there is no point in writing his role and functions into the Bill because there is no need to. Everything is working perfectly well. I do not know how much detail we have about Sir Philip's activities, or about how many members of the service have been to see him, or about what his functions have been. We shall have to take it on trust that everything is going perfectly.

But one part of the amendment cannot possibly be said to be working well or to be unnecessary. Here I return to the promise made by my hon. Friend the Minister to my right hon. Friend the Member for Brighton, Pavilion (Mr. Amery). How can there be no need for subsection (9), which writes into statute the promise my hon. Friend gave on 21 December? It was given only three weeks ago; there has not been a surge of people going to the staff counsellor asking for their memoirs to be authorised. I do not suppose those authors have all read the small print of *Hansard* closely. It cannot be true that there is no need for this to be written into the Bill. First, the staff counsellor's role needs to be put on a permanent basis, rather than depending on a written answer. Secondly, if only to get my right hon. Friend the Member for Pavilion to vote again on the Official Secrets Bill, there is a need to write the memoir and communication assisting parts into the Bill.

We have reached the comic opera finale: not one amendment will be accepted under any circumstances by the Government. There is a funny side to that, but a sad side, too, and on that note I close.

Amendment negatived.

Question proposed, That the clause stand part of the Bill.

Mr. Cryer: Does the Minister intend to bring the clause into operation at the same time as the rest of the Bill, or does he intend to delay it, using his powers under clause 7?

Mr. John Patten: This subject will be discussed during consideration of the next amendment. But I can say now that we do not yet know the final shape of the Bill. This matter will require the usual consideration after we know that, which will enable us to make full use of the commencement provision.

Question put and agreed to.

Clause 5 ordered to stand part of the Bill.

Clause 6 ordered to stand part of the Bill.

Clause 7

SHORT TITLE, COMMENCEMENT AND EXTENT

Mr. Andrew F. Bennett: I beg to move amendment No. 86, in page 4, line 2, leave out subsection (2).

Anyone reading the past two days' debates on this legislation would realise that we have been through a farcical procedure. Most people will marvel that the Government have pushed through the measure that they claimed would give the Security Service a statutory basis with so little input and scrutiny by the House. It is also amazing that the Government think they can get away

with a measure that leaves all the power in the hands of the Home Secretary and Prime Minister. They claim a statutory basis, but the Bill leaves all decision-making to Government Ministers—nothing is set down in statute.

The final affront is the commencement order at the end of the Bill. Clause 7(2) reads:

"(2) This Act shall come into force on such day as the Secretary of State may by an order made by statutory instrument appoint, and different days may be appointed for different provisions or different purposes."

That means that the Secretary of State wants a blank cheque for deciding how much of the legislation he will bring into force. He has just told my hon. Friend the Member for Bradford, South (Mr. Cryer) that he will wait until the end of the legislation process, until the Bill has completed its progress through the House of Lords, before deciding how and when the legislation will come into operation. That is totally unsatisfactory.

This is a simple measure and there is little in it that needs to be brought in over a lengthy period. It would be quite simple for the Government to follow the precedent set by other Bills and not insert a commencement clause, in which case the legislation would come into operation with the Royal Assent. The Government claim that the measure contains checks and balances. If that is so, it is reasonable to ask for the whole measure or none of it. We do not want the Secretary of State deciding over several years when certain parts of the measure can come into operation while others do not operate at all.

We have some means of scrutinising statutory instruments, but we do not have procedures for scrutinising statutory instruments that are not laid. It is a gross abuse that measures containing regulating powers often go through the House and Ministers do not use those powers for many years afterwards. Sometimes they are never used, but there is no way in which the House can scrutinise them. I seek from the Minister an assurance that the whole measure will be brought into operation at one time. He should not say that the first part of the Bill, which gives extra powers to the Secretary of State, will be brought into operation at once while the second part, which allows for some mild scrutiny, will not be brought in until later.

I hope that the Minister will accept the amendment because it would ensure that the whole of the legislation would be operative on Royal Assent. We should also have a proper Report stage so that hon. Members may return to the many issues that have entered the debate and which have not been satisfactorily answered. We should get answers here rather than having to wait and hope that the other place carries out the scrutiny that we should be allowed to carry out.

Mr. Cryer: I asked a question on clause 5 because I wanted to hear the Minister's comment before we came to this amendment. His comment at that time was as unsatisfactory as all his other comments. The Minister must have a strong sense of irony because he said that he would wait until he knows the shape of the Bill. Every amendment has been rejected and the Whips have been operating to get the majority of Conservative Members —most of whom have not troubled to listen to the debate —to vote. The Minister must either be very stupid—and I do not think that he is—or very ironic to say that he does not know the shape of the Bill. He knows its shape perfectly well because it is in the document before the Committee. He knows 99 per cent. of the shape of the Bill.

The Government know what will happen in the Lords. The Bill is not about rural buses for which a few Lords might come out of their castles and vote against Government legislation. The Minister knows that the Bill will go easily through the Lords. Clause 7(2) does not even say that the Minister will bring in clauses by order when he chooses. It says:

"different days may be appointed for different provisions or different purposes."

That means that the Minister can bring into operation any section of the legislation. He can bring into operation part of a section or part of a schedule, and that is unusual. As my hon. Friend the Member for Denton and Reddish (Mr. Bennett) has said, statutory instruments will be dealt with by the negative procedure. We do not object to that. However, we object to the fact that the Minister is not able to give an assurance.

2 am

We want an assurance that, when it is brought into operation, the Bill will include the appointment of the director-general to oversee the efficiency of the service, and we want clause 4 to be included because it will enable the commissioner to keep an eye on the Minister in the exercise of his function in issuing what have been described as burglary warrants. The Minister should be reasonable and agree to introduce the safeguard clauses at the same time as the rest of the measure. It would be an outrage, with an elective dictatorship trampling on the rights of Parliament, if the Minister failed to give that assurance.

Clause 5 must also come into force at the same time, because it safeguards people who feel abused by the burglary warrants. As it establishes a tribunal to deal with complaints, it must be introduced early, and it is no excuse for the Minister to say that he does not know the final shape of the Bill. The Government must heed the words of the former Lord Chancellor and not adopt the stance of an elective dictatorship, casting aside their responsibilities to Parliament. It would be a disgrace if they did that.

Mr. John Patten: I hope I can reassure the hon. Member for Bradford, South (Mr. Cryer) and the hon. Member for Denton and Reddish (Mr. Bennett). The provision which the amendment standing in the name of the latter would delete is the usual formula which permits flexibility in the implementation of any measure. An example of that is the Criminal Justice Act 1988 which the Home Secretary and I took through the House. That is now being implemented quickly and in various stages.

On present indications, we have no plans to bring this measure into force, should it become law, in a piecemeal fashion. It is our intention that the whole measure should come into force as soon as practicable after Royal Assent.

Mr. Andrew F. Bennett: The hon. Gentleman uses the phrase "as soon as practicable." Will he give an indication of the time scale? He will be aware that many pieces of legislation do not contain commencement orders and come into operation as soon as they receive Royal Assent.

Mr. Patten: The Bill as drafted is coherent and inter-related and all of a piece. It is the intention of the Government, as soon as Royal Assent is achieved, to bring it into play as soon as possible.

Amendment negatived.

Clause 7 ordered to stand part of the Bill.

SCHEDULE 1

INVESTIGATION OF COMPLAINTS

Mr. Winnick: I beg to move amendment No. 41, in page 5, line 7, after 'his' insert

'and shall have the right to appear in person, or by his legal or union representative, before the Tribunal.'.

It is not clear whether somebody making a complaint to the tribunal must appear in person or can authorise his union or legal representative to appear on his behalf. The tribunal must first decide that the complainant has a case. The Bill makes it clear that if it is a frivolous complaint the tribunal will not consider it.

Once the tribunal has decided that the complainant has a case to adduce, the Security Service will do its utmost to produce evidence seeking to justify what it has done. If the complainant cannot appear or have a representative, he or she will be very much at a disadvantage. For instance, I cite the case of my hon. Friend the Member for Peckham (Ms. Harman) which is being brought before the European Court of Human Rights. Clearly, she will have legal representation, but if the Bill were already on the statute book and she and Patricia Hewitt had made that complaint against the security services and the Government to the tribunal, she would not have been able to appear in person or have legal representation. That would have been most unfair.

I hope that the Minister will accept my proposal. If he does not and a complainant has no right to appear before a tribunal in person, it makes a complete mockery of the tribunal procedure. It emphasises once again the view put forward over the past two days by Labour Members, and by some Conservative Members, that there is no real control over the security services and that they are and to a large extent will remain a law unto themselves.

Mr. John Patten: There may be cases in which the tribunal considers that a complainant or complainants—I shall not consider the particular cases raised by the hon. Member for Walsall, North (Mr. Winnick)—should be asked to attend in person or to be represented. I am glad that the hon. Gentleman's amendment gives me the chance to clarify that point.

Under the Bill the tribunal is free to determine its own procedure, subject only to the restrictions concerning the disclosure of information provided to it. The Bill does not, therefore, prevent the tribunal from hearing oral evidence from the complainant, or from others appearing on his or her behalf—for example, the trade union official to whom the hon. Gentleman referred, or a solicitor—where that would help the tribunal to discharge its functions.

If the complainant were invited to attend, he or she could ask to be represented or accompanied. There is certainly no bar in the Bill to a complainant taking legal advice or being legally represented. It is similar to the procedure under the Interception of Communications Act 1985. Under that Act, the applicant is required to sign the form, which is a freely available document, but that is all. It makes it clear that he or she could ask a solicitor, for example, to submit the application to the tribunal on his or her behalf. In the same way, if oral evidence were needed from the complainant by the tribunal, the tribunal would be free to hear his or her legal representative or any other representative proposed by the complainant.

Mr. Buchan: For one golden moment, I thought that we were about to receive a better assurance from the Minister, but he is determined to end our debate on the same sour note of the past two days. There is no guarantee that a legal or trade union representative will be present in such cases. Why does the Minister not simply accept the amendment and write it into the Bill? If he will not, it means that he considers that there are cases in which that right should not be given to the complainant. Will he not accept the amendment even at this late stage? If that provision is not written into the Bill, there is no assurance that the Minister believes that a complainant can of right be legally represented or represented by his trade union. Will the Minister give us an assurance that that will happen? If he cannot do that, will he accept the amendment so that he can give us that assurance?

Mr. Winnick: Like my hon. Friend the Member for Paisley, South (Mr. Buchan), I hoped that the Minister's opening remarks meant that he saw some reason or justification for my modest amendment No. 41. Surely it is a basic principle of British justice that if a person brings a complaint before a tribunal or a court, that person should be able to appear or to be represented. I have some experience of these matters. Before I returned to the House I represented people who lodged appeals on immigration cases. It was never thought that those people should not be allowed to appear before the adjudicator or tribunal or be duly represented.

If the Minister cannot accept my amendment, is he willing to say that the matter will receive favourable consideration in another place? Nothing in the Bill goes anywhere near what the Minister said.

Finally, I repeat what was said earlier by my right hon. Friend the Member for Chesterfield (Mr. Benn). When matters are brought before a tribunal or court, decisions are made according to the Act passed by Parliament, not what a Minister said or what is written in *Hansard*. Therefore, if the Minister cannot accept the amendment because the Home Secretary is not around, and he needs his right hon. Friend's authorisation—I understand that and am not being sarcastic—if he will say that the points that have been raised are worthy of further consideration, he will give some partial satisfaction.

Mr. Cryer: Ministers usually set out in statutory instruments the procedures to be followed by tribunals. That is to ensure that the tribunals are fair. I am sure that the Minister wants the tribunals to be fair in their adjudication on complaints. I should have thought, therefore, that he would have given at least some indication of the procedures that they should follow.

Although the tribunals are appointed by royal warrant —whatever that is—in practice they are appointed by the Government. As the tribunal is a creature of Government, the Government would normally inform the tribunal about the procedures that it should follow. Because it is a highly secretive tribunal, I am being indulgent. I believe that its rules should be set out in a statutory instrument, as for all other tribunals that Ministers in various Departments set up to adjudicate on various matters. In this case, however, I am prepared to indulge the Minister by saying not that there must be a statutory instrument making everything open and above board but that we expect the Government to inform the House about the procedures that the tribunal will follow and to allow the

right of representation. That should be made absolutely clear. The Minister has told the House that that process may be followed but he has also said that tribunals make up their own rules, so if a tribunal is determined to ignore the right of representation because that is convenient for it, it can presumably do so. Will the Minister tell us that it will be the Goverment's recommendation to the tribunal to accept representation? Despite the undesirability of the lack of clear rules, is the Minister prepared to do that?

Mr. Winnick: I have invited the Minister simply to say whether the matter should be considered in another place. We are in Committee. Surely the Minister can answer yes or no.

Mr. John Patten: I have given a very good explanation of the Government's position and I do not intend to add to it.

Amendment negatived.

Schedule agreed to.

Schedule 2 agreed to.

Bill reported, without amendment.

To be read the Third time this day.

Mr. Deputy Speaker (Sir Paul Dean): We come now to motion No. 2 on Scottish housing.

The Parliamentary Under-Secretary of State for Scotland (Lord James Douglas-Hamilton): Not moved.

Mr. Deputy Speaker: I understand that motions Nos. 4, 5, 6 and 7 are not to be moved.

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. John M. Taylor.]*

Mr. Bob Cryer (Bradford, South): On a point of order, Mr. Deputy Speaker. The Government have not moved the Housing Support Grant (Scotland) Order 1989 because of the lateness of the hour. I wish to place clearly on record that the reason that the hour is so late is the Government's obduracy in refusing to accept a single amendment among all the constructive amendments proposed to the Security Service Bill. It is scandalous of the Government to treat the House with the contempt that they have shown it tonight in every respect.

Mr. Deputy Speaker: The Adjournment motion has been moved, and hon. Members must be aware that they are now taking the time of the hon. Member for Crewe and Nantwich (Mrs. Dunwoody).

Leighton Hospital, Crewe

2.16 am

Mrs. Gwyneth Dunwoody (Crewe and Nantwich): The Prime Minister makes great play of the fact that, in future, we should consider the National Health Service in a completely new light. We are told to look for new partnerships between the Health Service and private medicine, and that we should seek to improve the amount of work that is done in the NHS other than by those who are employed by it full time. It is important that we consider what has happened in the Crewe and Nantwich district health authority, because it gives some indication of what the future is likely to hold. I refer to the private hospital built in the grounds of Leighton district general hospital in my constituency, which will be run by Bioplan Holdings.

I was interested to read in the *Health Service Journal* of 17 November 1988 an account by the district health authority's current finance director as to how the partnership came about—not least because it is extremely instructive. Addressing a seminar on the need to create deals with the private sector, that finance officer commented that Crewe and Nantwich set out to devise joint ventures only because the amount of money required —£500,000—was not available to the health authority if it had wanted to go ahead alone. He added:

"We didn't involve the Treasury, or the Department of Health or the region, until it was too late for them to do something. I am not saying it is what everyone should do, but there are a lot of people around who are saying that they wished they had ploughed their own furrow, too."

Why is this important? First, NHS hospital land is, without exception, Crown land. How the value of that land is assessed and what deals are entered into with the private sector will be of interest not only to the taxpayer but to the Public Accounts Committee. The value of the leases that are handed out on NHS property will affect the viability of any private unit, and it is therefore important that the taxpayer is protected in all such deals.

One delegate who was concerned tackled Mr. Thomas because Crewe had not put the deal out to tender. How, he asked, did Crewe know the value of the land on the open market? Mr. Thomas said that he was convinced that the company had made a good offer. Another asked whether Crewe had carried out any investigation into Bioplan. Mr. Thomas said that internal audit staff had been unable to find out much because the company was so new.

I can honestly say that after 22 years in the House I have developed a new aspect of my work with which I have never had to deal before. Virtually continuously, I have had someone at Companies house researching the status and background of private companies seeking to enter into deals which concern themselves with state assets. In this instance, Bioplan is no exception. I have in my hand the microfiches relating to the company's records, and I have considerable sympathy with Crewe DHA, because it is very difficult to find out any useful information from those microfiches about the company's financial standing, its overall accounts or the way in which it has been run.

Yet Peter Townsend, who is referred to as the chair of Bioplan Holdings, said when he was talking to the same seminar that having started out with its own private hospitals in 1986 Bioplan decided that its future lay in partnerships. The company concentrated on the acute sector and the care of elderly people. I can find no useful

[Mrs. Gwyneth Dunwoody]

information about Bioplan, and Crewe DHA was manifestly in the same position. It entered into the deal with, presumably, no accurate figure for the cost of the land, and therefore presumably finding it extremely difficult to produce an accurate assessment for the lease; not knowing anything about the company with which it was dealing; and going ahead without having consulted, on the evidence of the finance officer, anyone either at regional or at any other level. It is extremely risky for anyone to enter into a business partnership on that financial basis, yet the pattern could well be followed if the NHS continually seeks to put an estimate on the assets that it has by virtue of being a state authority.

I was extremely concerned about the creation of this private hospital. First, it is extremely small: it has only 20 beds, and in normal circumstances could not conceivably create a viable unit. I was also concerned because it was created at a time when nearly £2 million had been cut from the amount made available for the running of the DHA. Moreover, when the press statements were put out about the Bioplan agreement, we were told that there would be no capital or revenue outlay; Crewe health authority would lease the one-and-a-half-acre site and would generate income of approximately £80,000 a year. A number of services were also listed as being part of the deal. The agreement was that Bioplan would build a new private hospital at a cost of £1·5 million, and that it would also invest a substantial amount in upgrading and improving the X-ray department in Leighton hospital. Other facilities were also promised.

This matter was of particular interest to me, as only last December I received the final answer to a series of letters that I had written to the DHA about a number of cases in which my constituents who were non-urgent cases required straightforward X-rays relating to conditions likely to be of major importance to them, and had been told that there was a wait from 2 September 1988 until 10 March 1989. It was therefore of considerable importance to me to know that there was to be this great investment of extra money and extra teams, which was to make an enormous difference for my NHS patients, because this is what I have been told all the way along: "Of course it will not detract from the National Health Service. It will provide a much better level of care."

We in the Crewe district have considerable doubt about the level of management that exists already in the DHA. The chairman has more than once pushed through very important decisions on his casting vote. There is also a history of senior officials leaving the authority. I suppose that I should not have been altogether astonished when the gentleman of whom I am talking, Mr. David Thomas, who had negotiated all of these contracts, very soon afterwards announced that he was leaving Crewe and going elsewhere. My local paper reported on 31 October that Mr. David Thomas, who had served as director of finance for Crewe, had announced plans to quit the post early next year and take up a new role with a private health care company which is currently building a 20-bed non-NHS hospital at Crewe.

There is no other profession in the world where one may leave and set up business immediately on the same premises as those people with whom one was working. I therefore asked the Minister a question about the conditions under which employees can leave the National Health Service, presumably taking with them a great deal of expertise, only to be told by the Minister that this was a matter for the individual DHA.

I remain very concerned. This hospital will have a direct effect on the quality of care within the NHS. It has been set up in such a way that there is no transparency in its financial arrangements, and it has now taken on its staff someone who has detailed knowledge of the running of the NHS. That is very important, because it is money from the NHS that will create the viability of this unit. The company has already been given considerable contracts for providing certain care for NHS patients, and it is the number of people who will be pushed into this unit that will, in the final analysis, make the difference to its economics.

It goes much wider than that, however. There has been an enormous cut imposed upon the ambulances in the area, and when I read the consultation document it suddenly became clear that, to find £47,000, one of the things that had certainly been suggested was that something like 50 per cent. of the travel in the Crewe area was represented by journeys to Leighton hospital. The ambulance service was saying, in effect that, if people did not fully qualify for an ambulance—I do not know how that is justified, because that must imply that people using the ambulances have no right to do so—and if there was a need to make swingeing cuts, one of the things that could be said was that 50 per cent. of ambulance journeys within Crewe town were to Leighton hospital and thus could be abandoned in the name of economy. So it becomes very clear that what happens at Leighton will affect us right across the board. Certainly, the way the establishment is run in relation to the private hospital is affecting us across the board.

I do not expect the Minister to give me detailed answers to what are real problems, but I want to make it clear that if we are to talk within the NHS about partnership, we have to face one basic question. Crown land is not assessed in the normal way in dealing with the creation of a new hospital. That is what has happened here. How those assets are assessed must materially affect the viability of the projects.

Contracts between people working within the NHS and private contractors must carry with them at least some protection for the NHS over a period of years. Most professional organisations—doctors are no exception—insist that written into the contracts of people employed should be undertakings that they will not carry with them into exactly the same area in which they have operated the expertise that they have gained without some protection for their previous employer. It is not good enough for the Department of Health to say only that that is entirely the responsibility of the district health authority.

It is also vital that we have an urgent investigation into the general management of Leighton hospital. There are considerable difficulties with the staff there. There is a great deal of unease. The regrading of the nurses is only one example of the problem of morale, which has been exacerbated, becoming barely tolerable for many staff.

In short, if private companies are to be allowed to go into the NHS, I want to know who investigates their viability, who demonstrates their expertise, who tells us where they have come from and what ability they have. I have already investigated three other companies that were applying for geriatric care within the same health

authority, only to find that two of them were directly connected and, even more interestingly, that one of the companies had put in a high tender for the service and one had put in a low one. When I made it clear that I knew the connection between the two companies, strangely enough one of the tenders was withdrawn.

I take a great deal of care about investigating the private firms that are interested in coming into the NHS, but I want a simple assurance from the Minister that there should be no deals with the NHS unless the criteria that apply would be acceptable to the Public Accounts Committee or the House of Commons as being completely open and transparent. We would not accept less in any other area, and I see no reason why we should accept less in the NHS.

The matter of Crown land must be looked at, how it is assessed, how the deals are entered into and what the implications are. Private companies must not come in, milking the NHS for all the facilities that they can lay hands on, using NHS patients to improve their facilities and promising to provide many new services with high-powered equipment, but in fact using the NHS for their own purposes without demonstrating any comparable improvement in facilities for my constituents. It is not good enough to talk about the gain to my district health authority without being able to provide all the relevant facts on the other side of the equation.

Above all, I ask that the management and the immediate past management should be investigated urgently so that never again will people who negotiate financial deals suddenly reappear on the other side for the private company concerned, working within the Crewe district health authority. That is offensive, and I have considerable doubts about the professionalism or the responsibility of companies that allow that to happen.

2.33 am

The Parliamentary Under-Secretary of State for Health (Mr. Roger Freeman): I congratulate the hon. Member for Crewe and Nantwich (Mrs. Dunwoody) on obtaining this Adjournment debate and presenting her arguments so clearly. I shall spend a short time on the general subject of private hospitals in the NHS and then deal with some of the points that the hon. Lady has raised. She has kindly said that she does not expect me to answer all the points that she has raised tonight. I shall try to answer as many as possible, but if I cannot answer them all in the time available I shall read the *Official Report* carefully with my officials and write to her.

The Government very much welcome the contribution of the private sector to the totality of provision for health care. Such a contribution should be regarded as adding to the total resources devoted to health care and offering flexibility to health authorities in the delivery of services. Government policy, therefore, is to encourage partnership between the National Health Service and the private health sector when this is a cost-effective way of providing or extending services. Many constructive arrangements already operate to the benefit of NHS patients, but there is scope for much more. Innovative approaches from private organisations are welcome, particularly where they accord with overall policy objectives. If a profit-making organisations can give the NHS better value for money there is no reason to put artificial barriers in the way. Equally if the NHS generates income by selling services to the private sector it should be given every encouragement, always provided, of course, that there is no detriment to the NHS.

I must take issue with the hon. Lady. She, perhaps, did not mean to imply that all partnership arrangements between the private sector and the NHS could be typified as milking the NHS or using it for private profit. I assume that she was making her criticisms specifically in relation to the transaction at Crewe.

Mrs. Dunwoody: Does the Minister think that people enter into agreements with the NHS to make money for themselves or to provide a service on the generous basis of wishing to serve humanity?

Mr. Freeman: Private companies enter into partnerships with the NHS not only to make money—which is the nature of private companies—but to do so in co-operation with the NHS. That broadens the choice available to patients and enhances total patient care. In my judgment, the two are not incompatible.

Against this background, individual health authorities must decide for themselves whether to enter into contractual arrangements with private health care organisations and establishments. To answer the first of the hon. Lady's points, it is the responsibility of the local health authority—in this case the district health authority—to satisfy itself about the credibility, reputation and standing of any organisation with which it wishes to do business. That is where the responsibility should be exercised. It is not my responsibility to pass judgment on each transaction. In coming to such a decision—that is the partnership between the private company and the NHS—health authorities will need to take a great many factors into account in determining the feasibility of such arrangements in the light of local needs and priorities. Cost will, of course, be an important consideration but by no means the only one. Ultimately, it is all done for the benefit of patients.

I shall now turn to the particular circumstances of Crewe and the questions that the hon. Lady put to me. I shall deal first with the financial arrangements. In June 1988, Crewe DHA and Bioplan Holdings plc signed an agreement that would enable Bioplan to build a new private hospital in the grounds of the existing Leighton hospital at Crewe. The development—known as the South Cheshire private hospital—is now under construction on a site leased to Bioplan by Crewe health authority on terms agreed by the district valuer of the Inland Revenue. The terms of the lease were on the basis of advice that was provided by the district valuer.

I understand that the new private hospital with 20 beds should be ready for patient use in April 1989. The development does not involve any capital or revenue outlay by Crewe health authority—on the contrary, the agreement is expected to generate additional financial resources. I understand that the press release—of which the hon. Lady probably has a copy—that was issued at the time of the announcement of the transaction referred to amounts of up to £140,000 per annum. Those are additional financial resources that are available to Crewe health authority. That additional funding will be reinvested in Leighton hospital to improve services for NHS patients. Crewe health authority anticipates that the NHS and the private sector will flourish side by side to the

[Mr. Freeman]

mutual benefit of all concerned and, in particular, the patients. The net result of the transaction is to provide incremental resources to the local district health authority.

I want to deal briefly with the comments that the hon. Lady made about Mr. David Thomas. The hon. Lady has particularly referred to the part played in negotiating the agreement with Bioplan by Mr. David Thomas, who resigned as director of finance with Crewe health authority with effect from 16 December 1988 following his appointment as Bioplan's operational manager for the new private hospital in Crewe. In view of the concern expressed by the hon. Lady, I shall briefly explain the position as I understand it. Bioplan Holdings initiated discussions in August 1987 with Crewe health authority through consultant staff, then in turn with the chairman, Mr. John Taylor. As I have said already, dealings between the company and the authority were carried out on a proper, formal basis.

Mr. David Thomas left the employment of the authority on 16 December 1988. As I understand it, Mr. Thomas played no part in the initial approaches by Bioplan. As the exercise progressed, he took no independent decisions whatever in relation to Bioplan. All decisions were taken by Crewe health authority members at formal meetings of the authority. All valuations were conducted through the district valuer, with revenue detail being based on Crewe's actual accounts. The legal documentation was conducted through the Mersey regional legal adviser. The general approach was discussed with the officers of the regional health authority. The siting of the new private hospital was dealt with by Crewe health authority's director of estates. I give this factual information in the hope that it will alleviate some of the hon. Lady's concerns by showing that a significant number of people were involved in the exercise and that the proper procedures were followed at all stages.

The hon. Lady asked whether it is proper for someone leaving the district health authority immediately to go to work for a private company that has financial relations or dealings with that authority. The hon. Lady knows that the current position is that it is for the employing health authorities, which are statutorily independent bodies, to decide whether to introduce into individual contracts of employment any restrictive clauses of the type that I have outlined. That policy is consistent with the views of the Royal Commission on standards of conduct in public life, which concluded in 1976 that it should be left to local authorities and other public bodies to appraise their own needs in this respect.

Mrs. Dunwoody: I remind the Minister of the quotation from Mr. Thomas:

> "We didn't involve the Treasury, or the Department of Health or the region until it was too late for them to do something."

I ask the Minister to look again at what I have said. I understand what his brief says, but I am asking him to look at the facts and then to tell me if he is still satisfied.

Mr. Freeman: I fully understand what the hon. Lady says, and, as I said at the outset, I shall do just that.

Finally, let me deal with the question of waiting lists and the use of Bioplan by Crewe health authority to perform surgery on about 300 patients. The hon. Lady did not refer in detail to this aspect but perhaps I may put the arrangements on the record. It is necessary briefly to rehearse the background to the matter. Crewe health authority has been among those with the most serious waiting times for surgery. To improve that situation it has set itself specific targets in agreement with the Mersey regional health authority—first, that all patients waiting for surgery for two years or more should receive their operations by 31 March 1989 and then successively to reduce waiting time to a maximum of one year by 31 March 1990. This might be termed a war on waiting times. To achieve the first objective, Crewe health authority has adopted a number of measures. These include extra sessions at Leighton hospital, referral to other NHS hospitals in Mersey region and the use of a Ministry of Defence hospital in Swindon.

Even after all those actions, some 300 patients across four specialties will remain to be treated by 31 March. These will be dealt with under a contract with Bioplan Holdings. The work will start on 6 February and patients will be treated in ward and operating theatre accommodation at Leighton hospital. This accommodation has been closed for routine work for four years as the hon. Lady probably knows. Bioplan will provide nursing, theatre and medical staff who have been recruited in advance of the opening of the new South Cheshire private hospital in April. The arrangement that has been negotiated allows Bioplan to cover expenses only and provides for no profit. In other words, during the build-up of staff pending their full employment when the new private hospital is opened, they will be attacking the waiting lists at Leighton hospital, which will benefit all the patients in the district health authority area. The average cost per case in the Bioplan scheme is way below that available locally in the private sector. Another private sector hospital was approached. The total cost would be considerably higher if Crewe health authority itself attempted to deal with the 300 cases, mainly because agency rates used for the staff groups required on a short-term basis are considerably higher than those quoted by Bioplan.

To sum up, the Government believe that private hospitals can work in partnership with NHS hospitals for the greater good of the community and without diminishing NHS care. I hope that I have dealt with the hon. Lady's concerns about arrangements. As I said at the outset, she has raised a number of points and I shall read the record and reply to her. I hope that she and I are at least agreed about one thing: that what counts above all is care of patients, whether they are treated in the private or NHS hospital in Leighton in Crewe district health authority. I pay tribute to the work of all those who work in the Leighton hospital.

Question put and agreed to.

Adjourned accordingly at fifteen minutes to Three o'clock.

House of Commons

Wednesday 18 January 1989

The House met at half-past Two o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

Oral Answers to Questions

TRADE AND INDUSTRY

Inner City Funding (Brent)

1. **Mr. Livingstone:** To ask the Chancellor of the Duchy of Lancaster if he will make a statement on the total of inner city funding for the London borough of Brent.

The Chancellor of the Duchy of Lancaster and Minister of Trade and Industry (Mr. Tony Newton): The Government are making a substantial contribution under their inner-city programmes to the London borough of Brent. In 1987-88, more than £16 million was made available, including more than £10 million for training and employment programmes and more than £6 million to help regenerate the local economy and improve the environment.

Mr. Livingstone: Does the Minister accept that those funds nowhere near compensate Brent's loss of rate support grant which is now about 40 per cent.? Since we in this House trade statistics all the time, will the Minister accept an invitation to come to the advice surgery which I hold each week—*[Interruption.]* I am sorry that hon. Members laugh because last night at my surgery I saw 30 people, all of whom are suffering massive problems caused by the Government's cuts in housing programmes and in DHSS funding. Will the Minister come and see the human reality into which statistics are translated at my surgery?

Mr. Newton: I have to admit, I hope with due modesty, that I am more inclined to think that the London borough of Brent needs advice more than the Government need it. I am confirmed in that view by the fact that the hon. Gentleman has said that of all the Labour councils he knew, none was as incompently and insensitively managed as Brent. He might like to draw the attention of Brent council to the fact that it has not submitted audited grant claims under the urban programme since 1981-82, and that some £6 million of grant that it could have received under that programme remains unclaimed.

Mr. Ian Bruce: Will my right hon. Friend consider the amount of taxpayers' money that has gone into an area of the south-east which currently has so many vacancies and so much private industry capital investment? Surely that is a misuse of taxpayers' money when there are so many regions which have real unemployment problems and could do with that money. Does my right hon. Friend agree that that money would be better directed to areas other than Brent?

Mr. Newton: It is certainly the case that other areas of the country have very substantial needs—including the area that I visited yesterday, where the Government invest very large sums of money. However, we should not overlook the fact that there are serious problems in some pockets of the south.

Airbus Project

2. **Mr. Jack:** To ask the Chancellor of the Duchy of Lancaster when he last had discussions with Britain's partners in the Airbus project.

6. **Mr. Mans:** To ask the Chancellor of the Duchy of Lancaster what further meetings he has had with representatives of Airbus Industrie.

The Parliamentary Under-Secretary of State for Trade and Industry (Mr. Robert Atkins): My right hon. and noble Friend the Secretary of State for Trade and Industry and I met the aerospace Ministers of France, the Federal Republic of Germany and Spain in Toulouse on 15 December 1988. Representatives of Airbus Industrie and the industrial partners of that consortium were also present.

Mr. Jack: In the course of those discussions, did my hon. Friend consider the prospects for Airbus Industrie, its organisation and finance up to the year 2000? Did he discuss prospects for orders from Braniff Airways? His answer will be of immense interest to aerospace workers in the north-west of England.

Mr. Atkins: My hon. Friend would be surprised if we had not discussed the prospects for Airbus Industrie. I am particularly pleased with the Braniff order, which takes up the original Pan Am order of 50 A320s, with an option on a further 50. That is exceptionally good news because they will use the V2500 international aero-engine thereby creating a great deal of work for many people in Barnoldswick in the constituency of my hon. Friend the Member for Pendle (Mr. Lee), the Under-Secretary of State for Employment, together with the work that has been done in our respective constituencies.

Mr. Mans: I thank my hon. Friend for his replies. Will he comment further upon the financial reorganisation of Airbus? Important parts of the A320 are made in Lancashire, close to my constituency, and there is clear concern about how aircraft costings are worked out within the Airbus organisation.

Mr. Atkins: We have devoted considerable time at ministerial and consortium member level to ensure the future of Airbus Industrie in the run-up to the turn of the century to provide an excellent aeroplane at the right price. We hope that it will continue to compete properly with Boeing throughout the world. Like myself, my hon. Friend has many constituents who are making parts of the A320. It is important to them that the aircraft continues to be a success, so the reorganisation of Airbus Industrie is extremely important. We shall keep our attention on it for the foreseeable future.

Mr. Cryer: Is the Minister satisfied that sufficient investment is being provided by the Government to firms such as Rolls-Royce to provide a range of engines that will compete with the whole range of production by, for example, GEC and Pratt and Whitney? Is it not disturbing

that, while we are prepared to invest £7 billion in the European fighter aircraft, it seems to be at the expense of the neglect of the civil aircraft industry? Is it not important to develop the range of engines and the Airbus range of planes to match Boeing, particularly when British Airways seems to be handing over the whole of its fleet to Boeing sales managers? Should not the Government try to persuade British Airways to have at least part of its fleet manufactured by Airbus?

Mr. Atkins: The hon. Gentleman raises many questions, as is his wont. The majority of British Airways airliners use Rolls-Royce engines. That is of benefit to Rolls-Royce employees throughout the country. In addition, Boeing aircraft have substantial British subcontract work—not least Shorts, for example, which does an enormous amount. All in all, there is a great commitment by Boeings to the British aerospace industry, and vice versa. Long may that be so.

Mr. Colvin: What decisions did the meeting to which my hon. Friend referred make about the recommendations of the independent committee that was set up to discuss the future of Airbus Industrie? The so-called committee of wise men recommended, first, a new streamlined supervisory board; secondly, a new executive board; and, thirdly, the appointment of a managing director and finance director. Those people will make Airbus Industrie more accountable to the people whom we represent—the taxpayers—and make it easier for Airbus Industrie to agree terms with possible American partners on the next generation of long-haul aircraft.

Mr. Atkins: As the chairman of the Conservative Back Bench Committee on these matters, my hon. Friend speaks with great authority. He recently went to Toulouse to explore further developments. As I said earlier, we are working extremely hard to ensure that Airbus Industrie is reorganised so that there is a finance director. The first decision that we took last December was to appoint Dr. Friderichs as chairman of the supervisory board. We are pleased with him. He is a German gentleman with considerable expertise and experience. We have asked him to report to us as soon as he possibly can on how the rest of the board should be structured, with particular reference to a British finance director.

Retirements

5. **Mr. Dalyell:** To ask the Chancellor of the Duchy of Lancaster when it is now expected that *(a)* Sir Brian Hayes and *(b)* Mr. Neville Ledsome will retire.

Mr. Newton: Sir Brian Hayes is expected to retire in September this year, and Mr. Neville Ledsome in November this year.

Mr. Dalyell: Could it be delicately suggested to them that, before retirement, they might like to follow the example of John Mogg and Colette Bowe, and put their versions of what happened in relation to Westland in January 1986 into a bank vault?

Mr. Newton: The matter has been fairly fully raised by the hon. Gentleman in the House over a very long period. I have nothing to add to the full accounts that the Prime Minister has given to the House.

Task Forces (East Midlands)

7. **Mr. Boswell:** To ask the Chancellor of the Duchy of Lancaster if he will make a statement on the progress of the inner-city task forces in the east midlands.

The Parliamentary Under-Secretary of State for Industry and Consumer Affairs (Mr. Eric Forth): The inner-city task forces are central to the Government's action for cities programme. Their objectives are to secure more jobs for local people, to improve their employability, to encourage and facilitate local enterprise and to support environmental initiatives, which also contribute to these objectives. The Nottingham and Highfields (Leicester) task forces have both made sound progress towards achieving those aims. To date, they have committed £2·8 million to more than 100 projects which, among other things, are expected to create around 730 jobs and 2,230 training places for local people. A number of projects have also attracted additional support from the private sector and from other Government programmes.

Mr. Boswell: Bearing in mind that I too come from the east midlands, but represent a more rural constituency, will my hon. Friend accept that the news is equally welcome to us as it is to the inner cities? In view of the fact that 1989 is British Food and Farming Year and that good work is being done by the Country Trust, the Association of Agriculture and other organisations will my hon. Friend bear in mind the countryside's scope as an educational and social resource which can work alongside his project?

Mr. Forth: I praise my hon. Friend for his ingenuity in managing to bring his praiseworthy words about the countryside into a question about the inner-city task forces. In view of the type of constituency that he represents, I am glad that he appreciates the good work that has been done, and continues to be done, by the inner-city task forces. I am sure that everyone will appreciate that the benefits that come directly to people in the inner cities are a contribution to the improved well-being of society as a whole.

Mr. Vaz: In view of the Minister's cheerful explanation about the Highfields task force—which I dispute—does he think that it is appropriate at this stage to enable local authorities to play a more direct role in the operation of the inner-city task forces? Does he agree that now is the time to place the task forces under the direct control of local authorities? He will recall that when the matter has been raised on previous occasions, the Minister has said that he will come before the House with proposals to create outer estate task forces. Has progress been made on that?

Mr. Forth: I think that I can understand why the hon. Gentleman in particular has raised the question in that way. The sad truth is that whereas task forces have been able to work well with local authorities—including Labour-controlled local authorities—in virtually every task force area, Leicester, his own local authority, has refused to co-operate with the task force and has made its work more difficult. It has obstructed its work and has, therefore, contributed to making it less effective than those in other cities. I hope that the hon. Gentleman's contribution will be to go back to his local authority and

urge it to take a more constructive approach, so that his constituents can benefit as much as those in other city areas.

Mr. Devlin: Does the Minister accept that similar problems have been experienced by Government projects in other parts of the country? In Middlesbrough, for example, there are problems with the Teesside development corporation, which is being obstructed in every way by Middlesbrough council, which has now said that it has not had consultation with the Teesside development corporation, having not asked for any. It has the support of the local Labour Member in this matter.

Mr. Forth: My hon. Friend has raised an important point and I am sure that it has not been lost on the local people. When they see what can be done when local authorities co-operate with organisations such as the task forces in bringing benefits to the local people, they will judge for themselves whether it is correct for the local authority to be helpful or unhelpful. There are many examples of areas where local authorities and the task forces work well together to the benefit of the people in the inner cities. As a result of what my hon. Friend has said and the question put by the hon. Member for Leicester, East (Mr. Vaz), the point will be noted by the local electorate in local elections.

Mr. Alton: Although I confirm what the Minister said about the successful role that the task forces can play in the regeneration of an economy, does he accept that there is something in the comments of the hon. Member for Leicester, East (Mr. Vaz) about the lack of accountability of some task forces? Does the Minister recognise that some people perceive the task force as a gauleiter in carpet slippers? The task forces should be more accountable to the local community and should contain a greater local element when they are established.

Mr. Forth: Of course, I recognise the hon. Gentleman's point, but it is only fair to point out that great progress has been made over many decades, for example, by the use of such devices as new town development corporations, one of which was very successful in my own constituency, and which, by the very fact that they are not elected, can make progress in a way in which elected authorities cannot. The key is to get co-operation between the elected representatives in local government and the task forces for as long as they are operating in particular areas. At best, that should give us a balance between the effectiveness of the task force and the accountability of the local authority.

Restrictive Trade Practices

8. **Mr. French:** To ask the Chancellor of the Duchy of Lancaster if he will make a statement on his policy on restrictive trade practices.

Mr. Newton: The Government are planning fundamental reform of restrictive trade practices legislation. Proposals were outlined in my Department's Green Paper published in March 1988 and have received widespread support. We intend to move to a system which is more closely aligned to European Community law and under which agreements with anti-competitive effects would be prohibited.

Mr. French: When reaching his decision on the action to take, will my right hon. Friend consider extending the powers of the Office of Fair Trading so that it may consider restrictive practices as they affect the location of pharmacies and the competitive pricing of pharmaceutical products?

Mr. Newton: My hon. Friend will know—I know this from former ministerial responsibilities—that the provisions governing the location of pharmacies, including the work of the rural dispensing committee, operate under other legislation. However, I shall certainly draw what my hon. Friend has said to the attention of my right hon. and learned Friend the Secretary of State for Health.

Mr. Hoyle: Will the Minister consider restrictive practices in relation to the professions, especially the legal profession and accountancy?

Mr. Newton: The hon. Gentleman will be aware that that is a matter for my right hon. and learned Friend the Lord Chancellor, who is currently considering some of those issues.

Sir Peter Emery: Does my right hon. Friend realise that there is considerable interest in the decision reached yesterday by the High Court concerning the Lonrho and Harrods affair——

Mr. Speaker: Order. That matter is sub judice.

Sir Peter Emery: I do not think that what I am about to say is sub judice, Mr. Speaker. I was going to ask whether we can have an assurance that the Minister's decision will be made public as soon as possible?

Mr. Newton: You, Mr. Speaker, made the point that I must make. Although I am aware that there is considerable interest in that matter, I am also aware that my right hon. and noble Friend lodged an appeal yesterday against the court decisions which are being considered today by the Court of Appeal. My hon. Friend will understand that in those circumstances there is nothing that I can say.

Mr. Austin Mitchell: When the Minister settles down to decide whether he has a policy on restrictive trade practices, will he do something about the estate agents who have grown so fat on the Government's housing bubble, or is he just waiting for his fat friend the Chancellor to solve the problem for him by killing the housing market altogether with the insane escalation of interest rates?

Mr. Newton: The position on estate agents is that my hon. Friend the Minister for Industry and Consumer Affairs will shortly complete what have been extensive discussions with trade bodies. He will then announce our conclusions which will, of course, take account of the views expressed by the Director-General of Fair Trading in his recently published review of the Estate Agents Act 1979. I am sure that my hon. Friend, who is well known for considering all views, will take account of those expressed by the hon. Gentleman.

Trade (Tunisia)

9. **Mr. Butler:** To ask the Chancellor of the Duchy of Lancaster if he will make a statement on current trading relations with Tunisia.

The Minister for Trade (Mr. Alan Clark): United Kingdom-Tunisian trade relations are good. Provisional trade figures for January-November 1988 show United Kingdom exports of just under £29 million and imports of £34 million.

Mr. Butler: Is my hon. Friend aware that that friendly country, which is liberalising its economy and privatising, has traditionally turned its face towards France and the Francophone world but now wishes to expand its horizons, and presents considerable opportunities to English exporters should they take the chance?

Mr. Clark: I am glad that my hon. Friend has made that point. I hope to visit Tunisia in March with a high-level CBI mission to encourage further development of trade between our two countries. Last March I opened the "Tunis Week" exhibition, which was well attended and aroused a great deal of interest, and I hope to follow up in my visit.

Mr. Ron Brown: As Tunisia—*[Interruption.]*

Mr. Speaker: Order.

Mr. Brown: As Tunisia has virtually a common market with Libya, would it not make sense to at least have a dialogue with Colonel Gadaffi's Government about the possibility of better relations between Britain and Libya?

Mr. Clark: In my conversations with distinguished members of the Tunisian Government and Corps Diplomatique, I have found that they express substantial reservations about their relationship with Colonel Gadaffi. I do not know what the hon. Gentleman means by "common market", but certainly Tunisia does not suffer from any of the restraints on our trade which we presently and properly impose on trade with Libya.

Mr. Hanley: Does my hon. Friend agree that the political situation in Tunisia with President Ben Ali is more stable than for many years? Following on the excellent aid provision that has been given to the Maghreb region by the United Kingdom, does my hon. Friend agree that we should take advantage of the good will which is being established between Tunisia and Britain?

Mr. Clark: Yes, indeed. The political regime has entirely altered and one of the objectives of the Tunisian Government and business leaders presently is to privatise the public sector of its economy. To that end a mission will be visiting the United Kingdom. It will also be visiting Russia. I hope that then we shall be able to tell it how to carry that out profitably and efficiently.

Manufacturing Industry

10. **Mr. Harry Greenway:** To ask the Chancellor of the Duchy of Lancaster what were the levels of investment and profitability in manufacturing industry *(a)* in the past year, *(b)* five years ago, *(c)* 10 years ago, and *(d)* 15 years ago; and if he will make a statement.

Mr. Atkins: The figures on profitability are as follows:

In 1972 the net rate of return was 8·1 per cent.; in 1977—5·7 per cent.; in 1982—4 per cent.; in 1987, the latest year for which figures are available, it was 9·2 per cent.

Investment in 1972 was £8·8 billion; in 1977, £9·8 billion; in 1982, £7·6 billion; and in 1987, £10·1 billion.

Mr. Greenway: In each case are not those excellent figures and do they not give the lie to the Labour party's constant assertion that there is under-investment in manufacturing industry with the consequent loss of jobs? Is it not time for us to put that back down the throats of the Labour party? Will my hon. Friend say what the future prospects are for profitability and investment in British industry? Will he include in that answer the level of investment by the Japanese and what safeguards there are for our future investment levels to be maintained alongside this?

Mr. Atkins: There is every sign that the trends to which I have referred, which so eloquently speak of the success of the Government's economic policy, will continue. The Department of Trade and Industry does a regular survey of investment intentions. The most recent one in December showed that the figure for 1988 would be 12 per cent.—a record level of investment—11 per cent. in 1989 and yet further increases in 1990. That has been confirmed by the CBI, which has done a similar investigation. Investment intentions remain extremely buoyant.

I cannot give my hon. Friend details of Japanese investment, although I shall endeavour to give him that information. However, Japan invests more in this country than in any other country, other than the United States.

Mr. Kennedy: Does the Minister agree that obviously the level of investment and profitability in our manufacturing industry is heavily influenced by and dependent upon its ability to sell abroad? In that context, does he agree that there are rather worrying signs from those about to occupy senior positions within the new Bush Administration, as well as from the rather protectionist sentiments which are developing on Capitol hill at the moment that the Americans are wrongly perceiving 1992 and the single European market as some kind of "fortress Europe" mentality on the part of this country and our European partners? Will the Minister say what efforts the Government are making to disabuse the Americans of that misguided notion and to preserve and strengthen our manufacturing export market as a result?

Mr. Atkins: The hon. Gentleman is right to draw attention to that concern. I am cautious about predicting what a new Administration yet to be inaugurated will do, but my noble Friend the Secretary of State and I, let alone Ministers in other Departments, have spent a lot of time in the United States making sure that it realises that the concept of a fortress Europe is not one that we see as the future. The United States has a great interest in ensuring that its substantial and welcome investment in Britain will benefit it here just as much as it will in its own country.

Mr. Batiste: Will my hon. Friend confirm that employees of profitable companies should rightly expect to share in the increase of profits of those companies, but that their improved prospects today can be maintained only if increased earnings come out of improved productivity and lower unit labour costs?

Mr. Atkins: Yes, Sir.

Mrs. Mahon: May I draw the Minister's attention to a press release, issued earlier this week by the textile, hosiery and clothing industries, which talks about the bad agreement that we have just made with China? What does the Minister have to say to people in my constituency

whose jobs are threatened—as it says in the press release—by that agreement? I should add that I do not think that any of those people are members of the Labour party.

Mr. Atkins: The hon. Lady has raised a point which, as she knows, is as much a matter for the Commission as for Britain. I shall look into the detail of the matter and write to her. I hope that I shall be able to reassure her.

Mr. Roger King: Is my hon. Friend aware that businesses need an open world market in order to remain profitable and to increase their profitability? Will he join me in expressing anxiety about the United States' attitude towards the Range Rover product manufactured in Britain on which penal import duties are due to be levied as a result of it being restructured in the United States' market place? That will have a substantial effect on the work people in the west midlands.

Mr. Atkins: My hon. Friend makes an excellent point, which is troubling us at the moment. My hon. Friend the Minister for Trade has the matter in hand and, in his own inimitable fashion, will take what action he believes to be necessary to ensure that that extremely popular and first-rate vehicle continues to sell in large numbers in the United States.

Dr. Bray: May I suggest that the Under-Secretary checks his figures? Is he aware that by their neglect and manipulation of statistics about which the Government do not care, they have lost credibility on those about which they do care and which have substantial effects in the market? Is he aware that of some £9 billion increase in profits since 1979, only some £400 million has gone into increased investment in manufacturing industry, and that the supply side response of manufacturing industry to improve its competitiveness is completely inadequate to remedy the enormous gap in the current balance of payments? May I suggest that the Department of Trade and Industry thinks again?

Mr. Atkins: The hon. Gentleman has confused himself with his figures, so he would not expect me to follow him down that winding path. The figures that I have given are absolutely right and we are proud of the success that they represent.

Mr. Redwood: As the most recent investment figures include substantial sums on car and video assembly capacity in Britain and as there are now moves to tax such products or to block their export to other member countries in the EC, can my hon. Friend assure me that the Government will try to roll back those protectionist moves in order to encourage more inward investment in the United Kingdom in such assembly activity?

Mr. Atkins: We spend a lot of time encouraging inward investment in Britain, although it is such a popular place to come to that many countries want to invest here anyway. My hon. Friend the Minister of Trade has heard my hon. Friend's comments and I am sure that he will enjoy pursuing this, as he does every other issue.

Semi-conductors

11. **Mr. Flynn:** To ask the Chancellor of the Duchy of Lancaster if he will take action to guarantee the independence and security of the British semi-conductor manufacture industry.

Mr. Forth: The ownership of companies in the semi-conductor industry is primarily a matter for the boards and shareholders of those companies.

Mr. Flynn: Will the Government take action to ensure that Inmos remains British, either independently or as part of a larger British group? Does the Minister agree that the future of Inmos looks rosy in the short term under any circumstances because of the great strength of its products and its recent brilliant success? Does he further agree that if it is part of a state-owned company, SGS-Thomson, there are grave fears that future decisions on investment will be taken on national rather than commercial grounds? Will he guarantee that the British Government's involvement and investment in, and promotion of, Inmos will be at least as strong as such action by the French, Italian and American Governments in respect of their semi-conductor industries?

Mr. Forth: I am delighted that the hon. Gentleman has joined us in acknowledging that under state ownership a company's future is uncertain and in saying that he would prefer the company to remain in private ownership. I welcome his new view, which very much reflects those that we have adopted.

As the hon. Gentleman well knows—my hon. Friend the Parliamentary Under-Secretary of State for Corporate Affairs wrote to him recently—the matter is under consideration by the Director General of Fair Trading. Until he determines his views it would be improper for us to take a view.

Mr. Oppenheim: Is it not true that the British and European semi-conductor industries already get a great deal of help in the form of high tariffs, substantial Government subsidies and now, potentially, European anti-dumping duties? Do not these protectionist instruments only compound the inefficiencies of the British and European industries and disadvantage the industrial consumers of semi-conductors, making it far less likely that the assemblers of electronic products can sell them on the world market?

Mr. Forth: Yes. My hon. Friend, who has considerable and respected knowledge of these matters, has put his finger on the key, which is that everyone will prosper in a freely trading global market in which everyone benefits from the best products available in it. To look at the issue in a narrow, nationalist or protectionist way does no service to the wealth-creating sector.

Mr. John Garrett: Does the Minister agree that the Government are likely to allow the extinction of the domestically owned semi-conductor industry, with the likelihood of the control of Inmos moving abroad, together with 600 graduates, representing the largest pool of talent in this area in the world? A similar threat hangs over Plessey. Does the hon. Gentleman accept that we cannot maintain our place in the world market for information technology without a base of domestically owned semi-conductor manufacturing? Is this not another example of the vacuum where the Government's national information technology strategy should be?

Mr. Forth: The brief answer to the question is no. I can only reiterate at this stage that we cannot prejudge the

matters that may be before the Director General of Fair Trading, or which may come before my right hon. and noble Friend the Secretary of State.

In principle, we believe that a free flow of capital, information and goods across national boundaries is to the benefit of consumers and producers alike, and we shall continue to encourage such moves.

Confederation of British Industry

12. **Mr. John Marshall:** To ask the Chancellor of the Duchy of Lancaster when he last met the Confederation of British Industry; and what was discussed.

Mr. Newton: I last met the CBI on 24 November when I spoke at its conference "Business Opportunities in Urban Regeneration".

Mr. Marshall: Did my right hon. Friend underline to the CBI that the greatest threat to the future of British industry comes from inflationary wage increases, not the level of interest rates?

Mr. Newton: I did not do so on the occasion to which I referred, but it is certainly true that a 1 per cent. increase in interest rates, even if sustained for a full year, puts up industry's costs by a good deal less than a 1 per cent. increase in wage settlements. The whole of industry needs to bear that in mind.

Mr. Corbett: Did the Secretary of State commend to the CBI the Church of England "Action in the City" programme and appeal in inner-city areas such as Birmingham heartlands? Will he encourage the CBI and its members to donate generously; will he also chip in a few quid himself?

Mr. Newton: As it happens, we have chipped in what the hon. Gentleman is pleased to call a few quid, to the extent of several hundred thousand pounds, to various Church initiatives in this area. I met the Bishop of Willesden and the Archbishop of Canterbury's team on this matter shortly before Christmas, with a view to building on the growing co-operation between the Church's aims and the Government's aims and policies in this area.

Mr. Burt: I am sure that when my right hon. Friend last met the CBI he discussed the problems of congestion, rising land values and general unpleasantness in the south-east, and encouraged any industry worth its salt and thinking of its future to move north—particularly to the north-west, and more specifically to the metropolitan borough of Bury.

When he next sees the CBI will he encourage member firms to move to the north-west? I am sure that he will welcome the record year that north-west industry enjoyed last year, not just with firms moving north but the resurgence of traditional manufacturing industry and the growth of small firms. Is it not time to move north?

Mr. Newton: The purpose of my speech to the CBI conference was to draw its attention to the opportunities that exist and to reinforce what is already happening. My most recent visits earlier this week were slightly further east than the places mentioned by my hon. Friend. I went to Sheffield on Monday and to Newcastle and Sunderland yesterday. It is clear that business men are beginning not only to recognise but to seize the opportunities represented by the growth in industry in the north.

Mr. Campbell-Savours: Will the Minister discuss with the CBI the high level of imports of footwear from south-east Asia? They have risen from 54·5 million pairs in 1982 to 88 million pairs last year. Does he not understand that that is leading to the closure of footwear factories throughout the United Kingdom? The footwear industry is in a desperate state, and that includes Millers in my constituency. What is the Minister going to do about Reebok, the firm that puts the Union Jack on the side of its sports gear and sends it all over the world for example? Its products appear in shops throughout the United States. If one lifts the tongue of a shoe and looks inside one finds "Made in South Korea". Will he stop that practice?

Mr. Newton: I have not looked inside the tongue of any shoes recently. I undertake to consider the latter part of the hon. Gentleman's remarks. As for the first part of his question, he knows that the European Commission is considering the matters he has raised.

Mr. Hind: When my right hon. Friend the Minister has discussions with representatives of the CBI, will he emphasise the importance to the construction section of the CBI of the need to build factories in the north of England? He will be aware that, because of the resurgence of northern industry, there is little vacant factory space available. If growth is to be sustained, the construction industry must be robust in its approach to that problem.

Mr. Newton: Yes. That is very much a part of the opportunities that exist for industry, and of the resurgence in the north. During my visit to Sunderland yesterday, I was pleased to be able to give some further details of English Estates plan to build 45,000 sq ft of factory space in Sunderland.

Mr. Gould: Has the Chancellor had the chance to discuss with the CBI the mess that his Department is making of competition policy? Such is now the confusion that no one knows which way the Secretary of State will jump from one case to another. Does the Minister recognise that in cases such as Cons Gold and GEC, reliance on narrow but somewhat specious competition grounds, highlights the absence of strategic thinking? In the case of the House of Fraser, the unexplained mystery of the Secretary of State's refusal to publish the DTI's report or refer the matter to the Monopolies and Mergers Commission fully justifies the High Court judgment that the policy is "irrational and unreasonable". Will he clear up that mystery and tell us the basis of competition policy?

Mr. Newton: There is no mystery about the position of my right hon. Friend the Secretary of State on the report. It is being considered by the serious fraud office and my right hon. Friend's view, which I think is widely shared, is that it would be inappropriate to publish the report while that consideration continues. As to whether I have discussed with the CBI "the mess", as the hon. Gentleman puts it, of the Government's competition policy, the answer is no, because there is no mess.

Odometers

13. **Mr. Atkinson:** To ask the Chancellor of the Duchy of Lancaster if he plans to introduce new measures to combat the practice of altering the odometers of used cars.

Mr. Forth: I have no current plans to do so, but my hon. Friend the Minister for Roads and Traffic is considering the feasibility of a scheme for the centralised recording of car mileages, as suggested by a working party under the chairmanship of the Director General of Fair Trading. I understand that a considered response to the suggestion will be made soon.

Mr. Atkinson: Does my hon. Friend accept that the existing laws and deterrents are proving insufficient in protecting consumers from unscrupulous second-hand car dealers who fail to resist the temptation to turn their clocks back, and are giving their trade a bad name? Will he suggest to the Department of Transport the reintroduction of a modern form of the old-style log book containing a complete history of the ownership and mileage of every car as a legal document for the greater protection of consumers?

Mr. Forth: My hon. Friend's suggestion is interesting, and I am sure that he will have let our hon. Friend the Minister for Roads and Traffic know about it. I shall certainly draw it to his attention. Existing laws on consumer protection already deal with this matter. Car clocking, as it is commonly called, is a criminal offence under the Trade Descriptions Act 1968 and carries a maximum penalty on conviction of two years' imprisonment and an unlimited fine. In 1987, the last year for which figures are available, there were 556 successful prosecutions for misdescribed cars, mostly for the offence of clocking. The penalties are already in place. I think that a scheme similar to that which my hon. Friend has suggested is being looked at, and I am sure that he will do his best to promote it with my hon. Friend the Minister for Roads and Traffic.

Mr. Morgan: Does the Minister not agree that the moral authority with which the Government can attack the problem of fiddling the clocks of cars is greatly weakened by the fact that the Government have been doing the same thing with the unemployment statistics for the last nine years?

Mr. Forth: The hon. Gentleman tried hard and almost succeeded in making a point that amused his colleagues. Whether what he has said will help people who suffer from the serious problem of the clocking of cars is for others to decide. We take these matters seriously and my hon. Friend the Member for Bournemouth, East (Mr. Atkinson) made a serious and considered suggestion. I should like to see the Opposition doing the same.

Mr. Latham: Will my hon. Friend ask the Minister for Roads and Traffic to deal with this matter with tremendous urgency? Leicestershire council is very concerned about it. Is my hon. Friend aware that some of the people involved in this activity make Mr. Arthur Daley look as honest as St. Francis of Assisi?

Mr. Forth: The problem concerns people, because they are making one of the larger purchases that they are likely to make. If they fall prey to those involved in such practices it can cause great distress. The right thing to do is to find the most effective way to deal with it. If we take a combination of what is already being looked at by my hon. Friend the Minister for Roads and Traffic and the idea that my hon. Friend the Member for Bournemouth, East suggested we are likely to find a solution.

Boeing AWACS (Offset Arrangements)

15. **Mr. Hanley:** To ask the Chancellor of the Duchy of Lancaster what steps his Department has taken to encourage the British civil aerospace companies to participate in the Boeing airborne warning and control system offset arrangements.

Mr. Atkins: During the course of 1988 my Department organised a series of seminars on the United States civil aerospace market. The scope for selling to Boeing and participating in the AWACS offset arrangements figured prominently in these.

Mr. Hanley: Does my hon. Friend not agree that following the great success of the provision of Harriers for the US forces by British Aerospace, his Department should encourage further co-operation for the benefit of the economies and the defence of these two nations?

Mr. Atkins: My hon. Friend is right. The Harrier has been one of the most successful programmes involving both military and civil aerospace companies in this country. It is worth reminding the House, in case it has forgotten, that the positive trade balance in aerospace products is about £2·4 billion per annum. That makes it an extremely successful industry.

Mr. Madden: Does the Minister agree that it would be helpful to good industrial relations in the electronics industry if Plessey and GEC took the opportunity to announce publicly that they intend to sever their links with the secret blacklisting organisation, the Economic League, and will stop using its secret and often illegal services?

Mr. Atkins: The hon. Gentleman would not expect me to comment upon that matter, and I do not intend to.

Mr. Haselhurst: While my hon. Friend will agree that no guarantees were offered under the offset arrangements, can he say how far the Boeing aircraft company has honoured the intent?

Mr. Atkins: As my hon. Friend is perfectly well aware, these are predominantly matters for the Ministry of Defence. I can tell him that to date over 900 United Kingdom firms have made contact with Boeing through the AWACS offset office. Of those, 200 have visited Boeing plants, and Boeing claims that competitive opportunities have been made available to more than 100 British companies. There is stilll much evaluation being carried out by the Ministry of Defence which has already accepted about £150 million as offset, has rejected £77 million, and is still examining £403 million. When those figures are clear, my hon. Friend will be able to ascertain, as will I and the Ministry of Defence, how successful the offset agreement has been.

Grants

16. **Mr. Gill:** To ask the Chancellor of the Duchy of Lancaster what plans he has to simplify the range and complexity of grants to trade and industry and if he will make a statement.

Mr. Atkins: The White Paper "DTI—the department for Enterprise" (Cm. 278), published in January 1988, outlines a number of changes in the grants available to business. They simplify the range and reduce the complexity of DTI grants.

Mr. Gill: I welcome that reply, but I ask my hon. Friend to consider that there is still a proliferation of grants, and that they represent an intervention in, and a distortion of, market forces. Does he agree that one man's grant is another man's tax burden?

Mr. Atkins: Many of my right hon. and hon. Friends have some sympathy with the point expressed by my hon. Friend the Member for Ludlow (Mr. Gill). However, where areas of exceptionally high social or industrial need have required assistance, Governments of all political persuasions have always provided grants to help. Only a day or two ago, we published the third reprint of a document relating to the enterprise initiative, which includes a further export initiative, as well as another item on managing for the 1990s—all of which clarify what is available under, for example, the enterprise initiative, which is being extremely well received by industry.

Mr. Hardy: Does the Minister accept that although the clarification to which he refers is commendable, the Government's lower priority for, and cuts in, regional aid have gone far enough, and that he should resist the blandishments of his marketeering hon. Friend the Member for Ludlow (Mr. Gill)?

Mr. Atkins: Although the hon. Gentleman makes well for his constituency a case with which I am familiar, he is wrong. We have said that we are committed to providing the same sort of money for the regions as we have in the past, and we hope to meet that objective.

Mr. William Powell: Does my hon. Friend accept that, notwithstanding the complexity of the grants for many people, they have proved of significant benefit to the assisted area of Corby during the last eight or nine years? They have contributed to reducing the unemployment level there from being among the highest in Europe, when the Conservative Government came to office, to the situation where, in not many months from now, it will be one of the lowest.

Mr. Atkins: My hon. Friend never fails to draw the right conclusions about the effort that has been put into Corby. It is a classic case of a town given a resource that was needed at the time, and which has since become very successful—so much so, that Corby has the common sense regularly to return a Conservative Member of Parliament. As long as Corby continues doing so, my hon. Friend will be able to represent its success story as often as may be necessary.

Mr. Pike: Will the Minister accept that a surprisingly high number of large firms and a considerable number of small firms do not know the sources of grants and assistance? Will the Government take urgent steps to review that aspect yet again, to ensure that industry receives the help and assistance that is essential if the current balance of trade problem is to be reversed?

Mr. Atkins: In that case, the hon. Gentleman and his party cannot be critical of the advertising employed by the Department to get across exactly that message to the people who need to know it. If the hon. Gentleman, who I know to be an assiduous constituency Member, needs a telephone number or contact, he has only to tell me. I shall ensure that he is given one.

Efficiency

17. **Mr. Adley:** To ask the Chancellor of the Duchy of Lancaster what factors he considers to be essential in enabling commerce and industry to function efficiently.

Mr. Forth: Commerce and industry will function most efficiently in an economy where inflation is under control, markets are open, and individual enterprise is encouraged and rewarded. The overriding aim of the Department's policy is to create such a climate.

Mr. Adley: Is my hon. Friend aware that there will be marginal disappointment that he did not mention transport? Does he agree that first-class transport links with the regions are of the highest priority if commerce and industry is to succeed? Does he further agree that the opening of the Channel tunnel presents a tremendous opportunity to industrialists, particularly in the distant regions, and that the provision of first-class rail facilities to the west and north-west, and to Scotland, are also of the highest priority? The proposals in a recent booklet, "Tunnel Vision", published by the Conservative Political Centre can be commended to his Department. Will he please read it, and then discuss its proposals with his right hon. Friend the Secretary of State for Transport?

Mr. Forth: I seem to recall that my hon. Friend kindly gave me a copy of the booklet to which he refers, which I read with interest and enthusiasm. It was probably one of the most excellent booklets that I can recall emanating from the Conservative Political Centre.

While I acknowledge my hon. Friend's involvement and his enthusiasm for the infrastructure. I hope that he will accept that investment in railways has been running at a high level and continues to do so. My colleagues in the Department of Transport have turned down no railway investment projects since 1979. I believe that the plans for the connections with the Channel tunnel are in excellent hands with British Rail, and—supported by my hon. Friend, as I know that they are—I am sure that they will be turned out correctly, in the right form and at the right time.

Mr. Skinner: The Minister said earlier that there should be no interference with the free flow of market forces if industries are to function effectively. One of his colleagues has said the opposite: he believes in grants being allowed to various firms.

May I make a suggestion? Will the Minister tell hon. Members who do not want the grants in their constituencies to hand them over to the areas—especially Labour areas—where people can be encouraged to take intermediate grants, such as Bradford, Bolsover and Bassetlaw? If Conservative Members do not want the grants, we will have them.

Mr. Forth: The essential difference between the hon. Gentleman's approach and ours is that under his party's Government, money was thrown indiscriminately at areas and companies that often did not need it. The present Government, however, have targeted available resources accurately and have achieved a much better result for it. Successive elections have shown that the people of this country well understand that the approach taken by the hon. Gentleman's party was a failure, and that the approach taken by my party is a success.

Internal Market

18. **Mr. Kirkhope:** To ask the Chancellor of the Duchy of Lancaster what progress has been made by his Department in making British business men aware of the opportunities presented by the completion of the internal market in 1992.

Mr. Alan Clark: Over 90 per cent. of the firms are aware of the single market challenge. My Department's "Europe Open for Business" campaign is concentrating on encouraging action by firms throughout the country.

Mr. Kirkhope: Does my hon. Friend share my concern at the remarks of the deputy director general of the CBI, who has said that he believes that British business men are sleepwalking towards the 1992 opportunities? A recent CBI survey has shown that very few of the largest companies in the country have been doing what is necessary to improve their training facilities and sales organisations, and that only one in five has been reviewing its strategy towards Europe. Does not that suggest that more must be done by businesses themselves?

Mr. Clark: Certainly there is always scope for businesses to raise their levels of activity in that regard. My Department, however, carries out a weekly survey of 100 companies with 10 or more employees, and we are now finding that reaction is at least 60 per cent. favourable—that is, at least 60 per cent. of those interviewed are considering what action they should be taking. The CBI itself is staging a number of conferences and seminars, one of which my hon. Friend will be attending tomorrow.

Mr. Henderson: In the course of the Minister's campaign for enlightenment, has he warned the sub-contractors to Ford at Dagenham of the danger to their businesses of the move of the Sierra production line from Dagenham to Belgium? Is that a sign of things to come for much of British business in 1992?

Mr. Clark: The commercial decision of the Ford Motor Company is based on such matters as productivity, cost and efficiency. If it judges that an appropriate step, it should be seen in the context of Ford's other investment decisions, notably the investment of £700 million in Bridgend, and it must reflect—to some extent, at any rate—the work practices at the factory from which the line is being moved.

Mr. Grylls: Does my hon. Friend agree that most business men would consider one of the most important parts of the 1992 market the opening up of opportunities to sell to continental Ministries of Defence, Post Offices and telecommunications businesses? What progress is being made in opening up Europeanwide procurement so that everyone can have a go at selling to everyone else?

Mr. Clark: The public procurement directive is one of the most important of all the single market measures. It will certainly be in place in full by 1992. I emphasise that the inherent dangers are of the same dimension as the opportunities. British companies that have comfortable relationships with, for example, their local authorities may find that they are faced with competition from European firms. They should put themselves in a position in which they are able to compete for public procurement contracts in the Community.

Mr. Viraj Mendis

3.30 pm

Mr. Roy Hattersley (Birmingham, Sparkbrook) *(by private notice)*: To ask the Secretary of State for the Home Department whether he will make a statement on the actions that his Department proposes to take concerning the arrest this morning of Mr. Viraj Mendis.

The Secretary of State for the Home Department (Mr. Douglas Hurd): A deportation order was made against Mr. Mendis in December 1986. He then entered a church in Manchester to frustrate its implementation. Mr. Mendis has pursued his legal remedies over the last two years but these are now exhausted. Since it is clear that he is not prepared to abide by the law, I instructed the immigration service to arrange for him to be removed to Sri Lanka as soon as is practicable. This morning he was removed from the church and has been placed in detention to await removal to Sri Lanka.

Mr. Mendis, who was admitted to this country as a student in 1973, has been here in breach of the law since 1975. The decision to deport him has been reviewed and endorsed by the independent appellate authorities, the divisional court and the Court of Appeal. His petition for leave to move to the House of Lords has also been rejected. On 28 December, the divisional court rejected a further application for judicial review of my refusal to give assurances to his solicitors that no steps would be taken to remove him pending a substantive response to their representations and that no steps would be taken to remove him for at least 48 hours following notification of the response.

I have reviewed this case on many occasions in the light of various representations received on his behalf and I have considered further representations put forward by his solicitors and others acting on his behalf. I can, however, find no reason to alter my view that Mr. Mendis does not qualify for refugee status under the United Nations convention, or to reverse my decision to deport him, which was taken and has been reviewed in accordance with the law. *[Interruption.]* I have made it clear throughout that I have been prepared to accept the decision of the courts. In the absence of any indication that Mr. Mendis was prepared to do the same, I felt bound to instruct my officials to enforce the law.

Mr. Hattersley: First, will the Home Secretary find out why up to 100 police and immigration officers were employed to detain a man who had already made it clear that he would not resist arrest, and why his detention required what amounts to criminal damage to church property?

Secondly, will the Home Secretary tell us why—when his own Minister of State was discussing with my hon. Friend the Member for Manchester, Central (Mr. Litherland) the prospect of Mr. Mendis being removed to a third country—it was thought necessary to remove Mr. Mendis this morning, before those discussions were completed?

Thirdly, will the Home Secretary confirm that the judicial reviews, on which he leans and behind which he hides, relate entirely to the risks that Mr. Mendis faced had he returned to Sri Lanka in 1985? How can he possibly justify returning Mr. Mendis to that country four years later, when his prospects and the situation have radically changed?

Finally, does the Home Secretary not understand that, when he considers applications for asylum, in cases of doubt the benefit should go to the applicant, for if the Government make a mistake the price that may be paid is the death of the man or woman they have deported from this country? Does he not realise the damage that he has done to the international reputation of this country by repudiating Britain's traditional role as a place of refuge for the oppressed and the disadvantaged?

Mr. Hurd: The responsibility for the operation this morning rested with the chief constable, but of course he had to take into account the fact that the church had been the centre of attention and that many supporters and friends of Mr. Mendis had gathered there. There were 300 people around that church—[HON. MEMBERS: "When?"] —on Friday of last week, when there was a report that the immigration service and the police were about to act. Within minutes of the police operation this morning, at least 60 people gathered for the same purpose.

I believe that the chief constable was entirely justified in making arrangements designed to make sure that this operation could be conducted quickly, smoothly and without injury. That he achieved, and I believe he was right to concentrate in that way.

The police at each stage shouted to Mr. Mendis inviting him to come out, and it was only when no reply was received that they broke down two doors, one door and then another. They will of course compensate for the damage done. I do not believe that most people would accept that it is right to allow anyone to defy the law by entering a church. It would also be unfair to the many thousands of people who abide by immigration decisions.

The right hon. Gentleman referred to the third country possibility. We have made it clear to Mr. Mendis and his friends for months that our concern was that he should leave this country. The country to which he went was a matter for him, and if people could, on his behalf, organise a third country to receive him, we made it absolutely clear that that would receive no objection from us. The difficulty until very recently has been that Mr. Mendis has himself excluded any such possibility, and no such prospect has been open to him.

It is right that I should keep in touch with the situation in Sri Lanka as it is today, as it has developed, and in the letter written on my behalf to Mr. Mendis's solicitors this morning I made it clear that I had done so.

We have a tradition, which we observe and scrupulously uphold, of following the United Nations convention on refugees. Mr. Mendis has received full legal advice throughout and has gone through all the legal processes, which are abundant, provided by the law.

What we cannot accept—and what the right hon. Member for Sparkbrook is really arguing—is that, because someone has developed strong political views since he came here or because there is disorder in the country from which he came, he has developed thereby a right to stay here. That argument has been put by him, but he has no such right under the United Nations convention, and that fact has been reaffirmed today by the representative in London of the United Nations High Commissioner for Refugees, Mr. Volfing. That argument

has been deployed before the adjudicator, before the appeal tribunal and before the Court of Appeal, and on every occasion it has been rejected.

Mr. Robert Litherland (Manchester, Central): First, I would like to express outrage and sadness at what happened in the Church of the Ascension this morning. The Minister of State will recall our meeting prior to the Christmas recess when he advised me to take a message back to the Bishop of Manchester and Viraj Mendis's solicitor to seek an alternative country. I did that in good faith. Ministers know full well that those moves are being undertaken. Why will the Home Secretary not honour that part of the bargain and allow time for Mr. Mendis to find a country of security?

Mr. Hurd: The hon. Member has taken a continuous and conscientious interest in this matter as the constituency Member. However, he will agree, and my hon. Friend the Minister of State, Home Office, the hon. Member for Mid-Sussex (Mr. Renton), has just confirmed to me, that in our discussions with the hon. Gentleman or with others, we have done exactly what I said in answer to the right hon. Member for Birmingham, Sparkbrook (Mr. Hattersley). We have explained that we have no objection if a third country can be found to accept Mr. Mendis. That has not happened. Whatever efforts have been made have not been successful. We gave no deadline for this and I do not believe that it is reasonable to delay action simply because it is alleged that the prospect of a third country still exists. We have no evidence that that prospect exists.

The hon. Gentleman knows this case backwards. He knows that Mr. Mendis entered this country as a student. He overstayed. He found a new course of study and failed his examinations three times. He went to ground and when he was traced again he said that he had married and therefore should be allowed to stay. His marriage collapsed and his wife confirmed that he had entered into it solely in an attempt to stay.

Faced with those facts, my predecessor decided on deportation. Mr. Mendis developed political opinions about Sri Lanka which he had not expressed when he was in that country. He used those political opinions to develop the legal case against deportation. That was considered by my predecessor and myself, rejected by the adjudication panel and by the Court of Appeal and leave was refused in the House of Lords. The hon. Gentleman knows that background as well as I. Against that background, I cannot believe that he is whole-hearted in support of the case.

Mr. Michael Morris (Northampton, South): Is my right hon. Friend aware that, despite extensive and continuing research in Sri Lanka, no organisation, be it Tamil, Singhalese or Burgher, in Sri Lanka knows of any reason why Mr. Mendis should not return to that country? Furthermore, is it not a fact that Mr. Mendis, this aged student, flouted the immigration laws of this country which in itself is a crime? More importantly, hon. Members on both sides of the House will be aware that there are genuine refugees from Sri Lanka in this country. Mr. Mendis has undermined the cause of the genuine refugees. This man is a charlatan and he lives in a Walter Mitty world. I hope very much that he will be deported forthwith.

Mr. Hurd: I agree with my hon. Friend who has a close knowledge, perhaps unrivalled in the House, of the situation in Sri Lanka. It is worth recalling—the Sri Lankan high commissioner recalled this on the radio this morning—that the high commissioner wrote an unsolicited letter to me in 1985 and issued a press release stating that Mr. Viraj Mendis was not wanted in Sri Lanka for any civil or other offence. The high commissioner repeated that on the radio this morning, and said that Mr. Mendis was free to stay or to go back to Sri Lanka if he wanted and that he would not be in any danger because of his political views or for the campaign that he has been waging here, which does not seem to have been greatly noticed in Sri Lanka at all.

Mr. Tony Banks (Newham, North-West): It will be now.

Mr. Simon Hughes (Southwark and Bermondsey): Will the Home Secretary tell the House—whatever the history of Mr. Viraj Mendis—whether he condones the behaviour of the police this morning, who broke into the home of a minister of the Church, cut the telephone wires to that home, smashed property in that home to take out a man who has indicated his intention to apply to the European Court of Human Rights, and about whom there are current negotiations between the Church and the Home Office, between Members of Parliament and the Home Office and who, at the end of the day, has rights like everyone else to be protected from the autocratic long arm of the Government and to have his civil liberties protected for as long as he remains within these shores? Does the Secretary of State condone what has happened, or is that what we are now to expect from him and his Government?

Mr. Hurd: The hon. Gentleman is well astray. The police obtained a warrant and invited Mr. Mendis to come out. No wires were cut; an alarm system was turned off. In taking such a line, Father Methuen, with whom I and others have had discussions, knew that that might happen. It can have been no surprise to him. He knows perfectly well that the fact that someone is in a church does not give him any immunity from the law in this country.

The Church needs to think very carefully before it enters into a habitual custom of giving shelter to people who defy the law. The hon. Gentleman spoke as if this were some arbitrary sudden act of the Executive. He cannot have been listening to what I said. This matter has continued for more than two years since my predecessor authorised extradition. Taking full advantage of his legal rights in this country, Mr. Mendis has gone through every possible safeguard. It is the very opposite of an arbitrary decision by the Executive. The case involves a man who has exploited every legal possibility, but has found that ultimately they have come to an end.

Mr. Robin Maxwell-Hyslop (Tiverton): This House is fairly used to inundation with the normal ration of humbug and cant, but have we not moved on from the days when a man or woman could escape the criminal law merely by reciting the Lord's Prayer and claiming benefit of clergy to an era in which the provisions—[HON. MEMBERS: "He is not a criminal."]—of the Race Relations Act 1976 have laid down clearly that religious or racial —[HON. MEMBERS: "He is not a criminal."]—I am prepared to wait until I get silence——

Hon. Members: Don't call him a criminal then.

Mr. Speaker: Order. Every hon. Member has the right to express his opinion.

Mr. Allan Roberts (Bootle): On a point of order, Mr. Speaker.

Mr. Speaker: I shall take the point of order, but it must be a point of order and not a point of dispute.

Mr. Roberts: Surely no hon. Member can use the privilege of the House to accuse someone who has not committed a criminal offence of being a criminal when we are dealing with a civil issue.

Mr. Speaker: We have freedom of speech in the House. What has been said is not out of order.

Mr. Maxwell-Hyslop: Thank you, Mr. Speaker. Have we not, through the Race Relations Act, laid down the principle that in law nobody shall be in a different position because of what they do, in religious, or what they are, in racial or in any other status or by sex? [HON. MEMBERS: "Get on with it."] I am being far briefer than the hon. Member for Liverpool, Walton (Mr. Heffer) was yesterday. Is it not the case that the criminal law in this country does and shall apply irrespective of racial or religious circumstances in which people choose to place themselves?

Mr. Hurd: My hon. Friend is correct. The right of sanctuary was abolished in 1623. I cannot think that anyone seriously would put forward the proposition that, when somebody has been through the courts time and again and has had his argument rejected and is still defying the law, he should be put in a special position and have discrimination in his favour against all those who are law-abiding simply because he has taken shelter in a church.

Mr. Tony Benn (Chesterfield): First, is the Home Secretary aware that his decision to arrest Mr. Mendis, who has lived here for 15 years and has been actively assisting in immigration cases, will be seen as an attack upon the black community? Secondly, is he aware that Mr. Mendis had expressed a readiness to go to a third country and that the Churches are now negotiating to see whether they can find some other country which is more liberal than our own?

Thirdly, is the right hon. Gentleman aware that a decision was made to use maximum force and violence against a church which was interpreting its responsibility, with the support of the bishop and, as far as I can make out, with the support of the Archbishop of Canterbury and bishops abroad, when its only responsibility and interest was in the preservation of Mr. Mendis's life and the fear that he would at least be imprisoned? Fourthly, is he aware that his decision shows the Government's policy on human rights as odiously hypocritical and will be seen everywhere in that way?

Mr. Hurd: I must say that I am surprised that so many Opposition Members and other people, even the right hon. Gentleman, should take up this case. The right hon. Gentleman is doing no benefit to the great majority of people from the communities about whom he is purporting to speak. The great majority of them are law-abiding. The great majority of applicants for asylum go through the processes—it is often difficult—and abide by the result. It is not a service to human rights or even to the progressive principles for which the right hon. Gentleman purports to stand to take up this case. It is a throughly bad case from that point of view.

On the information available to me, I do not accept that the chief constable authorised the use of anything in the way of excessive force. He would have been very remiss if he had attempted to conduct this operation in a way which would have protracted it and enabled the crowd that gathered to gather before he had removed Mr. Mendis.

Mr. Timothy Raison (Aylesbury): Is my right hon. Friend aware that anybody who seeks to understand immigration procedures and listens carefully to the facts of this case must come to the conclusion that my right hon. Friend is right?

Mr. Hurd: I am much obliged to my right hon. Friend, who has wide and much respected experience of these matters.

Mr. Paul Boateng (Brent, South): Scant regard was shown this morning to Church property in Manchester. Will the right hon. Gentleman show a greater regard to the office of the Bishop of Manchester and give an undertaking to the House that there will be no attempt to remove Viraj Mendis until he has completed his representations to him? Will he show at least some respect for the sincere Christian conviction that, were this man to be returned to Sri Lanka, he would face death? Will the Government show greater respect for that conviction and concern than they have shown for the human rights of Mr. Mendis?

Mr. Hurd: I am not attacking or criticising the bishop or the hon. Member for the constituency in which the church lay. I entirely accept that they have their convictions, although I believe they are misguided and, as regards the use of the church, have led them on to an unfortunate path. The question that my predecessor and I and all the courts I have enumerated have considered is whether Mr. Mendis has a well-founded fear of persecution if he returns to Sri Lanka. In my view, and in the view of all those who have considered the matter through the innumerable procedures that I have listed, the answer is no.

Mr. Tony Favell (Stockport): Having had my advice bureau disrupted by the supporters of Mr. Mendis, I must say that they have no grounds for complaint about the excellent way in which the police behaved this morning. Can my right hon. Friend say whether this man failed his examinations in 1976, 1979, 1980, and 1981, who was supporting him during that time and whether he has carried out any gainful employment apart from being an immigration adviser to Manchester city council for one short period?

Mr. Hurd: He was certainly not fortunate in his student career. It eventually came to an end, he entered into a marriage—I have given the background to its collapse and the reasons that his wife gave about why he entered into it—and he then took up his political opinions. It is worth reporting the view of the adjudicator on those political opinions. He said:

"the appellant's public and open espousal of the separatist cause was nothing more than a deliberate and cynical attempt on his part to place himself in such a position that he could not be deported to Sri Lanka".

Nothing that has happened since has caused me to doubt that.

Mr. Alfred Morris (Manchester, Wythenshawe): What is the Home Secretary prepared to tell the House about impending developments in this disturbing case, both their nature and timing?

Mr. Richard Holt (Langbaurgh): That he has gone.

Mr. Hurd: Mr. Justice Drake, when he entered the final judgment on the matter just before Christmas, said that we had acted reasonably and, presumably, would continue to do so. That is crucial to achieving our objective and in not having it prevented or reversed. The undertaking given this morning in the letter sent to the solicitors is that deportation to Sri Lanka will not take place before the middle of Friday.

Sir Dudley Smith (Warwick and Leamington): Does my right hon. Friend agree that, with the best will in the world, Britain cannot become the dumping ground for political refugees or, even more important, for quasi-political refugees? Is my right hon. Friend aware that the vast majority of the many immigrants in this country will consider that his decision today has been just and fair?

Mr. Hurd: My hon. Friend is quite right. No one wants to conduct a vendetta against anybody. I hope that the House will consider the implications of changing the policy that the Labour party has criticised. Once it became established that we had moved outside the boundaries of the United Nations convention and the test of the well-founded fear of prosecution into a situation in which people had only to come here and say that they came from a disordered and troubled part of the world and preferred to remain here—[HON. MEMBERS: "That is not our policy."] Well, that is the implication of the Labour party's line. Once that became established, we could say goodbye to the principle of firm and fair immigration control.

Ms. Joan Walley (Stoke-on-Trent, North): On a point of order, Mr. Speaker. May I ask for clarification? Within your hearing, a statement was made by a Conservative Member, during an earlier question from my right hon. Friend the Member for Manchester, Wythenshawe (Mr. Morris), that Mr. Mendis had gone. Will the Home Secretary clarify whether he has gone?

Mr. Speaker: That is a question that the hon. Lady might have asked if I had called her.

Mr. Holt: Further to that point of order, Mr. Speaker. I am the hon. Member who made that comment. It is difficult for Conservative Members to catch your eye, Mr. Speaker, for a point of order.

Mr. Speaker: In that case, the hon. Gentleman had better not persist with this point of order. This is an Opposition Day in which there are two important debates, so there is great pressure to speak. I shall call two more hon. Members from each side and then we must move on.

Mr. Churchill (Davyhulme): Is my right hon. Friend aware that the great majority of people in Greater Manchester will welcome the removal of Viraj Mendis from the United Kingdom? Is he further aware that this gentleman has cost the ratepayers of Manchester tens of thousands of pounds in recent years and that they will be glad to see the back of him? Is it not a strange commentary on a party that aspires to government that it should seek support for a man who has illegally overstayed for 13 years and who has contracted a sham marriage to stay here? Does it not show how unfit the Labour party is for government and how out of touch it is with the people of this country?

Mr. Hurd: I am grateful to my hon. Friend. I repeat my genuine surprise—*[Interruption.]*

Mr. Speaker: Order.

Mr. Hurd: —that the Opposition Front Bench should have espoused a cause which, on examination—they should have undertaken such an examination—they would find to be without merit.

Mr. Keith Vaz (Leicester, East): Every law-abiding citizen, every person who worships in a church as I do, or in a gudwara, a mosque or a temple, will be deeply outraged by the Government's action. The Home Secretary and the Minister of State have endorsed state hooliganism at the same time as lecturing football supporters on hooliganism. They have violated human rights at the same time as lecturing the Russians on human rights. They have damaged relations between the Church and the state. They have brought the police into immigration practice and procedure, in conflict with the black community, which is something that has been missing for many years.

As the Home Secretary knows, I had a constituent who sought sanctuary in a temple in Leicester. That matter was resolved by patient negotiation between the Home Secretary, the police and the person involved, who then left the temple voluntarily.

Will the Home Secretary confirm the following? First, when did the Prime Minister know about this matter? Is the right hon. Gentleman aware that, at 10.33 am yesterday, my hon. Friend the Member for Manchester, Central (Mr. Litherland) and a delegation of Members of Parliament went to see the Prime Minister at 10 Downing street? Secondly, will the Home Secretary confirm that compensation will be paid to the Church authorities and that an apology will be given to Mr. Mendis for the damage to his property? Finally, in view of the action that has been taken and the involvement in the case of the Minister of State, will the right hon. Gentleman immediately consider dismissing the Minister of State from office?

Mr. Hurd: That is a ludicrous contribution. Yes, the Greater Manchester police will pay Mr. Methuen compensation for the damage to his doors. We are fortunate that no one was injured in an affair which, as my hon. Friend the Member for Davyhulme (Mr. Churchill) has said, the supporters of Mr. Mendis have made a cause celebre and in which there was considerable possibility of a sizeable fracas—which, in fact, was avoided.

Yes, of course I have kept my colleagues informed. No, I do not agree with the hon. Gentleman's first point. The only deduction that can be drawn from his argument is that people who defy the law should be in some way absolved from the consequences of doing so because they take shelter in a church or mosque. I hope that, on reflection, the hon. Gentleman will accept that that argument is not one which his constituents of any background would accept because it is grossly unfair to the majority of law-abiding citizens.

Mr. Robert Key (Salisbury): My right hon. Friend the Home Secretary knows that, in the past year or so, he has dealt with two cases of serious political refugees on my behalf, and has done so impeccably. Does he agree that it is extremely unfair that Mr. Mendis should receive preferential treatment over many years when there are genuine cases? Is my right hon. Friend aware that ordinary pew-filling members of the Church of England are aghast at yet another example of silly behaviour by Church of England clergy and their bishops? Finally, can he give any estimate of what this affair has cost over 14 years?

Mr. Hurd: There has been no discrimination on our part in favour of this applicant. What has distinguished Mr. Mendis is the fact that he has been skilfully advised and that he has used to the full all the provisions and safeguards provided by the law—and has even attempted one or two others. That is what distinguishes him from my hon. Friend's constituents. As I have said, I do not want to enter into controversy with the Church about this. However, no one who has studied the record of this could accuse us of any shortages of patience or reasonableness.

Mr. Jeremy Corbyn (Islington, North): Is the Home Secretary aware that the situation in Sri Lanka is extremely tense and that there is enormous danger for anyone there who holds strong political views? As the Home Secretary has received affidavit evidence to the effect that Viraj Mendis's life would be in danger in Sri Lanka, does he not agree that he has flouted the United Nations convention on refugees of 1951? Does he further agree that he should now guarantee that Viraj Mendis is not returned to Sri Lanka and that the opportunities are given, which he knows full well are being negotiated, for Viraj Mendis to go to a country that is prepared to abide by the United Nations declaration of human rights, unlike this country, the Government of which is apparently prepared to flout that declaration?

Mr. Hurd: The hon. Gentleman should get in touch with Mr. Volfing, who is the London representative of the United Nations High Commissioner for Refugees, and therefore perhaps in a more qualified position than the hon. Gentleman to interpret the 1951 convention. Mr. Volfing has told us privately for some time and, off his own bat, has helpfully issued a statement today saying that in his view the hon. Gentleman's thesis is wrong and that Mr. Mendis does not qualify under the United Nations convention. I would have hoped that Opposition Front Bench spokesmen would have studied that kind of evidence before commenting.

Several Hon. Members *rose*——

Mr. Speaker: Order.

Mr. Litherland: I beg to ask leave to move the Adjournment of the House, under Standing Order No. 20, for the purpose of discussing a specific and important matter that should have urgent consideration, namely,

"the position of my constituent, Viraj Mendis, in the light of the information given to this House via the Home Secretary today".

The Home Office—*[Interruption.]*

Mr. Speaker: Order. This application is being made to me and I must listen to it.

Mr. Litherland: The Home Office was well aware that other countries' embassies were being contacted in an effort to find asylum for Mr. Mendis as an alternative to deportation to Sri Lanka. The action of police in violating the home of Father Methuen and the Church of the Ascension gives cause for grave concern, especially in a so-called civilised and Christian society. However, the intention of the Home Office to deport Viraj Mendis to Sri Lanka is unforgiveable and unjust.

The court appeals have at no time taken into consideration the instability in that country. Mr. Mendis will be returned on the flimsy assurance from Sri Lanka that he is not in danger—when the Foreign Office is advising British tourists and business men not to visit that country.

If we sincerely believe in the preservation of human life, Mr. Mendis should be allowed to remain, or time should be afforded for him to seek another country or to take his case to the European Court of Human Rights. This is a moral issue and this House should recognise it as such and not demean itself by allowing Mr. Mendis to return to face persecution, torture or even loss of life.

Mr. Speaker: The hon. Member for Manchester, Central (Mr. Litherland) asks leave to move the Adjournment of the House for the purpose of discussing a specific and important matter that he believes should have urgent consideration, namely,

"the position of Mr. Viraj Mendis in the light of the information given to this House by the Home Secretary".

As the House knows, under Standing Order No. 20, I have to take into account all the requirements of the order and announce my decision without giving reasons to the House. I have listened with care to what the hon.Gentleman has said. As he knows, my sole duty in considering an application under Standing Order No. 20 is to decide whether it should be given precedence over the business already set down for this evening or tomorrow. I regret that the matter that the hon.Gentleman has raised does not meet the requirements of the Standing Order and I cannot, therefore, submit his application to the House.

Several Hon. Members *rose*——

Mr. Dave Nellist (Coventry, South-East): On a point of order, Mr. Speaker——

Mr. Max Madden (Bradford, West): On a point of order, Mr. Speaker——

Mr. Speaker: Order. I call Mr. Nellist.

Mr. Nellist: Given that the statement by the Home Secretary of the decision that he has announced today revolves around his and the Government's assessment of human rights up to and beyond 1985 in Sri Lanka, were I or one of my hon. Friends to apply to you through a ballot or any other means for an Adjournment debate to test in the House that assessment of human rights in Sri Lanka, would you expect the Home Secretary to defer any action until that debate had taken place?

Hon. Members: No.

Mr. Speaker: Order. The hon. Gentleman is right. If he wishes to put in for a second Adjournment debate for tonight he can do so, but, of course, it would have to come on before 10.30 pm.

Mr. Max Madden (Bradford, West): On a point of order, Mr. Speaker. As Mr. Mendis is to be deported to Sri

Lanka on Friday and many hon. Members believe that he faces the risk of persecution if he is deported, may I say that my view on the——

Mr. Speaker: Order. That is something that the hon. Gentleman cannot do on a point of order. He cannot express his view. I say to him and other hon. Members that I am sorry I have not been able to call them, but we have an important debate today in which other hon. Members wish to take part. Supplementary questions on the private notice question went on for 35 minutes, which is far longer than I would normally allow. I cannot hear a question wrapped up in a point of order.

Mr. Madden: On a point of order, Mr. Speaker.

Mr. Speaker: No, the hon. Member wishes to put a question not to me but the Home Secretary.

Mr. Madden: Can I put a question to you, Mr. Speaker? Can the House, through you, ask the Home Secretary not to deport Mr. Mendis to Sri Lanka unless and until——

Mr. Speaker: Order. That point has already been made to the Home Secretary.

Mr. Neil Hamilton (Tatton): On a point of order, Mr. Speaker. As today is an Opposition day, could you confirm that it would be in order for the Opposition to change the subject of the debate, which they have on the Order Paper, to cover that which we have been talking about this afternoon—if they believe that this case is as important as they say it is——

Mr. Speaker: Order. That would not be possible today, because three motions are already on the Order Paper.

Several Hon. Members: On a point of order, Mr. Speaker.

Mr. Speaker: I shall call Mr. Cohen.

Mr. Harry Cohen (Leyton): I urge you, Mr. Speaker, to read *Hansard* to see what Conservative Members have said during proceedings on this private notice question. On a number of occasions they referred to Mr. Mendis either as acting illegally or as a criminal. That was specifically said by the hon. Member for Davyhulme (Mr. Churchill). The truth is that it is everybody's right—whatever the Home Office says—to use proper representation through the courts and the tribunal. Therefore, Mr. Mendis is not a criminal.

Mr. Speaker: Order. The hon. Gentleman is now seeking to continue question time on a point of order.

Mr. Cohen: No, I am not.

Mr. Speaker: Order.

Mr. Cohen: No. The point of order I am after——

Mr. Speaker: Order. The hon. Gentleman is seeking to persist in——

Mr. Cohen: Let me finish.

Mr. Speaker: I have heard enough of what the hon. Gentleman is saying to know that it is not a point of order.

Mr. Cohen *rose*——

Mr. Speaker: Order. I say to the hon. Gentleman before he rises again——

Mr. Bob Cryer (Bradford, South): Listen to him.

Mr. Speaker: Order. The matter that the hon. Gentleman has raised is not a matter for me at all. What hon. Members have alleged in this House is not out of order.

Mr. Cohen: Of course it is a matter for you, Mr. Speaker. For example—this was the substance of my point—many Opposition Members would regard the Chancellor as a criminal. Whether he is or not, we would regard him as such. Is it therefore right for us to sit here and tell him that he is a crook? Conservative Members have said that Viraj Mendis is a criminal when he is not. He was acting within the proper democratic procedures. He——

Mr. Speaker: Order. The hon. Gentleman is abusing the privileges of the House by seeking to raise points which are not matters for me. *[Interruption.]* Order. He well knows that it would not be in order to make such allegations about hon. Members of this House. Mr. Mendis is not a Member of this House. What was said this afternoon was not out of order.

Mr. Tony Marlow (Northampton, North): On a point of order, Mr. Speaker. While respecting you, Mr. Speaker, and always respecting and supporting your decisions, if you felt at any stage like reconsidering your decision, many hon. Members on this side of the House would support you, because we believe, quite fundamentally, that the Labour party on this issue is completely out of touch with the mass population of this country. If the subject were debated, yet again the Labour party's unsuitability for the government of this country would be fully demonstrated.

Mr. Speaker: I have announced my decision.

Several Hon. Members: On a point of order, Mr. Speaker.

Mr. Speaker: No, I have announced my decision.

Several Hon. Members: On a point of order.

Mr. Speaker: I shall hear Mr. Tony Lloyd, but I warn the hon. Members concerned that there is great pressure on the subsequent debates. I hope that they will not make submissions to me afterwards saying how sad it is that they have not been called.

Mr. Tony Lloyd (Stretford): This is a point of order, Mr. Speaker. You will be aware that the Home Office has stated that Viraj Mendis will be deported on Friday. I do not challenge your ruling on the Standing Order No. 20 application, but that means that there is a limited amount of parliamentary time available between now and his deportation. Given the fact that it is important that the House has the opportunity to challenge the Home Secretary's decision and that we at least have explained to us his assessment of the risk faced by Viraj Mendis in Sri Lanka, can you tell us, Mr. Speaker, when it will be possible for my hon. Friend the Member for Manchester, Central (Mr. Litherland) to have a reply from the Home Secretary on those points in a debate, which we have not been able to have this afternoon?

Mr. Speaker: I am frequently asked to advise on tactics, but that really is not a matter for me.

Mr. Vaz: On a point of order, Mr. Speaker. During Question No. 4 to the Chancellor of the Duchy of Lancaster, the hon. Member for Battersea (Mr. Bowis) asked about the conduct between the Department of the Duchy of Lancaster and Church organisations in inner-city areas. In view of the Government's actions this morning, do you not think it appropriate that we have a statement from the Home Secretary tomorrow about the relations between Church organisations and the Government?

Mr. Speaker: Unfortunately, the hon. Member was not present to ask that question. Whether or not there is a statement tomorrow is not a matter for me.

Mr. Dennis Skinner (Bolsover): On a point of order, Mr. Speaker. As there is a possibility that the Home Secretary will make a further statement before Friday, and taking into account the Government's obsession with deportations of a certain kind, can we have an assurance through you, Mr. Speaker, from the Home Secretary, that if and when that deportation takes place accompanying Mr. Mendis will be Roberto Fiore, an Italian who is wanted by the Italian authorities? He is a terrorist who has been in this country for seven years. Presumably, he is being guarded by the British police. Despite the fact that the Italian authorities are after him, the Home Secretary is keeping him here.

Mr. Speaker: None of that is for me. We must move on.

BILL PRESENTED

PESTICIDES (FEES AND ENFORCEMENT)

Mr. John MacGregor, supported by Mr. Secretary Walker, Mr. Secretary Fowler, Mr. Secretary Ridley, Mr. Secretary Clarke, Mr. Secretary Rifkind, Mr. Donald Thompson and Mr. Richard Ryder, presented a Bill to substitute new provisions for section 18 of the Food and Environment Protection Act 1985; to amend section 19 of that Act; and for connected purposes: And the same was read the First time; and ordered to be read a Second time tomorrow and to be printed. [Bill 43.]

STATUTORY INSTRUMENTS, &c.

Ordered,

That the draft Grants to the Redundant Churches Fund Order 1988 be referred to a Standing Committee on Statutory Instruments, &c.—*[Mr. Chapman.]*

Elimination of Poverty in Retirement

4.19 pm

Mr. Jeremy Corbyn (Islington, North): I beg to move,

That leave be given to bring in a Bill to require the appointment of a Minister with responsibility for retired people; to require local authorities to report annually on the condition of retired people; to require health authorities to report on their services for the elderly; to ensure that standing charges for gas, electricity, water and telephones are abolished for pensioners; to provide for concessionary transport schemes for the elderly; to ensure that unit costs for food are the same for small purchasers; and to ensure that the state old age pension is linked to average earnings.

This is my sixth attempt, with the support of hon. Members and hundreds of pensioner organisations all over Britain, to introduce—*[Interruption.]*

Mr. Speaker: Order. Will those hon. Members beyond the Bar please leave quietly?

Mr. Corbyn: This is my sixth attempt to introduce the Bill with the support of hon. Members and pensioner organisations all over Britain.

The House has a responsibility to debate the situation of pensioners and to enact measures to protect and improve their living standards. The Government are continually telling us that the number of elderly in our society is increasing, and that is true. There are now 9·5 million people of pensionable age and that number is likely to increase into the next century. Instead of recognising the need to provide more resources for pensioners, the Government continually under-fund pension schemes, put pressure on pensioners to take out private pension schemes, thus undermining the state scheme, and reduce the amount of state funding which benefits elderly people. The House should recognise that a civilisation should be judged on how well it treats its elderly, not on how well it escapes from its responsibility towards them.

Many statistics show the condition of elderly people. When the Social Security Act 1988 abolished supplementary benefit and what went with it, 30 per cent. of Britain's retired population were living on or below supplementary benefit levels. Despite the Government's claim that many elderly people are quite wealthy, at that time only 39 per cent. lived more than 140 per cent. above the level of supplementary benefit. In other words, at least 60 per cent. of Britain's elderly people live at a poor level, and 30 per cent. of them live below the poverty line. That is a scandal and the House should draw attention to it and enact my Bill to improve that situation.

We are in the middle of probably the mildest winter on record, but there are more deaths from hypothermia in winter than in summer and should there be cold weather later this month, next month or into March, the annual death toll as a result of hypothermia will become apparent. Hypothermia is often not recorded as the cause of death on death certificates by doctors in hospitals throughout Britain. They ascribe such deaths to other causes. But in reality many elderly people die in winter because their homes are too cold and they have insufficient money to feed themselves properly. Those are serious matters and it is a scandal that there should be twice as many deaths in winter through hypothermia than in summer.

We must challenge the Government's philosophy. In 1980, they broke the link between the real cost of living for pensioners as measured in the earnings index and

pensions, and they have encouraged pensioners to prepare for their old age through private investment. Instead, they should be ensuring that they are properly treated.

Above all, the Government have cut Health Service and local government expenditure so that everywhere the elderly bear the brunt of growing hospital waiting lists and are deprived of vital social services. An elderly person living at home, unable to go to a day centre because it is closed, unable to have meals on wheels or a home help because the services have been cut, is more likely to die in misery, poverty and loneliness than one who had that necessary local caring community support.

Over the past 15 years, the elderly have had to pay at least 6 per cent. more on average in housing costs and 2 per cent. more in transport costs, and their income from part-time employment has been halved.

The Government talk about inflation being low, but inflation is always higher for elderly people because they buy in small quantities rather than in bulk. The inflation index for elderly people over the past 15 years has been at least 12 points higher for the elderly than for the rest of the population.

The Bill is a seven-point plan which, if carried into law, would change the face of Britain and eliminate poverty among the elderly. If the House believes that pensioners should be properly treated, it should support the Bill and ensure that it becomes law.

First, the Bill requires the appointment of a Minister with special responsibility for retired people, who must report annually to the House on the condition of Britain's elderly.

Secondly, it requires local authorities to report annually on the condition of elderly people in their authority so that one can see the cuts that are taking place, or the complete lack of services for the elderly, such as meals on wheels, day centres or transport schemes in some parts of the country.

Thirdly, it requires health authorities to report annually on their services for the elderly—the length of waiting lists and the special treatment available for the elderly.

Fourthly—something for which many people have campaigned for many years—the Bill seeks to abolish standing charges for gas, electricity, water and telephones for elderly people, to prevent those services being cut off and to protect unit costs for other customers. Any codes of practice for cutting off services that gas and electricity boards presently have should become a statutory requirement so that their services are protected. Above all, the Exchequer should fund this provision rather than putting the burden on other consumers.

Fifthly, the Bill seeks to provide universal concessionary transport schemes so that free transport is available throughout Britain and not just in areas such as London and Sheffield, where pensioners have successfully persuaded local authorities to fund transport. All elderly people need the right of mobility.

Sixthly, the Bill seeks to deal with the point that I made earlier about increased inflationary costs for the elderly. Food prices are considerably higher when one buys in small rather than large quantities. It seeks to protect unit costs for food so that those who can afford to buy in bulk do not receive even greater discounts at the expense of the elderly.

Those matters are urgent and important, and I hope that the House will support them.

All that I have suggested is a palliative. It only helps to alleviate the already serious poverty among elderly people. The root cause of poverty among elderly people is the grossly inadequate level of the state old-age pension. It is among the lowest in Europe.

In 1980, the Government broke the link with the cost of living and it is time not just that that was restored but that in future pensioner couples should be guaranteed a pension equivalent to half average earnings, and single pensioners one third of average earnings. That would be a dramatic increase in pensions and it would bring the British pension more or less into line with some other wealthy industrial countries.

Britain is the seventh richest country in the world. It is a disgrace that so many elderly people die alone and in misery through hypothermia, not for lack of resources to provide for them, but for the lack of political will to distribute those resources to ensure that pensioners are well cared for and can live in decency in their retirement.

This is a modest and simple measure which, if enacted, will change the lives of pensioners and give them hope instead of misery. It will show Britain to be civilised towards the elderly rather than brushing them aside and treating them with contempt, as presently happens.

Question put and agreed to.

Bill ordered to be brought in by Mr. Jeremy Corbyn, Mr. Dennis Canavan, Mr. Dennis Skinner, Mr. Tony Benn, Mr. Bill Michie, Mrs. Audrey Wise, Mr. David Winnick, Mr. Paul Boateng, Mr. Chris Smith, Mrs. Alice Mahon, Mr. Tony Banks and Mr. Bernie Grant.

Elimination of Poverty in Retirement

Mr. Jeremy Corbyn accordingly presented a Bill to require the appointment of a Minister with responsibility for retired people; to require local authorities to report annually on the condition of retired people; to require health authorities to report on their services for the elderly; to ensure that standing charges for gas, electricity, water and telephones are abolished for pensioners; to provide for concessionary transport schemes for the elderly; to ensure that unit costs for food are the same for small purchasers; and to ensure that the state old age pension is linked to average earnings: And the same was read the First time, and ordered to be read a Second time upon Friday 3 March and to be printed. [Bill 44.]

Opposition Day

[1st Allotted Day]

Child Benefit

Mr. Speaker: I have selected the amendment in the name of the Prime Minister. In view of the late start of this debate, I appeal to spokesmen on both Front Benches, as well as to Back Benchers, for short contributions so that as many hon. Members as possible may be called.

4.30 pm

Mr. Robin Cook (Livingston): I beg to move,

That this House calls on Her Majesty's Government to increase child benefit in line with other benefits.

The motion and debate honour the commitment that I gave at the Dispatch Box immediately before the recess that, at the earliest opportunity, the Opposition would give the House the chance to debate child benefit separately and to vote on its future. Our honouring that commitment contrasts with the position of the Government, who have twice frozen child benefit since the last election and never once asked for the opinion of the House or offered it a vote on whether the benefit should be frozen.

Our motion must be one of the shortest in the history of Supply debates. It concentrates with single-minded focus on uprating. We have spared the Government any political rhetoric; we have not included in the motion a breath of criticism of them. That rather contrasts with the Government amendment, in which they heap turgid approval on themselves and have the gall to invite the House to congratulate them on having reviewed the level of child benefit. They may have reviewed it, but that did not result in a single extra penny being added to it. We have resisted the strong temptation to criticise the Government in our motion. Nothing in it would cause offence to even the most delicate Conservative Back Bencher. There is nothing in it to prevent Conservative Members voting for it—provided that they agree with it. If they do not, they must vote it down.

The clear inference that we and the country will draw from Conservative Members' decision to vote down the motion is that they are against child benefit being uprated and are prepared to connive at the strategy of the Secretary of State, which is to freeze child benefit to death.

As briefly as possible, I want to show Conservative Back Benchers why they should not vote with the Secretary of State and why, instead, they should vote with us to defrost child benefit——

Mr. Jeremy Hanley (Richmond and Barnes): Will the hon. Gentleman give way?

Mr. Cook: I shall give way on this occasion, but I am conscious of the advice from the Chair, and I shall not give way subsequently as readily as I might otherwise have done.

Mr. Hanley: I seek clarification of an interpretation that we might place on the motion. No doubt the hon. Gentleman would not like to be seen to be giving tax-free benefits to the wealthiest people in society. Is he now also pledging that he will make sure that child benefit is taxed in future, should there be a Labour Government?

Mr. Cook: That would be a far-fetched interpretation of the stark words on the Order Paper. The hon. Gentleman has disappointed me. I had rather hoped when he began his intervention that he was about to invite me to offer an interpretation of the motion as follows: that we want child benefit uprated in line with the tax cuts that the Government have made. If he had proposed that, I would have been inclined to accept it.

Turning now to the four major reasons——

Mr. Hanley: Answer my question.

Mr. Cook: I have already done so. What the hon. Gentleman infers from the motion cannot conceivably be read into its 10 words——

Mr. Nicholas Bennett (Pembroke): Will the hon. Gentleman give way?

Mr. Cook: No. I said that I would not be able to give way as often as I might have done because of the time factor—[Hon. Members: "Answer the question."] I have answered it. I do not propose to tax child benefit. My party has never done so, and I do not expect to do so. I hope that that finally gets through to the hon. Members for Richmond and Barnes (Mr. Hanley) and for Pembroke (Mr. Bennett), who have not been listening to what I am saying—*[Interruption.]* I appreciate that the hon. Member for Pembroke wants to carry on a dialogue by himself. If he does, I suggest that, for the convenience of the House, he removes himself to the Tea Room. Let us get on with the debate.

Of course we oppose the taxation of child benefit. There has never been any suggestion to the contrary. I should be inclined to examine the issue again when child benefit reflects the cost of looking after a child. At a time when it reflects one third of that cost it appears utterly ludicrous to suggest that we lower its value by another quarter. So I hope that in words of one syllable, carefully and slowly spelt out, I have finally got through to Conservative Members what we are trying to say. If the hon. Member for Pembroke intends to attend future debates, we can arrange for a blackboard for him.

I want to give four reasons why Conservative Members should vote to unfreeze child benefit before they tax it. The first is that child benefit provides the only recognition in our tax and benefit system of the extra costs of raising children. It is the only device for channelling resources from taxpayers without children to households with them. Almost every civilised nation recognises the extra costs of children and that those extra costs must be supported by taxation or benefits. Ironically, under a Government who claim to be the party of the family, Britain alone in Europe is limping towards 1992 refusing to accept that families with children are families with extra expenditure.

The second reason why child benefit should be kept and uprated is that it puts money in the hands of the mother, the parent who buys the food and chooses the children's clothes. It is an efficient way of ensuring help with the costs of children, and of ensuring that that help is spent mostly on the welfare of children. For many mothers, child benefit is the only stable, reliable and independent income on which they can count. The Secretary of State is much given to lecturing the nation on the evils of the dependency culture. Not uprating child benefit increases the dependence of mothers on men. If the House remotely represented the balance of the sexes in the electorate it

would not dream of tolerating the freezing by the Government of the benefit that goes to mothers. The only reason why the Government imagine they can get away with such a strategy is the grossly inadequate representation of the mothers of Britain in the Chamber.

The third reason why the benefit should be kept and uprated is that it reaches nearly every mother. If the objective is to help mothers, child benefit is well targeted —almost perfectly so: it hits 98 per cent. of its targets. It gets through to them, because it is simple, easily claimed and does not have to be reclaimed every time circumstances change. No stigma is attached to having a child benefit book. On the contrary, it is a badge of citizenship, not a label of poverty——

Mr. John Maples (Lewisham, West): Will the hon. Gentleman give way?

Mr. Cook: I am sorry; I have made it clear that I wish to allow as much time as possible for hon. Members to participate——

Mr. Nicholas Bennett: The hon. Gentleman is frit.

Mr. Cook: With the greatest respect to the hon. Gentleman, the idea that I am afraid of him stretches credulity to snapping point.

The fourth reason why child benefit should be uprated and retained is that it provides a life-line to households seeking to clamber out of the poverty trap. It is the one benefit that does not penalise them if they manage to improve their income. It does not kick them back into poverty by clawing away from their benefits whatever they make in extra earnings.

For all these reasons, child beneft was universally welcomed when it was introduced. It was introduced by a Labour Government, but I refrain from claiming sole paternity rights to it. The objective of the debate is to seek cross-party support for child benefit. In 1975, it was warmly endorsed by the then Conservative Opposition----

Mr. Peter Thurnham (Bolton, North-East): Will the hon. Gentleman give way on that point?

Mr. Cook: I am sorry, but I have a quotation of my own to share before the hon. Gentleman gives his. Conservative Members who were in opposition at the time claimed to have thought of child benefit themselves. The only problem was that they never got round to introducing it when they were in government. They were so keen on the idea of child benefit that as the official Opposition they pressed an amendment to oblige the Labour Government to uprate child benefit by law, not just once a year but twice a year. The Conservative spokesman at the time said:

"I cannot see how a reputable case can be raised against that proposal. If a case is raised against it, it runs the risk of saying that, when the child benefit scheme comes in . . . the benefit will be steadily eroded . . . It is not a situation which we can accept."—[*Official Report, Standing Committee A*, 24 June 1975; c. 150.]

That spokesman was the gentleman with whom the Secretary of State has a job-share agreement at Richmond house—the Secretary of State for Health. These are changed days. The right hon. and learned Member for Rushcliffe (Mr. Clarke) is busy seeking to dismantle the NHS. The Secretary of State for Social Security is allowing child benefit to be eroded and to fade away through lack of uprating.

Since taking office 18 months ago, the Secretary of State would have been obliged—under the amendment of the right hon. and learned Member for Rushcliffe—to uprate child benefit three times. Instead, he has never once uprated child benefit. He makes no bones about it. His decision is based on ideological reasons. In fairness, to the Secretary of State, although I may not often agree with his policies, I give him full marks for honesty and candour. He is opposed to universal benefits and wants to replace them with means-tested benefits. That must be for ideological reasons because nothing else could explain why he remains so blind to the abundant evidence provided by the Government's giant experiment with social security last April, which showed that means-tested benefits alone do not remove people from poverty—they keep them in poverty.

Family credit is the means-tested parallel to child benefit. The take-up of family credit has been a first-class disaster. A year ago we were promised ambitious figures for the take-up of family credit. The Minister of State promised a take-up rate of 60 per cent., and on one occasion the Secretary of State—I think that he was carried away at the time—promised a 70 per cent. take-up rate. It has never come anywhere near those figures. At its best, family credit peaked at 35 per cent.—half the promised rate.

A year ago, the hon. Member for Enfield, Southgate (Mr. Portillo), in a debate on family credit, described the 50 per cent. take-up rate of family income supplement as "minuscule and feeble". It is a great shame that he has now departed from the Department of Social Security. Would he were with us for this debate. If a take-up rate of 50 per cent. earned such a lofty rebuke from the hon. Gentleman, in what terms of contempt would be describe a take-up rate of 35 per cent.? That is the rate which has now been achieved by the replacement benefit that he and his colleagues devised in place of family income supplement.

Even worse is that we now know that the numbers are not increasing. At the end of November the number in receipt of family credit was more than 260,000—I use the figures given during the last social security questions. In an answer given to me last Friday the figure at the end of December was 255,000. I notice that one newspaper has put it about that the numbers on family credit fell last month because of the Christmas effect. Apparently, poor families forget to renew their applications in the hectic rush to complete their Christmas shopping.

The Secretary of State for Social Security (Mr. John Moore): I always hesitate to interrupt the hon. Gentleman but I know that—unlike some of his hon. Friends—he is conscious of accuracy and I would not want him to make too much of the point. To be precisely accurate, during the Christmas period there was a slow down in applications and processing. The hon. Gentleman will be delighted to know that last week there were more than 17,000 applications—a record rate above the normal 10,000 to 13,000. The case load rate is running at at least, if not in excess of, 300,000—about the 40 per cent. level that we were discussing.

Mr. Cook: We have to be careful with the last phrase used by the Secretary of State. When he refers to case loads, he is referring not to those who receive family credit but to those receiving family credit plus those who have applied for it. The number of applications at the end of

[Mr. Cook]

both November and December was 47,000. I am sorry to say that his figure of over 300,000 is entirely consistent with 260,000 or thereabouts receiving family credit. If the Secretary of State is arguing that one of the problems with family credit is that over Christmas there is a seasonal fluctuation when the numbers fall while the Department of Social Security is on holiday, I regard that as another solid argument against relying on the means-tested benefit and for depending on child benefit, which is not subject to such seasonal fluctuations.

I want to make it clear that, because we criticise the take-up rate, the Secretary of State should not suggest, as he has once or twice been inclined to do, that we are opposed to a high take-up rate. On the contrary, we are worried that the people who are missing out on family credit are the very people who were hit by cuts in benefit last April. They are the mothers who lost free school meals for their children and who now have to face an average weekly bill of £6 for two children, or £8 if they live in Bradford under a Conservative council. They are the families who lost housing benefit and who are now saddled with part of the mounting rent arrears that have hit every housing authority since last April.

Throughout 1986-87, we were told that we did not need to worry about the families that were facing cuts in their budget through loss of free school meals and changes in housing benefit, because they would be more than compensated, and would come out smiling as a result of family credit. We now know that family credit is not getting through to them. They are left with the cuts that they faced last April and without the benefits that were designed to protect them.

We have also heard that even those who have received family credit are not fully compensated for their losses. There will shortly be broadcast a television programme on child poverty. Its makers set out to try to find a family receiving family credit that was better off than it was before the changes in social security. So desperate did they become in their hunt that they placed an advert in a tabloid newspaper inviting any family that was better off as a result of the April changes and the introduction of family credit to contact them. The producers have been unable to unearth a single family that is better off as a result of the changes, even if it is getting family credit.

Mrs. Teresa Gorman (Billericay): I am sorry that there has not been a response to the advertisement. However, two mothers came to my constituency surgery and told me that they were more than £20 a week better off. I should be happy to dig out the names and addresses and send them to the programme makers.

Mr. Cook: I should be delighted to look at those cases. However, my general experience, having gone through many cases, is that while there are people who are £20 a week better off in terms of receiving family credit, I have yet to see a case where they are better off by even £2 a week once one takes into account the loss of housing benefit and free school meals.

That brings us to the other problem with family credit, which is that it is savagely means tested. Those who manage to claim it find that they lose it at the rate of 70p for every extra £1 a week in income. In short, those at the bottom of the earnings league end up on a rate of marginal taxation almost double the top rate of taxation on the wealthiest. As the Select Committee on Social Services pointed out in its report last October, 500,000 households —nearly every one of which has children—face marginal rates of taxation of nearly 70 per cent.

The truth is that child benefit has as its greatest strength exactly what the Government persist in seeing as its greatest weakness. It is that it does not go down as the income of the claimant goes up. Therefore, it boosts the escape of the claimant from poverty instead of drawing him back into the poverty trap. That is the importance of child benefit and that is why it should not be sacrificed.

As I understand it, the Secretary of State seeks to sacrifice child benefit on the sole ground that it is not the cheapest way to relieve poverty. The first response by the Opposition to the argument that child benefit should be phased out or should not be uprated because it is not an efficient way of relieving poverty is that those of us who have watched at close range the hardship, anxiety and despair inflicted by the cuts in child benefit last April will not be taken in by any pretence by the Government that they are motivated by an anxiety to do more for the poor.

To freeze child benefit is an odd way to go about helping the poor because that benefit goes to the poor. It goes to six times as many families in poverty or on the margins of poverty as does family credit. One in 12 claimants of child benefit earns less than £5,000 a year and one fifth of the income of such households comes from child benefit. One in three claimants of child benefit earns less than £10,000 a year and one seventh of the income of people in that group comes from child benefit.

It is curious that the Conservatives are rewriting the origins and history of child benefit. It was introduced in place of tax allowances precisely to target help to the poor, to provide a means of assisting the 1 million families with children that did not pay tax and therefore did not benefit from tax allowances. It was brought in to make sure that the benefit of a cash payment was of greater help to those who were poor than to those who were wealthy and who benefited most from tax allowances. The Labour Government were absolutely right to take the progressive step of converting tax allowances into cash benefits to help the poor.

The great mistake made by my colleagues in the last Labour Government was mentioned by the right hon. Member for Chesham and Amersham (Sir I. Gilmour) in his entertaining address to the annual general meeting of the Child Poverty Action Group. That mistake was not in converting tax allowances into child benefit, but in not keeping the old name of child tax allowance while continuing to pay the cash benefit. If they had done that, the history of child benefit over the past 10 years would have been quite different, because every time the present Government stumble on something that is labelled "tax allowance" their better instincts prevail and they uprate it. Every time they come to something with the danger warning "benefit", their reflex instincts take over and they cut it. How else can one explain the extraordinary contrast between a married man's tax allowance, which has gone up in real terms by 22 per cent. under this Government, and the fate of child benefit, which has been cut in real terms by 13 per cent.?

Since the uprating statement in October I have asked twice and now ask for the third time and demand an answer to the question of how the Government can manage to conclude that the cost of maintaining a wife has

gone up by one fifth while the cost of supporting a child has gone down by one eighth. By what feat of mental gymnastics do they square those different treatments? The truth is that the Government have made no such calculation. They keep cutting taxes because that is the best way to help the rich. That is the other reason that prevents us from taking them seriously when they claim that they are freezing child benefit to help the poor. Their interest in helping the poor fades into invisibility when compared to their preoccupation with helping the rich.

A neat arithmetical measure of the Goverment's priorities is provided by what happened to the £200 million saved by the freeze in child benefit. The Secretary of State kept one third of it for means-tested benefits for the poor while the Chancellor of the Exchequer siphoned off the other two thirds to fund tax cuts for the better off. There we have it. Tax cuts take greater priority over the poor on a ratio of 2:1. The people who lose as a result are the children. They are the innocent victims of all the fashionable chatter about selectivity and targeting. A letter sent by a mother to the Child Poverty Action Group says:

"It is no use saying: 'the children shouldn't have been born in the first place'. The children are alive. They need feeding and clothing and treats. A happy secure funded childhood makes for a good adulthood".

The freeze on child benefit makes it more difficult for that mother and all other such mothers to provide that happy, secure, funded childhood. The cut in the real value of child benefit logically implies a cut in their expenditure on their children. I invite all hon. Members who do not want to see that happen and who are not happy to see tax cuts funded at the expense of children to join us in the Lobby to save child benefit.

4.55 pm

The Secretary of State for Social Security (Mr. John Moore): I beg to move, to leave out from "House" to the end of the Question, and to add instead thereof:

"notes with approval that the Government is providing over four and a half billion pounds for child benefit this year and that it has carried out its statutory obligation to review the level of benefit each year; and welcomes the additional resources to be provided from April for low income families with children".

As always, we have heard an eloquent and in many ways amusing speech by the hon. Member for Livingston (Mr. Cook). I will take no lectures from any Opposition Member about the ways in which the Government, to the embarrassment of the last Labour Government, help families with children. Much of the hon. Gentleman's speech was buried under a great weight of collective amnesia. He seemed to have forgotten many of the antecedents of child benefit and many of the ways in which the Labour Government failed miserably, as the hon. Gentleman well knows, to help families with children. Much of his speech related more to child benefit than to the content of the Opposition motion, the indexation, or its absence this year, of child benefit.

It is important and germane first to try to remind the House of the record and background of child benefit because it is important to put the matter in perspective. The hon. Gentleman was right when he said that child benefit was introduced in 1975. The Opposition record on child benefit reminds me of earlier debates. It takes me back to the reality of Socialist economic failure at the time when the Labour Government lived in the unlovely embrace of trade union bosses. *[Interruption.]* Despite sedentary interruptions from Opposition Members, I shall remind them and the House of what happened in 1975. I agree with the hon. Member for Livingston that it is important for us to remember the basis for this benefit. *[Interruption.]* Opposition Members might be embarrassed by this. In May 1975 the then Mrs. Castle had to admit to the first problem connected with the introduction of child benefit. These are uncomfortable facts for hon. Members who might not have been present in the House at the time. She said that it was

"impossible to launch the scheme until 1977, and this has been a great disappointment to me personally. It was certainly our original intention that the benefit would start in April next." —[*Official Report*, 13 May 1975; vol 892, c. 336.]

That is April 1976. The idea was that the whole scheme would have been launched in the spring of 1977.

Mr. James Sillars (Glasgow, Govan): Will the Minister give way?

Mr. Moore: Perhaps I could be allowed to proceed because we are under the pressure of time.

There was a detailed statement in May 1976 by Mr. Ennals, the then Secretary of State for Social Services. That statement was not greeted with great happiness by many Opposition Members who at that time were on the Government Benches. He talked about not starting the process of replacing child tax allowances with the new child benefit and said:

"Introduction of the scheme in its original form would, however, have imposed an excessive strain on the pay policy which is vital to the Government's continuing success in overcoming inflation."

Later he talked about

"the overriding need to contain public expenditure and the borrowing requirement as a further plank in the Government's economic strategy,".—[*Official Report*, 25 May 1976; Vol. 912, c. 284-85.]

He made it quite clear that, although the Government had wanted to launch the scheme in the spring of 1976 and again in 1977, there would be another delay. I shall come back to that.

Mr. Sillars: Can the right hon. Gentleman say what was the Budget surplus then compared with today?

Mr. Moore: I shall come to that, and to a comparison of support for families, to illustrate why the records are so different.

The situation in autumn 1976 will be familiar to many of my right hon. and hon. Friends, including my hon. Friend the Member for Eastbourne (Mr. Gow). It is germane to today's debate, in which the Opposition suggest annual automatic indexation. In autumn of 1976, there ended what was called a three-month working party involving the Government and the TUC. Whether that was the product of "Solomon binding" or of Dr. Wittevene and the International Monetary Fund, there followed an announcement that the benefit would not be introduced in 1976 or in spring 1977.

However, the agreement was—and this cannot be a comfortable memory for Opposition Members—that the child benefit plans of spring 1976 would take three years —I repeat, three years—until spring 1979 to introduce. That is part of the history of the benefit under Labour, who now criticise the Government for not indexing it this year. In 61 out of 62 months of Labour Government, there was a lower rate of child benefit, or its equivalent, than

[Mr. Moore]

during the whole of the subsequent Conservative Government's period in office. That is the first history lesson.

One should consider also the totality of the situation. I do not deny the importance of child benefit, but it is but one part of the total support structure through which the Government seek to help families with children. The Opposition have given me an opportunity, in preparing for this debate to examine detailed records and the facts as between Labour's appalling record and that of the Government in supporting families with children. I refer to published facts that are consistent with the current breakdown, and I remind the House of the true position, based on figures that have not previously been published. The comparison is appalling, and I do not know how the Opposition have the temerity to initiate this debate.

Between 1974-75 and 1978-78, support for families with children dropped in real terms from £7·4 billion to £6·8 billion—a reduction in real terms of 7·3 per cent. One may compare that with the period in which my Government have been in office—[HON. MEMBERS: "Your Government?"] While we have been in office, support has increased—*[Interruption.]* The Opposition do not like such comparisons being made. The figures show not a decrease, as under socialism, of 7·3 per cent., but an increase in real terms of 25 per cent.

Mr. Robin Cook: I assure the Secretary of State that we are delighted with his comparisons. He reminds the House that in three years the last Labour Government increased child benefit from nothing to £4 per week. As the right hon. Gentleman has seen the calculations, he will be aware that at today's values, that £4 produces a figure of £7·35 per week.

In three years, the Labour Government raised child benefit to £4 per week, but in 10 years the Conservatives have failed to increase that sum by a single penny in real terms. After being in charge of child benefit for 10 years, the Government are still 10p behind the level at which we left it after three years.

Mr. Moore: That is utter and complete nonsense. In 61 out of 62 months, Labour's policies of help for families with children and their support structure for tax allowances, family allowances and child benefit produced less than that provided throughout every month of the Conservative Government's subsequent period in office. Labour's record shows not only economic failure but an inability to observe the right priorities in supporting families with children.

I complete my historical survey by reminding the House why child benefit is not automatically indexed, and why I took the decisions that I did this year, in the light of my statutory duty to review child benefit annually. I refer to the Child Benefit Bill's Second Reading debate on 13 May 1975 when Alec Jones, the then Under-Secretary of State for Health and Social Security, said:

"The Social Security Act 1975 lays down formal provisions for annual review of benefits paid"——

and that Act established the basis of the benefit that we are now debating, which I make clear for the benefit of those right hon. and hon. Members who are ignorant of that fact. I repeat—[HON. MEMBERS: "Get on with it!"] I shall repeat it, because it is important:

"The Social Security Act 1975 lays down formal provisions for annual review of benefits paid under that Act and requires uprating of those benefits in line with earnings or prices as appropriate. We do not propose that there should be anything similar for child benefit because it is a totally different kind of benefit, fulfilling a different purpose.

In the first place it is a new kind of benefit"—

Mr. George Foulkes (Carrick, Cumnock and Doon Valley): On a point of order, Madam Deputy Speaker. At the start of the debate Mr. Speaker urged everyone, including the Government Front Bench, to be brief. Would it not be appropriate if the Minister at least moves on to the record of the present Government——

Madam Deputy Speaker (Miss Betty Boothroyd): Order. That is not a point of order for the Chair. If there were fewer interruptions, the Minister might make progress.

Mr. Moore: The Opposition do not like being reminded of the basis of the statutory duty under which I act. I repeat the words of Alec Jones:

"In the first place, it is a new kind of benefit—a hybrid which amalgamates a social security benefit with a tax allowance. In the second place, most of the people receiving it will be people at work, and the benefit will simply form a tax-free addition to their earned income . . . It will be raised from time to time in the light of inflation and other developments. But just as neither family allowances nor child tax allowances are subject to the rigid pattern of upratings that has been evolved for social security benefits nor will their successor benefit be."—[*Official Report*, 13 May 1975: Vol. 892, c. 400-401.]

That is the basis on which I seek to carry out my statutory duty.

In the Bill's Second Reading debate on 7 July 1975, Mrs. Castle said:

"There is a difference between routine national insurance benefits and this new benefit. Indexation of the child benefit is inappropriate. National insurance benefits are major means of support when earning capacity is interrupted, but the child benefit is a tax-free supplement to families whose major source of income is earnings. Clearly maintenance benefits must be capable of moving automatically in line with changes in the cost of living. The child benefit is in a different category . . . A statutory duty is placed on the Secretary of State to examine the rate in the light of the overall social and economic policies."—[*Official Report*, 7 July 1975; Vol. 895, c. 238.]

That is the statutory basis on which every subsequent Secretary of State has decided each year what he ought or ought not to do with child benefit. That basis has remained unchanged.

It is in that context that the review took place. I shall explain to the House why I exercised my statutory duty in the way that I did. First, I sought to exercise it in the context of the present Government's economic success. That success has provided for greater priority than that given by previous Labour Governments to expenditure on social security. We now spend a larger percentage of our nation's gross national product on social security.

As I have illustrated with detailed figures, we have given a higher priority to expenditure on families with children: we have raised it by 25 per cent., in contrast to a Socialist reduction of 7·3 per cent. We need to understand—I know that Opposition Members do not understand it, but I am sure that my right hon. and hon. Friends do—that that success comes from prudent economic policies. This relates to the point raised earlier by the hon. Member for Glasgow, Govan (Mr. Sillars).

We must be cautious with growing budgets. Let me remind the House of the context in which our debate takes

place. In 1989-90, the Government propose to spend £51·1 billion on my budgetary responsibilities—an increase of £3·5 billion, well in excess of the £2 billion in the uprating. The amount would, of course, have been considerably more had it not been for a happy reduction in unemployment. I will not put such economic success in jeopardy.

We must also look at the new structure of benefits that has been in place since the spring of 1988. Both family credit and the income support arrangements create a new structure of family premiums. That does two things. First, it gives any Minister in my position an opportunity to try to target additional resources more effectively—as we were able to do in the spring of last year with the extra £200 million for both income support and family credit, as well as another £70 million next April. We are thus able to reach the 1·6 million families, and the 3 million children, who would not benefit from the simple uprating of child benefit because of the way in which their benefit is offset.

Moreover—this is in no way to deny many of the obvious advantages of child benefit—the new arrangements highlight some of the dilemmas surrounding child benefit's poor targeting. Conservative Members have pointed out many times in the past that 70 per cent. of the families who stand to gain from child benefit have incomes above average earnings. Of the £4·5 billion that we spend on child benefit, £1 billion goes to the 1·25 million families who are earning over £20,000.

Mr. Charles Kennedy (Ross, Cromarty and Skye): Is the Secretary of State seriously suggesting that lack of sufficient tageting—as he sees it—through the mechanisms of child benefit is causing more child poverty than lack of effective take-up in the family credit system that he has introduced?

Mr. Moore: I know that the hon. Gentleman is serious about this. But I am trying to illustrate the factors behind any Secretary of State's statutory judgment in relation to the combined package that we are now able to target, without ignoring the large sums that we are still rightly putting into child benefit.

I cannot ignore my statutory duty; indeed, as the hon. Member for Birkenhead (Mr. Field) rightly said in an earlier debate, i must not ignore it. I must be aware of what is happening in the rest of the economy—what is happening to earning and taxes. I must recognise that 80 per cent. of those in receipt of child benefit are taxpayers, and that the real take-home pay of a married man on average earnings with two children has risen by 29 per cent. under the present Government. I shall not contrast that with the 1 per cent. rise in real terms under the Labour Government.

Let me illustrate the impact of my decisions in the past year, when I took my earlier decision—as opposed to the decisions in the uprating statement. Average gross male earnings to April 1988—and we should remember that over 70 per cent. of potential recipients of child benefit earn more than the average—rose by 9·7 per cent. If the tax changes made by my right hon. Friend the Chancellor are taken into account, the figure becomes 11·6 per cent. That means another £18·86 a week net in wage packets, rather than people not receiving 30p a week extra on child benefit. We are still talking about half the overall spending on families with children.

I have covered the previous year; what about the earnings for the year that we are in now? I cannot anticipate the judgments that my right hon. Friend the Chancellor will make in his 1989 Budget, but if we use the published assumptions on earnings based on those in the Government Actuary's Department it seems that the increase in average gross male earnings will again be more than £18 a week. Given that, are the Opposition seriously arguing that the living standards of families with above average earnings will be threatened if child benefit is not increased by 45p?

I remind the House that child benefit has never been intended to cover the whole cost of bringing up a family. There are strong arguments, with which I agree, for preventing basic income maintenance benefits from losing their value against prices: people are genuinely dependent on them to meet their basic needs. But Governments of both complexions—I stress the word Governments—have accepted that different considerations apply to child benefit. It is a supplement to the major source of income —for most people, earnings from work—and each decision about its level must take account not only of changes in the cost of living but of the massive increase in prosperity for families generally in recent years.

Sir Anthony Meyer (Clwyd, North-West): The one issue that my right hon. Friend does not seem to be addressing —perhaps he intends to address it later—is the fact that child benefit goes to the mother. That, surely, is an important consideration.

Mr. Moore: I entirely agree. That is why I have tried to stress that we are talking not about the abolition of child benefit, but about its non-indexation this year. We are talking about the expenditure of £4·5 billion. I also remind my hon. Friend, who I know is very interested in these matters, that family credit also statutorily goes to the mother.

Mr. Timothy Raison (Aylesbury): My right hon. Friend has stressed the importance of looking at current circumstances when making a decision. Does he accept that it is a current circumstance that the number of people who pay income tax is much too large and that the tax threshold is much too low? That in itself is surely a compelling reason for raising child benefit.

Mr. Moore: My right hon. Friend draws attention to points with which I know that my right hon. Friend the Chancellor will be concerned, and I in turn shall draw them to his attention when he comes to make his Budget judgment.

Mr. John Battle (Leeds, West) *rose*——

Mr. Moore: No, I really must proceed.

These, then, are the reasons for my decision on the level of child benefit for this year: first, our commitment to spend taxpayers' money in ways that can be fully justified; secondly, our creation in the new income-related benefits of a better mechanism than ever before for directing additional resources to those who really need them; and, thirdly, our recognition that working families generally are benefiting enormously from the increased prosperity brought about by the Government's prudent management of the economy.

I have a statutory commitment to conduct a careful review of the level of child benefit each year. I have not

[Mr. Moore]

shirked that responsibility, nor will I shirk it. However, we also have a binding electoral commitment to ensure that child benefit will continue in its present form. That manifesto pledge has been and will be honoured to the full. What do the Opposition offer in return? They talk about child benefit being uprated automatically, but in office they insisted that that could not be justified. They talk about increasing resources for child support, but in office they crippled the economy and were forced to cut support for families with children. Worst of all, they talk about helping those in need, but they want us to increase child benefit, which would do nothing for the neediest and would give most help to the better-off.

It would be charitable to describe the Opposition's thinking as hopelessly muddled, but if such persistent wrong-headedness is Socialism, it is a Socialism that carries irresponsibility to the point of immorality. The present Government are succeeding where the Opposition failed in promoting an economy that is delivering a higher level of child support than when we came to office, and in directing those resources to the families who need them most. The Opposition have the effrontery to carp at that. I invite the House to join me in welcoming it.

5.19 pm

Mr. Frank Field (Birkenhead): I want to draw a lesson from what my hon. Friend the Member for Livingston (Mr. Cook) said, to make an observation on what the Secretary of State has just said and to end with a challenge.

My hon. Friend the Member for Livingston drew attention to the speech of the right hon. Member for Chesham and Amersham (Sir I. Gilmour) at the Child Poverty Action Group's annual general meeting and to the lesson that the right hon. Gentleman drew from the Labour Government's stewardship when child benefit was introduced. He said that the Labour Government made an error when they called the benefit child benefit instead of calling it a tax allowance. That was a good debating point to make here, and no doubt it was a good debating point to make at the Child Poverty Action Group's annual general meeting. However, that is not the real lesson that has to be drawn from the Labour Government's stewardship.

Labour Back Benchers, together with Conservative Members, tabled amendments to have child benefit indexed. Labour Members were assured by their Whips and by Government Ministers that there was no need to press the amendments. Now we see the folly of accepting that advice. I make that point not because I wish any hon. Member to appear in sackcloth and ashes during today's debate—I am too cynical to expect that—but because I wish to lay down a challenge to Conservative Members.

Most of us will not achieve office. Most of us will exert our influence as Back Benchers. Influence can be exerted now and again. It cannot be exerted constantly. Influence can be exerted tonight in the Division Lobby. Influence can also be exerted by means of amendments that are to be moved in Committee during consideration of the Social Security Bill. I ask Conservative Members not to go down the road that Labour Members went when child benefit was introduced and accept the gentle assurances of Government Ministers and the Whips. I am sure that the intention is noble, but its delivery is feeble.

We have some power tonight, and we shall have some power later this Session. I hope that Conservative Members will exercise their influence as Back Benchers. I hope that they will accept that it is an illusion to think that most of us will achieve office, let alone high office. We are sent here to represent our constituents as Back Benchers and to vote accordingly. That is the lesson that I have drawn from the introduction of the child benefit scheme.

I was lost, as I expect other hon. Members were lost, when the Secretary of State read out reams of figures. I am sure that he meant us to be lost. The figures sounded very good, and I do not doubt for a moment that they were correct, but what was missing was a comparison between families with children and taxpayers without children.

Although it may be difficult for Opposition Members to accept, there has been a substantial increase in living standards, not since 1979—in their first two years of office, the Government achieved the extraordinary distinction of reducing national income—but since 1981. Therefore, it is not hard for Ministers to give figures showing how the living standards of families with children have increased, but the crucial point is how their increase in living standards compares with that of other groups. Despite all the Secretary of State's figures, that comparison did not feature in his speech, for one simple reason: that a comparison of families with children and other taxpayers shows that the rise in living standards of those who are responsible for the next generation has been much lower than that of taxpayers without children or of taxpayers who are single.

Mr. Gerry Steinberg (City of Durham): My hon. Friend says that the majority of people now enjoy a better standard of living. Is it not true, however, that those who depend on child benefit now have a worse standard of living than they had in 1979?

Mr. Field: My point is that many of those who depend on child benefit have not done as well as other people. One reason why the Conservative party wins elections and the Labour party does not is that, although many of our constituents have had a rough deal, the majority of the population have not. That is the starting point for many of our debates. Until we take that point on board, we cannot make the point that the relative standards of living of families with children—whether they be rich or poor—have declined, compared with those of the childless or single. Our charge against the Government is that, almost by accident, they are creating a tax and social security system that discriminates against those who are responsible for bringing up the next generation.

Before the last election, the Prime Minister gave an interview to, I think, "Woman's Own", in which she said that she did not accept that there was anything called "the community". I ask Conservative Members to consider where this Governement's policy is leading the Tory party. Without recognising it, the Government are failing to distinguish between taxpayers with children and taxpayers without children, with the result that there is no distinction between the state, at the very top, and ordinary individuals at the bottom.

We have got rid of voluntary organisations—of a network of countervailing forces. Although the Government are strong in rhetoric about the family, they are weak on delivery, and the tax and benefits system is now beginning to work against those with children. There

is nothing between the top, which is the state, and the bottom—autonomous individuals. The Government have not consciously pursued that policy, but that will be its result. That is another reason why Conservative Members should be cautious before they rally too quickly to the flag and support the Government's amendment.

I end with a challenge. The Opposition are running a high-risk strategy, and I support it 100 per cent. The strategy involves holding this debate and supporting amendments that are to be moved in Committee during consideration of the Social Security Bill, asking Parliament to approve a regular uprating of child benefit. Let us suppose that, on this occasion, Conservative Members do not rally to the flag and that later in the Session there is a miserable response from Conservative Members on this issue. That message will be read clearly by those who sit on the Treasury Bench.

If our strategy fails—it is not, perhaps, so important tonight; it will be much more important when the amendments that are made in Committee to the Social Security Bill are debated here on Report—and we see that a large number of Conservative Members are not willing to vote for child benefit against the advice of their Whips, both we on this side of the House, supporters of child benefit on that side of the House and groups outside the House will have to consider what we must do if we are to defend and promote the interests of families with children. Shall we continue to be voted down in debates such as this and when amendments to every Social Security Bill are tabled, or shall we take the debate into enemy territory? That is not a point that I wish to pursue tonight, but that is the inevitable outcome of a high-risk strategy—one which I support, but one which I believe none of us should duck if it misfires.

5.28 pm

Sir Ian Gilmour (Chesham and Amersham): The hon. Member for Livingston (Mr. Cook) pressed Conservative Members to vote with him this evening. The hon. Member for Birkenhead (Mr. Field) gave us some deeply felt advice on the same matter. I shall respond later to those invitations. First, however, I shall deal briefly with the merits of the case.

The Government's decision not to uprate child benefit is shameful. My right hon. Friend the Secretary of State made a very good case, in party political terms—the best that could possibly be made. However, his case must be pretty bad if he has to rely on Lady Castle for support—particularly as, if I am right, he opposed Lady Castle at the time, which makes her even less of a prop for his argument. To have failed to uprate child benefit two years running is to give oneself, to say the least, a most unenviable record.

It is shameful not to have uprated child benefit in a year when tax benefit was showered on the rich. I also believe that it undoubtedly fiddles an election pledge. It has hit some of the least well-off people and it appears to have been done—my right hon. Friend will obviously not agree with this—not on the merits of the case but in pursuit of some obsessive dogma of curbing so-called public expenditure.

I welcome what my right hon. Friend said about what was being done to target more money to the least well-off. I would describe it as fairly good news that a third of the money that is illegitimately being saved on child benefit will be channelled to means-tested benefits, but as the Secretary of State knows—and as the Minister for Social Security in a previous debate implied—means-tested benefits are not in any way a substitute for child benefit. We need both universal and means-tested benefits—what has been described as "a judicious mixture."

Means-tested benefits can never be a substitute because, while the figures that my right hon. Friend gave were reasonably encouraging, family credit will not reach a great many people; the forms that they must fill in are too complicated, people will not understand them and what is proposed cannot be achieved. So means-tested benefit cannot be a substitute for the great universality of child benefit, which is its most important advantage.

I used the phrase "so-called" public expenditure. Figures that the Chancellor of the Exchequer gave me last year showed that 70 per cent. of the £4·7 billion expended on child benefit went to people who paid more in income tax than they received in child benefit. In other words, for those people, child benefit was a tax allowance. That is why it should be called a child allowance or child credit, and it should not come out of my right hon. Friend's social security budget.

In connection with the 70 per cent. of people who pay more income tax than they gain in child benefit, I should comment on the intervention of my hon. Friend the Member for Richmond and Barnes (Mr. Hanley), who wanted to be here but who has unfortunately been called away.

It is extraordinary that some of my hon. Friends should worry about child benefit going to the rich when they do not worry about greater tax cuts going to the rich. They do not worry, either, about mortgage tax allowances—far more of which go to the rich—or about superannuation tax going to that section of the community. They do not worry about far greater sums going to the rich, yet they get het up about £7·35 going to each child of the Duchess of Westminster. That is illogical and inexcusable, and such arguments will not wash.

What about the 30 per cent. of the people who get more in child benefit than they pay in income tax? For them it is a genuine cash benefit of an old-fashioned kind and is valuable to them. Would my right hon. Friend say which he is more proud of doing—cutting tax allowances for the 70 per cent. or cutting the cash benefit for the 30 per cent.? Neither seems to be a battle honour which anyone would wish to seek.

I listened carefully to my right hon. Friend's speech and I was pleased with what he said about the Government's record. But his comments did not answer the hon. Member for Birkenhead, who said that the Government were discriminating against families with children. There is no argument why other tax allowances should go up while this one goes down.

My answer to the invitation from the hon. Member for Livingston to vote with him is that the Opposition motion could not have made it easier for hon. Members on these Benches who favour child benefit. It is well worded and in a perfect world I have no doubt that droves of Conservative Members would vote for it—*[interruption.]*—although some of the more reactionary of them probably would not. In that perfect world we would vote purely on the words of the motion, which would create a nightmare for the Whips and probably make them redundant. Indeed, such a course might have even more important disadvantages.

[Sir Ian Gilmour]

But we do not live in a perfect world. We have party affiliations and so on, and they sometimes put constraints on us in the Division Lobby. I am far from thinking that one should be slavish in obeying the Whips and behaving like a party automaton, even on Labour Supply Days, which are more matters of demonstration than decision-making occasions.

I imagine that, if some new issue cropped up—this has probably happened to me in the past—I might vote with the Opposition on a Labour Supply Day. But this, alas, is not a new issue because this is not the Government's first offence. They are now hardened offenders in these matters. This has become a long-running saga. This is not an issue on which we need to demonstrate, because people know where we stand. When the Bill returns on Report, my right hon. Friend the Member for Aylesbury (Mr. Raison) and I and other of my hon. Friends will, I hope, table an amendment which will be in order, and on that occasion I shall vote for that amendment.

Clearly, one could not possibly vote against the Opposition motion, because it is totally unexceptionable. Equally, it would be extraordinarily difficult to vote for the Government amendment, which seems to be a threadbare piece of pathetic prevarication. I certainly could not vote for it.

The Government's action is deeply regrettable. In taking it, they have lost the high ethical ground of politics. They have forfeited any claim to be the party of the family —surely an expensive price to pay for a rather trivial piece of dogma.

5.36 pm

Mr. Charles Kennedy (Ross, Cromarty and Skye): I am sure I speak for all Opposition Members and, I hope, for at least several Conservative Members when I say that it was a great pleasure to listen to the remarks of the right hon. Member for Chesham and Amersham (Sir I. Gilmour). Moving from the higher ethical considerations to which he referred to the lower form of practical survival which tends to dominate considerations in my party, I shall have no difficulty in voting for the Labour motion at the conclusion of the debate.

I share the reaction of the hon. Member for Birkenhead (Mr. Field) and of the right hon. Member for Chesham and Amersham to the speech of the Secretary of State. Although *Hansard* may prove me wrong, by my count the right hon. Gentleman referred on no fewer than double-figure occasions to the way in which statutory obligations had obliged him to behave in the way he has on this occasion towards child benefit.

The Secretary of State pointed out at the Tory party conference last autumn that his was still the biggest spending Department of the Government. For such a Minister, commanding that degree of resource and decision-making effect, to refer half-heartedly, if not shamefacedly, to the way in which statutory obligations had boxed him into making a decision in this case, it must be evidence that he recognises that the strength of argument, moral and political, is not with him.

When giving figures, the Secretary of State went back sufficiently far in history to refer to dates when my mother was receiving child benefit for me. He erected legislative complexity to cover his ministerial complicity in this matter.

It is worth rehearsing the principles under which the scheme was supposed to operate. Child benefit was based on equity, in terms of being a tax allowance. Some Right-wing thinkers in Britain today refer to families having children as another example of consumer choice. As the hon. Member for Birkenhead explained, there is more to it than that. Children are an investment for the future for any nation and there must be a recognition by the nation that the burden of income must reflect the burden of social responsibility. In the longer term, the burden of social responsibility must be adjudged as resting emphatically with those who bring up the next generation. It is not enough to view the arguments about child benefit and the economic status which should be attached to children in terms of the distribution of wealth to families as falling somewhere between the decision to buy a Porsche or a compact disc player. To use the tone of the concluding remarks of the right hon. Member for Chesham and Amersham, decisions about child benefit are more ethical than that.

Much of the complex financial argument which the Secretary of State used ignores the founding principle that the purpose of child benefit was not necessarily in the first instance to target resources on the poor. He is hitting at a target which was never erected as the practical symbol of the benefit. The purpose of the benefit was to target resources on families with dependent children. Therefore, much of the Aunt Sally which the Secretary of State erects simply to knock down to justify his position is not the Aunt Sally that was erected in the first place by hon. Members of all political persuasions who supported the benefit in principle when it was first introduced.

Child benefit is, comparatively speaking in the social security system, cheap to administer, and it has a very high take-up rate. According to the figures quoted by the hon. Member for Livingston (Mr. Cook), the 60 per cent. or more of people who, for whatever reasons, are not taking up family credit to which they are entitled rely particularly on the automatic nature of child benefit support. Child benefit lifts low-income families out of means-tested benefits. The Government are supposedly committed to the family and to lifting people out of this dreadful, diseased and debilitating dependency culture against which we hear so much Right-wing rhetoric. Yet the freezing of child benefit for consecutive years runs counter to the principles on which it was founded and the principles on which the Government's policy is supposed to be founded and promulgated.

We also hear much about other aspects of social provision in this country—for example, health, education, social security and social services. We are told that we should look increasingly to the United States of America to see what the great enterprise culture is doing and, to some extent, apply any lessons which can be learned by adapting them to the British context.

America relies heavily on a means-tested benefit called aid to families with dependent children which is intended to help poor families. Studies have shown that, between 1973 and 1984, the income of families with children declined in real terms, particularly for low-income families, but also across the entire income range. In 1985 a report from the Congressional Budget Office stated that households with children account for more than two thirds

of all poor people in the United States, even though the proportion of children in the population had declined over the past 20 years. As the American experience is so often alluded to and attempts are made to incorporate that experience into the Government's processes, it is interesting to note that many American politicians are now arguing that they should introduce the equivalent of child benefit, which they refer to as family allowance.

Senator Moynihan has said that, among the major democracies, America is the only country without a child benefit. He said that some people might call aid to families with dependent children a family allowance, but it was typically paid to broken families. He said:

"Why not a family allowance to support the traditional family and help hold it together?"

That is the kind of sentiment that hopefully we would associate with all political parties and a sentiment which the Conservative party more than most would hitherto have sought to make its own. The fact that it can now be cited against the Government from the other side of the Atlantic is further evidence of the distance that the Government have placed between the rhetoric of what they claim to be upholding in terms of social values and the reality of the effect that their policies are having on social cohesion and the family unit.

I support the motion so ably proposed by the hon. Member for Livingston. By freezing child benefit, the Government will reduce the value of the band of tax-free income given by child benefit and therefore increase taxation on all families with children. Freezing child benefit will increasingly each year limit help given to families on modest incomes to whom the benefit is particularly important. The freezing will have a particularly severe effect on large families and it will offer less and less help to those experiencing family, domestic or economic crises. It will force more families into dependence on means-tested benefits and it will increasingly weaken the springboard from which the unemployed can move into independence. In short, it will intensify the poverty trap. For two years, successive Secretaries of State told us that those effects were the entire purpose of the social security reviews and the purpose of changing the social security system.

In the Green Paper "Reform of Social Security" published in June 1985 before the hearings, the consultation and the reforming legislation, the Government stated:

"The Government accept the case for continuing the system of child benefit. It is right that families with children at all income levels should receive some recognition for the additional costs of bringing up children and that the tax benefit system should allow for some general redistribution of resources from those without children to those who have responsibility for caring for them."

That principle and pledge has been thrown to the wind. The Conservative party—the party of the family—is now rightly viewed, whatever the result of the Division tonight, by the people of this country as the party that has manifestly and miserably failed the family.

5.47 pm

Mrs. Marion Roe (Broxbourne): Contrary to the suggestions of the hon. Member for Ross, Cromarty and Skye (Mr. Kennedy), the Conservative party and the Government have always been wholeheartedly committed to the family. We believe that the family is the basic unit of society and the key to social cohesiveness and happiness.

The policy on which the Labour party fought and lost the last election was indicative of its attitude towards the family and to economic policy in general. At that time, the Labour party argued for across-the-board increases in child benefit which would have cost nearly £3·5 billion. Instead of directing resources to families that really needed help, the Labour party wanted to tax everyone to subsidise every parent, whatever their level of income.

The Labour party's extravagant plans, had they been funded from increases in taxation, would have added 2·5p to the basic rate of income tax. That would have added £5 to the weekly tax bill of the average manual worker, robbing millions of ordinary working families of what was rightfully theirs, eroding incentives to work and stifling enterprise.

In pursuit of higher levels of child benefit, the Labour party seems to be oblivious to the violence that its proposals might do to other parts of the economy. The Labour party has learned precious little from its election trouncing. Its so-called review document "Social justice and economic efficiency" reaffirms Labour's commitment to increasing resources for child benefit whatever the indiscriminate effects and the costs to the taxpayer. It is instructive to note that under the Labour party's proposals for boosting child benefit, 40 per cent. of the beneficiaries, or 2·5 million families, would have gross incomes of more than £15,000 a year. Extraordinarily, 20 per cent. of families benefiting from increases in child benefit would have a gross income of more than £20,000 a year. Perhaps I should remind the Opposition that their deputy leader, the right hon. Member for Birmingham, Sparkbrook (Mr. Hattersley), described such individuals as the "bloody rich". He said that in *Tribune* on 10 May 1985.

The thought of the Labour party putting an extra 2·5p on the basic rate of income tax paid by working families throughout the country to raise the level of child benefit, 20 per cent. of which apparently goes to the "bloody rich", is rich in irony. The Labour party considers itself to be firmly opposed to taxing everyone to subsidise the rich. If only its policies matched its principles. Nor do I support the views of my right hon. Friend the Member for Chesham and Amersham (Sir I. Gilmour).

There is a more fundamental issue at stake. The Labour party continues to subscribe to the collectivist nostrum that the only way to raise the living standards of families on lower incomes is to give them more Government handouts. I believe that the best way to help those in need is to create conditions in which the economy can thrive, thereby ensuring that living standards and public services improve.

The last Labour Government pushed the standard rate of income tax up to 35p in the pound and the top rate to 83p in the pound, all in the name of what Opposition Members like to call social justice. The results were absolutely disastrous. A couple with two children living on just half average earnings saw their real take-home pay rise by just over 4 per cent. in the five years to 1978-79. The take-home pay of families on average earnings or above hardly rose in real terms, and, as my right hon. Friend the Secretary of State has pointed out, in many cases it actually fell. High taxes wrecked the performance of the economy and failed miserably to deliver a massive increase in benefit levels as would have befitted Labour's

[Mrs. Marion Roe]

supposedly egalitarian strategy. Despite the fact that the basic rate of income tax was one third higher under the last Labour Government, for almost the whole time Labour was in office, the real value of child benefit to families on average earnings was far below what it has been under this Government.

Mr. Alan Meale (Mansfield): I was interested to hear what the hon. Lady said about the Labour party's view that handouts to the poor are the only solution. Does she not consider that the Chancellor's most recent Budget, which consisted largely of a major redistribution of wealth and major handouts to a minority of very rich people in society, was a similar exercise in the opposite direction by the Conservative Government?

Mrs. Roe: I remind the hon. Gentleman that, as a result of the tax cuts, the revenue from taxation has enabled the Government to target more money to those in need.

Mr. Frank Field: Will the hon. Lady give way?

Mrs. Roe: No. I should like to continue and to enable more hon. Members to participate in the debate.

The plain truth is that the last Labour Government's much-vaunted "caring" strategy failed on both counts. It failed to deliver economic success, leaving living standards stagnant or falling for millions of families, and it failed to deliver the big increases in benefit levels that Labour has always claimed are necessary. That was Labour's "family" policy.

On the basis of what we know about its current policies, today's Labour party is just as keen to repeat in the 1990s its failures of the past decade. By contrast, the Government's policies have gone to the very heart of the problems that Labour failed to tackle in the 1970s. Today we are enjoying our eighth year of steady economic growth, the longest period of sustained growth since the war.

Growth on that scale has lifted living standards and benefits to the needy to record levels. Since 1979, a married couple on half average earnings and with two children have seen their take-home pay increase by 23 per cent. in real terms. Families on all levels of the earnings scale have seen big increases in their living standards under the Conservative Government. It is no wonder that more families than ever own their homes, can buy shares and are taking foreign holidays. The plain truth is that the best family policy is one which creates a prosperous, dynamic economy in which living standards are rising rapidly. Thanks to the buoyancy of tax revenues, the Government have been able to target more help than ever to the families who need it most.

Anyone with a modicum of common sense knows that a large proportion of any increase in child benefit goes to the families that have benefited most from our policies of cutting income tax rates and raising personal allowances. Moreover, as my right hon. Friend the Secretary of State has mentioned, the poorest families on income support would gain nothing at all from an increase in child benefit, and neither would those claiming family credit. Using increases in child benefit to raise the standard of living in the most needy families is about as cost-effective as using a cruise missile to dislodge a coconut in a shy.

The Government have shown their commitment to helping poorer families through the generous funding of family credit. Family credit is particularly valuable because it offers families with children a helping hand out of dependency and into the world of work. It is also an effective way of tackling the poverty and unemployment traps because it extends a relatively long way up the income scales. A person earning £9,300 a year with two children aged 12 and 14 will still be eligible for family credit next year. I understand that at the end of last year the Department of Social Security had received almost 500,000 claims for family credit and had made some 300,000 awards. That is a promising start, but I hope that my right hon. Friend the Secretary of State will assure the House that no effort will be spared in bringing the scheme to the attention of more families. Family credit is an excellent way of helping needy families; it deserves the widest possible publicity.

The 1970s proved decisively that Socialist policies of intervention, planning and redistribution are utterly incapable of delivering the improved public services and rising living standards on which the quality of life in ordinary families so crucially depends. By contrast, the 1980s has been a decade of increasing prosperity and choice for families on all levels of the earnings scale.

5.58 pm

Mr. John McFall (Dumbarton): Child benefit is currently £7·25 per week. To maintain its present value, it should be £7·70 and to make good the April 1988 freeze it should be £8. Taking into account compensation for the lack of a real rise in November 1985 it should be £8·35; that is more than £1 a week more than it is now. The undeniable consequence of this situation is that it will increase the poverty trap and tilt the balance away from the carer.

The question in our minds tonight is why do the Government retain child benefit? Is it simply because they do not have the moral courage to admit that they are abandoning it? But to be charitable, we will investigate some of the areas in which the Government might have a good case. Let us consider economic, social, political and ideological factors. The economic factors have been well rehearsed by the Government and by the Opposition.

There is a £5 billion Budget surplus. The Government's public expenditure target has been achieved—so much so that they are now paying back part of the national debt. From the Government's point of view there is a sound economy, yet they are not increasing child benefit, and that has dire consequences for families.

The Government like to remind us that they are a tax-cutting Government. That is perverse. Since 1978, the tax burden of the average person has increased. The latest figures given by the Government in the past few weeks show that the tax burden for a married man with two children, on average earnings of £254 a week, has gone up from 35·1 per cent. to 37·3 per cent. The message to be gained is that the poverty that we see today is tax-induced, and the Government have taken no notice of that.

We are now dealing with the consequences of the Social Security Act 1986, the most fundamental reappraisal, we were told, since Beveridge and one that will keep us on course for the next 40 years as Beveridge had done for the past 40 years. Sad to say, the Social Security Act is a disaster for family policy. Only last year, by an

amendment to the Act, the Government denied 220,000 —almost a quarter of a million—mothers and children entitlement to welfare food and free milk. The consequences of that are to be seen in my constituency. A few weeks ago, I wrote to the director of education. He informed me that from August to December this year there had been a reduction in the number of children taking free meals. The figure was 8,600 a year ago, and it is now about 6,000. That is a reduction of about 25 to 30 per cent.

Does that match what we see day in and day out in our constituencies and our surgeries? Since April, we have dealt with the unremitting consequences of the 1986 Act. Week by week we have witnessed the qualitative degeneration of life. Tensions, crises of conscience, and heartaches have been caused by a lack of economic freedom. That is what mothers tell us in our surgeries week in and week out.

Appeals have been made to Tory Back Benchers. Surely they must be hearing about the same problems. They owe a duty to their consciences and to their constituents to refer such problems to the Government Front Bench. I shall be charitable—at least some of them must know what is going on in the real world, even though they do not live in it. These things are happening every week. Each time child benefit is frozen, more families go into family credit. That has political consequences.

The Government tell us that the Social Security Act 1986 is a targeting measure. The hon. Member for Broxbourne (Mrs. Roe) mentioned the word "targeting" with pride. What does targeting mean? It is a nice description that gives the impression that benefits go to the right people. That is not the case. Targeting increases means-tested benefits. It does not hit the target. It destroys self-reliance and self-esteem and, more important politically, it increases dependency.

Let us leave the social, ethical and moral aspects aside and consider the reality. Forty years ago, a couple with two children paid no net income tax unless the father earned the equivalent in 1988 prices of £250 a week. Today, an individual pays more in tax than he receives in child benefit when his earnings reach £137 a week. To underline the dependency argument, I refer hon. Members to the Minister's reply to my hon. Friend the Member for Birkenhead (Mr. Field) on 28 July 1988. The Minister said:

"After the addition of benefits, the net income of a hypothetical married couple with four dependent children . . . paying average rent and local authority rates, would be £123·25 at gross weekly earnings of £75 . . . Prior to the reform of social security net income at £75 gross earnings would have been about £127."—[*Official Report*, 28 July 1988; Vol. 1459, c. *509*.]

If that individual's wage is more than doubled from £75 a week to £165, he will receive only £17 a week more. That says everything about the Government's Social Security Act 1986 and about targeting. There is no conclusion other than that targeting increases means testing.

The latest figures for 1985 show that 4 million people and families are living on the poverty line. That is double the 1979 figure. Also, 2·25 million children are in poverty. That is nearly double the 1979 figure. We get that information from the low-income statistics that the Government are wilfully stopping from now on, because they do not want people to know the real situation.

Therefore, one examines an aspect of the Government's ideology and says, "If they are freezing child benefit and putting more on means test as a consequence, why do the Government go ahead with it? Did the Government know what they were doing?" When the Secretary of State explained it to the Prime Minister and the other members of the Cabinet, was there unanimous support? Was a majority in support? Was it done in the knowledge that the consequences were an increase in means-tested benefits, because it goes against the rhetoric? Or was it done in ignorance? If it was done with full knowledge, the Government are guilty of nothing less than political mendacity. If it was done in ignorance, they should take the opportunity to look again at what they did. Was the Cabinet decision unanimous? Was it taken at full Cabinet level or by a sub-committee of the Cabinet?

By not increasing child benefit the Prime Minister has demonstrated that she is interested only in a small constituency—the top 1 per cent. Individuals such as Sir Ralph Halpern will gain £4,800 a week as a result of the Government's tax cuts—enough to keep 60 families of four individuals on income support. The Prime Minister has gone to Scotland to state her ideology over the past year. She has used the platform of the Church of Scotland to put her case and to tell us to stop moaning and to get on with it. I shall quote selectively from the New Testament, in just the same way as the Prime Minister does. I refer to St. Mark, chapter 10, verses 13 and 14. The disciples were dismayed by the people who brought children to Jesus. He rebuked them and welcomed the young ones, saying

"Suffer the little children to come unto me".

That quotation is appropriate. To put that remark in a contemporary context, the Government are echoing the words of the New Testament, but in a perverse manner, by telling young children and their parents to suffer, but to suffer in silence, because the Government are not putting up child benefit. The Government want them to suffer away from the public gaze, because they are too preoccupied with their own narrow constituency. That is the gospel of St. Margaret for the Sir Ralphs of this world. That is the Government's message. By their deeds you shall know them. The Government have made that crystal clear by their de facto abolition of child benefit.

6.7 pm

Mr. John Marshall (Hendon, South): I have been surprised by Opposition Members' speeches. They have ignored the basic conundrum of our social security system —that, at a time of record spending on social security, some of our fellow citizens live in shameful squalor. The reason for that deplorable state of affairs is simple: the vast bulk of our social security expenditure is non-selective. Surely it is wrong that, for every pound spent on family credit which goes to those in need, £11 should be spent on child benefit which is non-selective. Surely it is a strange state of affairs that £406 million is spent on family credit, but £350 million is spent on child benefit going to taxpayers paying more than the standard rate of income tax.

Last year, Opposition Members wrongly criticised the community charge, saying that it would bear equally on the dustman and the duke. However, tonight they are asking that the dustman and the duke get the same increase in child benefit. They said last year that the Budget tax concessions were unnecessary, but 80 per cent. of those who would benefit from an increase in child benefit are taxpayers. Of those, 500,000 pay tax at the higher rate.

[Mr. John Marshall]

This debate is not about the relief of poverty. Anyone who is concerned about that should merely ask one question: is it better to spend a given sum on family credit, which goes only to the needy, or should that money be spent in uprating child benefit, which goes equally to the scholar at Eton and to the child in a single-parent family? As the hon. Member for Birkenhead (Mr. Field) said, is it right that, at a time when a large majority of people enjoy far greater prosperity, everyone should be given higher child benefit? Is it right that, for every £1 spent on family credit, £11 is spent on child benefit?

The Opposition's strategy is not to cure poverty in the family, but rather to hanker after a non-selective benefit. At the last general election, the Conservative party made a promise that child benefit would be paid, as now, to the mother. I hope that my right hon. Friend the Secretary of State will come forward at the next election with a different promise—of a root-and-branch reform of child support. The present system is inadequate because it often leads to money being given to parents who do not need it, whereas those in real need and poverty are given an inadequate amount.

Dame Elaine Kellett-Bowman (Lancaster): I hope that, in talking about root-and-branch reform, my hon. Friend is not suggesting that child benefit should be taken away from the mother.

Mr. Marshall: I love my wife too much to suggest that ladies should have that money taken away from them. I am suggesting that the money should go to those in greatest need rather than to everyone, as it does under the present system. That does not deal with the problem of family poverty, which is an insult to a civilised society. By hankering after a universal solution and giving the same to everyone, the Opposition would guarantee the continuation of poverty. It is only my right hon. Friend's policies that give those in greatest need any hope of escaping from the present trap.

6.13 pm

Mr. Jimmy Wray (Glasgow, Provan): The Secretary of State is taking us down memory lane. Obviously, he does not live in the real world. Child benefit, which is paid to every mother, is a lifeline for my constituents. I only wish that some Conservative Members would realise what the Tory Cabinet is planning. It intends to take away child benefit, and it is dishonest of the Secretary of State to say otherwise. We know that £203 million has been saved in the past year by freezing child benefit. Where did £133 million go? In improvements in the other means-tested benefits, the Government paid out only about £70 million. The freeze is not intended to help the poor or poor children, but to help the Conservative party. It has helped to fill up the vaults and safes where the Government have put the money they have saved by making cuts over the past 10 years.

The Opposition are especially disgusted and dismayed by the begging-bowl society that is being created. We do not want means-tested benefits, and that is why we favour child benefit. No labels or stigma are attached to child benefit. The benefit is claimed once and then paid until the child becomes an adult. Labour Members know what poverty is like. We live with it every day, and when we look around us we see children and youngsters who receive no benefit under the system that the Government have introduced.

Denmark has had a change of heart. In July 1987, the Danes opted for a child benefit system because they felt that it was much fairer. They reckon that 1 million children in some of the poorest families may lose because of a low take-up of family credit. My hon. Friend the Member for Livingston (Mr. Cook) has made it clear that, in talking about targeting and ill-targeted benefits, the Secretary of State does not favour child benefit. When the Secretary of State made his statement in October 1987, he mentioned that child benefit was ill-targeted, so he believed that it needed to be reviewed and changed.

The Secretary of State also made a statement about family credit, of which he said that there would be a 70 per cent. take-up. He was wrong: there is still only a 54 per cent. take-up for family credit. People on family credit are subjected to snoopers. These snoopers receive memos from the Department of Social Security which clearly state that, when defaulters are taken to court, the snoopers should ensure that the judge reads their diaries and notes, because the people with whom they are dealing are wholly ignorant and inarticulate. If the snoopers need other assistance or resources, they can go to the depot and collect their spying glasses, wellington boots and cameras. That is the society that the Government ask us to accept and those are the memos that are given to snoopers. That shows how much the Government care about the poor. They must change their attitude on child benefit and lift the freeze. They should pay £8·25 a week to bring child benefit up to its proper level.

6.17 pm

Mr. David Madel (Bedfordshire, South-West): The Government amendment to the Opposition motion is more an addendum. I welcome what the Secretary of State has said about the additional resources to be provided from April for low-income families with children, although the goal of higher take-up of the new family credit remains a challenge. I am sure that other organisations can help and encourage people to claim family credit, and I am sure that the claim forms could be simplified in due course. It is not easy to obtain benefit nowadays, because benefit offices are vigorously thorough in processing claims and one must not run away with the idea that new or existing benefits are easily claimed.

I welcome what my right hon. Friend the Secretary of State has said about child benefit. I welcome the fact that the Government will keep child benefit and that my right hon. Friend will review it every year, as is his statutory duty. Helping families has always been a major item in the social programme of Conservative Governments. When the Conservative party has been in opposition, helping the family has always been a major plank of its policy at elections. Child benefit is a popular benefit, with virtually 100 per cent. take-up. It plays an important part in strengthening family stability and it is a great reassurance to mothers if family circumstances change abruptly for the worse—as they often do, alas—to know that child benefit is coming through.

A more serious point is that there is widespread evidence of the extent to which the divorce and separation rate has increased. It is increasing in all parts of the

country, regardless of whether unemployment is increasing or decreasing. It is a great reassurance to mothers in personal difficulties, which are unsettling, to know that one easily claimable child benefit will continue to be paid to them without any bureaucratic hassle. Within this general background of increasing family break-ups and tensions, it is surely not in the national interest that child benefit should fade away because of inflation.

Much has been said and written about targeting, and one should say right at the outset that, if the target of child benefit is to help mothers and their families, that target has been reached effectively. We must accept that it is not possible to have absolute precision in all benefits and, although one entirely accepts that some social security benefits must be means-tested, there is a danger in taking the theoretical argument too far. My hon. Friend the Minister for Social Security who, alas, is not in his place will recall the late Iain Macleod's advice to the Conservative party: when getting on a train to the land of political theory, it is important to get off before it hits the buffers.

I should like to give two examples of universal benefits that are claimed almost 100 per cent., although there could be a theoretical argument for having some selectivity for them. The personal tax allowance and the married man's tax allowance are claimed almost 100 per cent., although one could argue that, because of today's high earnings, there should be some selectivity. Subsidised school meals are claimed in many areas of the country; that is, where local education authorities provide them. However, it could be argued that children from better-off families should not enjoy the advantage of subsidised school meals. Any attempt to change the universality of those two provisions—subsidised school meals in particular—would cause uproar and would be a bureaucratic nightmare.

From the practical point of view, trying to tie a graduated system of child benefit to the mother's earnings would be another tax and bureaucratic nightmare. Apart from anything else, it would completely contradict the Government's policy, which has been successful and welcome, of creating a sharp growth in the number of self-employed women for whom earnings fluctuate sharply from year to year. Changing to some form of graduated system would run clean contrary to the Government's general economic policy of encouraging more women into part-time work, which is vital to sustain economic growth. As we have fewer and fewer school leavers and as we get nearer to 1992, the part-time work of women will be vital for us in meeting the challenge of 1992 and the economic benefits that that will create.

The economic benefits of having more women in part-time work could easily pay for the cost of unfreezing child benefit. My examples show that, although targeting child benefit is theoretically interesting, practically speaking, it is hopeless.

In 48 hours, Mr. Bush will be inaugurated as the 41st president of the United States of America, having been swept to power partly for saying that he wanted to create a gentler and kinder America. By building on the social security changes of the 1970-74 Conservative Government and by extending and developing those changes, the Government have done much to create a gentler and kinder Britain, but we would make faster progress in that direction if child benefit were unfrozen.

6.22 pm

Ms. Mildred Gordon (Bow and Poplar): Thank you, Mr. Speaker, for giving me this opportunity to speak in favour of increasing child benefit in line with other benefits. I welcome the comments of the hon. Member for Bedfordshire, South-West (Mr. Madel) and hope that many Conservative Members will have the courage of their convictions and vote for the motion and against the amendment.

It is an indisputable fact that child benefit is being constantly eroded by inflation and that £7·25 does not go very far as an income supplement. In many areas more than half of that £7·25 would be needed just to pay for school meals.

I well remember when I was bringing up only one child the nightmare of paying just for footwear. I was a part-time teacher and my husband was a printer so we had quite a good income, but so that my son could take full advantage of his school curriculum, he needed a pair of ordinary shoes, a pair of plimsolls, wellington boots, football boots, tennis shoes, and climbing shoes and he grew out of all of them every few months and they had to be replaced.

The other day the Under-Secretary of State for Social Security recommended that pensioners buy second-hand clothes at jumble sales. I hope that no one will advocate buying second-hand shoes for children. Unfortunately, parents often have to do so and, as a result, their children's feet are ruined. Even if they have reasonable earnings parents need a much bigger supplement to their income —much more than £7·25 per week per child.

Women note that, although the Government are so grudging about child benefit, they always seem to find the money for military spending, for example, £1 billion for modernising tanks. If one asked most of the women in this country, they would say that they wanted more money for life, not for death.

As has already been said, child poverty is rising. The Child Poverty Action Group has shown that more than one in five children are in families living below the poverty line.

The universality of child benefit is important. The hon. Member for Hendon, South (Mr. Marshall) said that the benefit should be selective and referred to dustmen and dukes. I remind him that we are talking about women, not about dustmen and dukes, as a few lines from a letter referred to in an article in *The Independent* makes clear. It states:

> "As a woman with two children who had a husband earning £250 per week who provided us with nothing, the only way we survived was with our child benefit, and that was only because he couldn't get his hands on it."

So much for selective benefit. It is universal benefits that help women and we are talking about women who are trying to take care of their children.

Child benefit is also important as a form of recognition for women. Another woman wrote to *The Guardian:*

> "I am a single parent with three young children and I am dependent on Income Support. As such, I do not benefit financially from Child Benefit because . . . it is deducted at source from the Income Support I am entitled to. However, I feel at least that the child benefit is my money, that it is my right to receive it, that I would get it regardless of my financial situation, and it makes me feel less dependent on state means-tested benefit.
>
> Perhaps I am foolish but psychologically it is useful. When my youngest child is at full-time nursery or school, I will do my utmost to return to work although it may have to be

[Ms. Mildred Gordon]

part-time employment. Knowing that I will have my Child Benefit to boost my income will be an incentive to return to work."

The woman goes on to say that in the future her taxes will contribute to many kinds of tax relief, including, for example, mortgage interest relief, in which she is not interested. She therefore feels that people without children should in principle have to contribute towards the welfare of people with children because it is the children who are the future of this country.

Child benefit is also an insurance for mothers. Often men walk out and leave their families penniless, but the mother knows that she has the benefit book and that she can therefore at least provide food for her children until she can get more help. As has already been said, the take-up rate of child benefit is good whereas targeted benefits do not always reach their target. Less than half the poor families in this country get all the benefit to which they are entitled either through ignorance, pride, or bureaucratic stumbling blocks. The fact is that targeted benefits do not work as well as universal benefits.

I often talk about harmonisation in Europe and I should like to quote the comparable figures. In Great Britain a mother of three receives approximately £87 a month in child benefit, which is very little recognition for her role as a carer. In West Germany, the benefit is £125; in Luxembourg it is £198, which is more than double what mothers in Great Britain receive; and in France the figure is £257.

I ardently support the motion. Child benefit should be increased in line with other benefits as a start to recognising the value of women's work in bringing up children.

6.29 pm

Mr. Robin Squire (Hornchurch): Time allows me to make only two or three brief points. We switched to child benefit many years ago, partly because the old child tax allowance could not benefit the poorest.

The poorest are now, by and large, protected, but two specific categories are losing out. The first is the majority of those eligible for family credit, because, as we have heard from the figures given today, only a minority of those are claiming. The second is those paying income tax at the standard rate and earning just about the level of family credit, who received no increase, but many of whom in fairly limited circumstances are looking after children.

I welcome, as I am sure do all hon. Members, the fact that there is a major campaign under way to increase take-up of family credit. However, until the take-up is at least twice the present level it is surely not credible to base our support for families on that system. That simply does not add up. I again urge the Government to reconsider their policy in that respect.

My right hon. Friend the Member for Chesham and Amersham (Sir I. Gilmour) rightly mentioned that we have a selective amnesia about child benefit as against reductions in taxation. Of course, he is right. However, it goes a little further, because, as he rightly said, we look for a mixture of means-tested and universal benefits. When my right hon. Friend said that, several hon. Members nodded. I nodded and so, too, did my right hon. Friend the Secretary of State. If every time we have a universal benefit we tear it apart by saying that sometimes it will go to people who earn a little more than others and, therefore, that invalidates it, we will end up with a system that has no universal benefits. It will have only selective benefits, and the poverty and employment traps will be horrendous to behold.

6.31 pm

Mrs. Margaret Beckett (Derby, South): This has been an interesting debate, and in some respects a strange one. I listened carefully to what the Secretary of State said. During the 1983-87 Parliament I became inured to the idea that in the Conservative Government, of which I had previously not had experience, Ministers talk much more of previous Governments' records than their own. However, it is said that hope springs eternal, so I nurtured the illusion that in the Parliament of 1987 and beyond perhaps that phenomenon would cease. Clearly, that was a mistake.

I begin by mentioning something that the Secretary of State said about the Government's record and a point about which he became quite emotional. I believe that he thumped the Dispatch Box, or came as near to doing it as any Secretary of State ever does. He said that he was not prepared to put the economic success of the Government in jeopardy. The clear implication of his remarks was that to increase child benefit at all would mean putting that economic success in jeopardy.

I found that an extraordinary remark for many reasons, but I want specifically to mention two. In the Budget before last, I listened to the Chancellor—it was not long after the decision to freeze child benefit had been announced—telling us in his playful way how he liked to entertain himself in each Budget by abolishing some little obscure tax of which no one had ever heard. He felt that it was a perk that went with the job. He listed two or three minor and capital taxation changes and one or two others, and indicated that the lost revenue to the Treasury from those changes would be between £100 million and £120 million. That was the very sum that he had not been able to spare that year to increase child benefit. Of course, in last year's Budget, as a result of changes to inheritance tax and inheritance tax relief, precisely 2,000 wealthy people benefited instead of 12 million children because those changes cost the same amount that would have been needed to increase child benefit in line with inflation. We can dispense, therefore, with the emotion of the Secretary of State when he tells us that he is not prepared to jeopardise the economic success of the country. If it can be jeopardised for 2,000 already wealthy people, it will not do much harm to give more to 12 million children.

The Government's argument about child benefit now, as opposed to comments made in the past by senior members of the Government, appears to be based on three assumptions. My hon. Friend the Member for Birkenhead (Mr. Field) laid the first one very ably before us. It appears that the Government, and perhaps some of their Back Benchers, may no longer be committed to financial support specifically for families with children. The Government claim to recognise, nevertheless, the difficulties that withdrawing that support might cause to families on especially low incomes. They further claim that they are dealing effectively with those difficulties and are putting special emphasis on families in low-paid work.

Secondly, the Government appear to have decided to give effect to their apparent decision that child support

should go only to the poorest by switching funds from universal child support through child benefit to pay for the improvements, of which they boast, in help for the poorest families with children.

Thirdly, the Government appear to have decided—this is an important point, which has been mentioned by hon. Members, especially the hon. Member for Bedfordshire, South-West (Mr. Madel)—to ignore the evidence, which they and their predecessors have found compelling for at least 10 years, that the overall income being received by a family unit is not necessarily a clear, simple and direct guide to the distribution of that income within that family. I say that the Government have decided to ignore that because I know of no study—the Government have not cited one—that suggests that this is no longer a problem. Indeed, anecdotal evidence continues to roll in, especially from women, suggesting that there is still a problem over the distribution of income within a family. It does not occur only when there is family breakdown; it occurs on a more day-to-day basis. It is crucial that a regular income of a known size should go into the mother's pocket.

The Government's overall approach is not only flawed in theory, but is more than a little dishonest in its execution. We believe that it is strange that this is the only Government in Europe, if not in the developed world, who appear wilfully to give no recognition to the contribution made to society and to the future of all citizens by those who are able to and choose to have children. To abandon the idea of general child support would be an extraordinary and far-reaching decision, but it appears to be one that the Government are considering.

The Government, having apparently decided to renege on the principle of universal support for families with children, are boasting of the extra support that they are giving to such families. A number of Conservative Members who spoke in support of child benefit have, nevertheless, not only welcomed the support that the Government claim to be giving to poorer families, but felt that the Government's case in that respect was to some extent justified. Of course, the Government have used that argument to justify the freezing of child benefit in cash terms—in other words, cutting it in real terms. They say that some of the money—one third on the last occasion—has gone to children in the poorer families, and the Government emphasise that it goes especially to families in low-paid work.

In view of the odd questions that my hon. Friend the Member for Livingston (Mr. Cook) was asked earlier, I should make it clear that the Opposition believe that families with low incomes and in low-paid work should receive extra support, but we do not believe that that should be at the expense of other families with children, many of whom may be only slightly better off.

Does the Government's claim that they are giving extra resources to the poorest families stand up to close examination? On more than one occasion we have drawn the House's attention to the fact that the poorest families on income support are worse off than they were in April 1988 because of the net effect of all the Government's changes. They remain worse off in net terms even after the extra money that was released by the freezing of child benefit; at least that money did not go to the Treasury.

In these debates the Government usually concentrate not on the money going to those on income support but on the money that goes to those entitled to family credit. My hon. Friend the Member for Livingston and a number of other hon. Members have dealt with how that principle is cast into doubt by the low take-up of family credit and the fact that that means that many who are losing from the child benefit freeze are not gaining from family credit.

But even families who claim family credit are in many cases not, as the Government seek to imply, better off than they were before the April 1988 changes or before child benefit was frozen. Figures recently released to me in reply to a parliamentary question show that families in the lowest paid work—those who stand to lose on the swings of housing benefit cuts what they gain on the roundabout of family credit—are still, after all the Secretary of State's boasts of increased money, worse off in cash terms, never mind in real terms, than they were before the social security changes in April last year.

The answer to which I refer shows that a family, with two children aged four and six, paying average housing costs is worse off in cash terms at earnings up to £100 a week than it was before April 1988. So, too, is a family with three children, and a single-parent family whether that parent is in full-time or part-time work.

The Minister for Social Security and, in particular, the Secretary of State have said on many occasions how much they dislike people being trapped into dependency. It has been pointed out to him by more than one hon. Member today that freezing child benefit draws thousands more families into dependency on means-tested benefit. The scale of that dependency is shown by the figures that I have just given and by the way that benefit is withdrawn from such families as their income rises.

In the lower category of the cases I have quoted—those whose earnings are between £60 and £100 a week—the net increase in their income will be less than 50p and in some cases as low as 25p a week from a gross increase of £10. Were anybody to be successful—no doubt they would have to change their job—in obtaining the full increase of £40 a week, the net benefit at the end would be the princely sum of £1·37. I shall repeat that for hon. Members who cannot believe their ears. They will be £1·37 better off net as a result of a £40 increase in gross earnings. That is what a tight withdrawal of means-tested benefit means when the Government claim that they want to help only the people in the greatest need.

I repeat that families on incomes of up to £100 a week are worse off in cash terms than they were in April 1988, and that is without taking into account the losses that have resulted from, for example, the withdrawal of free school meals which will make them £5 to £6 a week worse off.

There is one other aspect of those figures to which I want to draw the attention of the House. A number of hon. Members who have spoken in support of the Government—I accept that there have not been many, even, I hasten to add, on the Conservative Benches—have said that they think that the direction of Government policy is right. I am fairly confident that many of those hon. Members do not appreciate how tightly their Government are drawing the net of means-testing.

Let me give one example. Many hon. Members will recall the many occasions on which Ministers at the Dispatch Box have spoken of housing benefit going too far up the income scale. The same figures to which I am referring show that a two-child family in low-paid work loses all entitlement to help with rent or rates when its gross income reaches £90 a week. A family with £90 a week is considered by the Government, in how their income scales work, to be sufficiently well off to need no support

[Mrs. Margaret Beckett]

with housing costs. I caution hon. Members who think that it is all right to make theoretical speeches about how there is no harm in concentrating help on those in greatest need to take a much more careful look at precisely what their Government mean by those terms.

I shall save the Minister time and trouble by accepting that the figures that I have given are not necessarily representative because there are variations in housing costs, and so on. But I mention in passing that they at least reflect the position of families who are paying average levels of rent and rates which is more than can be said of the leaflet "Better off in work" published by the Government which uses below average levels of rent and rates, no doubt because they make the figures look rather better. At least the Government figures that I am quoting have the merit of reflecting the position in average circumstances. Again, the figure for average rates is the one that the Government use in setting levels of income support, so presumably they do not consider it inadequate for those purposes.

All in all, there is little doubt that a careful look at the figure shows that, whatever the Government claim, families in the lowest-paid work are not better off because the Government have frozen child benefit. The net effect of the Government's policy means that they are still substantially worse off.

The right hon. Member for Chesham and Amersham (Sir I. Gilmour) said that by freezing child benefit for the second year running the Government have forfeited their claim to be the party of the family, and I agree wholeheartedly. But I have no doubt that the Government will argue that they have merely rewritten the terms of that claim. I hope that I have been able to show that even in the terms of that rewritten claim the Government still cannot claim to be the party of the family, unless one takes the view of the former Under-Secretary, now the Chief Secretary, who said during the last but one debate on this subject that it did not matter that the Government were not increasing child benefit because they gave the family ,moral support. He was not able to quantify that sum on a weekly basis.

If child benefit is frozen to release money for tax cuts, as many hon. Members have said, it is the better-off, not the worse-off, who will get the best of the bargain. Everything in the Government's record suggests that that may be the Government's idea. Many families in low-paid work pay no tax. Many more pay far less in tax than they receive in child benefit. So the balance of advantage so far, in that respect at least, is still with them. That is where the Government claim they want it to remain.

If child benefit were abolished and the money was given to fund a cut in the rate of income tax, every two-child family with an income below £28,000 a year—that leaves out of account any allowance that it may have to offset against a mortgage—would be worse off. I remind Conservative Members that that would include Members of Parliament.

My hon. Friend the Member for Livingston challenged the Secretary of State to justify increasing the universal tax allowance paid to married men by 22 per cent. and cutting child benefit in the same period by 13 per cent. The Secretary of State was so engrossed in his history lesson that he overlooked the reply that I am sure he had to hand. We now challenge the Minister for Social Security to justify the difference between the treatment of the universal married man's allowance and the universal child benefit.

I was sorry to hear the right hon. Member for Chesham and Amersham say that he and some of his hon. Friends might not vote with us, but I was pleased to hear that they might do so on another occasion. Nevertheless, I appeal to the right hon. Gentleman and his hon. Friends, not only to consider carefully whether that is the right decision, but to take the argument into the enemy camp—if I may so describe his Government—and to seek between now and the next debate on these matters to win over more of their hon. Friends to our side and to their side of the argument. After all, 12 million children are waiting on their answer.

6.48 pm

The Minister for Social Security (Mr. Nicholas Scott): At the beginning of his speech, my right hon. Friend the Secretary of State examined with some care the Labour party's record on child support. It appeared to be an experience not greatly enjoyed by Opposition Members. I can understand their embarrassment, which seems to be reflected in the attendance at this debate on an Opposition day. The bulk of the Labour party seems to have little stomach for an exchange of views and records on this subject.

In a sense, I agree with the hon. Member for Derby, South (Mrs. Beckett) that this has been a strange debate, not just because of the attendance, but because there seems to have been an emphasis in the discussions across the Floor of the House and between Conservative Members that we are being asked to decide whether to index or to destroy child benefit. I utterly refute the idea that that is the question we are considering.

I want first to deal with a number of points raised in the debate. My right hon. Friend the Member for Chesham and Amersham (Sir I. Gilmour) overstated his case. I hope that on reflection he will decide that some of the words he used—although in the gentlest of tones—to describe the Government's policy in this area were inappropriate. It is not true that, by not uprating child benefit, we shall hit the least well-off. As my right hon. Friend knows, if we uprated it, other benefits would be adjusted accordingly, so no benefit would flow to the least well-off families. I expect exaggeration from Opposition Members, but at least within our own party we should define the Government's policy accurately. So I hope that my right hon. Friend and others who may be inclined to support him will examine the overall record of the Government over the past few years in respect of low-income families.

Government expenditure on family income supplement, family credit, supplementary benefit and income support and housing benefit for lone parents shows their commitment to supporting such people. At 1988-89 prices, that expenditure in 1986-87 was £2·69 billion; it was £2·917 billion in the following year and £3·159 billion the year after that—increases of 8·4 per cent. and 8·3 per cent. year by year in real terms, and a real increase of 17 per cent. between 1986-87 and 1988-89. Those are large increases, ahead of the rate of inflation, and they show our commitment to supporting low-income families.

My right hon. Friend the Member for Chesham and Amersham raised two other points. He said that the forms that we were using were long and complicated. I

acknowledge some truth in that; we are looking at them carefully to determine whether they can be shortened and simplified. Against this criticism, it must be said that 500,000 claim forms have been completed and sent in for family credit, of which 70 per cent. have been successful. Nevertheless, we shall see whether the forms represent a disincentive to claiming.

My right hon. Friend appeared to accept the point I had made in earlier debates—that it is not a matter of all or nothing in terms of income-related or universal benefits. I have used the phrase "judicious mixture", and my right hon. Friend seemed to accept that as a sensible target. Hon. Members who accept it as such should examine overall levels of child support for 1988-89, which show that we shall spend rather more than £8·5 billion across the board, of which rather more than £4·6 billion will be spent on child benefit. That seems a fair reflection of a judicious balance between the use of income-related and universal benefits.

The hon. Member for Birkenhead (Mr. Field) suggested that I sum up the debate in gentle terms. He cooed like a dove towards some of my right hon. and hon. Friends, but I was glad to hear that they intend to resist the temptation to join him in the Lobby. He mentioned comparative rises, questioning, rather than asserting, information about the living standards of families with and without children. He should compare such information with the reduction in real standards of living under the last Labour Government, and listen to this information about the Government's record.

From 1979 to 1985, average living standards of couples with children improved by 8·6 per cent. Living standards of couples without children rose by 5·9 per cent., and those of single people without children by 5·5 per cent. So living standards of families with children undoubtedly rose faster than those of families without them, and faster than those of single people. I hope the hon. Member for Birkenhead will take that information away and, wearing his other hat, find supporting evidence for these figures, by which I am content to stand.

My hon. Friend the Member for Broxbourne (Mrs. Roe) spoke a great deal about the—as she called it—indiscriminate nature of child benefit and about how it is important to look at social policy in the round, in the context of economic policies. It is correct that we have provided a massive increase in overall social security provision, which has been possible only because of the economic success that we have managed to achieve.

I come now to the remarks of the hon. Member for Livingston (Mr. Cook). The first, mentioned by others in the debate, must be rebutted immediately. It is that our provision for and recognition of the costs of bringing up children do not compare favourably with those of other countries. The record within the European Community shows that, for two-parent families with one child under the age of two, the United Kingdom ranks second only to the Republic of Ireland in its child benefits payments. For two-child families, both children being under the age of six, we rank fifth in the EEC, behind Ireland, Belgium, Luxembourg and Italy. But it is worth reminding ourselves, in the context of child benefit payments, that Germany, Greece and Italy all means-test for child benefit, and Italy and Portugal link eligibility for this benefit to insurance status. We have no need to be ashamed of our record of recognising the extra costs of providing for children.

Next, the hon. Member for Livingston mentioned the impact of the poverty trap under our present system of social security benefits. Of course, I understand that there continues to be an element of this trap in the system. There always will be, with a mixture of universal and income-related benefits. Only if we converted to a wholly universal system would the problems of the trap be removed. But under the Government whom the hon. Gentleman supported, people whose gross incomes rose received only a small percentage of that increase, and could lose more than 100 per cent. of it and people could double their gross income with no resultant net increase in income.

Family credit is designed to be generous to working families with children on the lowest incomes. Child benefit could not possibly be the sole provision in this area unless it were fixed at a level of such generosity that the taxpayer could not bear the cost.

I acknowledge the advantages of child benefit. It is, and will continue this year to be, an important part of the recognition of the extra costs of bringing up children. As has been said, it goes to between 98 per cent. and 100 per cent. of those entitled to it. It goes to the mother, and I acknowledge the importance of the mother having that extra resource. It is also important, therefore, that Opposition Members encourage the maximum take-up of family credit, which also goes to the mother.

But child benefit, important though it is, also goes to a considerable number of people who do not need the help. It is right to deal with that problem and to decide, when determining our system of support and what extra resources will be devoted to child support, what percentage of them will go to a universal benefit and what percentage will be targeted on those who need help most. As the Government have not uprated child benefit in the past two years, we have sought to ensure that we devote extra resources to helping families with the lowest incomes, with the results that I have already outlined. We have no reason to be ashamed of our record. The failure of Labour Members to support their Front Bench is a mark of their realisation of how weak their party's arguments are.

Question put, That the original words stand part of the Question:—

The House divided: Ayes 231, Noes 297.

Division No. 38] **[7.00 pm**

AYES

Abbott, Ms Diane	Boateng, Paul
Adams, Allen *(Paisley N)*	Boyes, Roland
Allen, Graham	Bradley, Keith
Alton, David	Bray, Dr Jeremy
Anderson, Donald	Brown, Gordon *(D'mline E)*
Archer, Rt Hon Peter	Brown, Nicholas *(Newcastle E)*
Armstrong, Hilary	Brown, Ron *(Edinburgh Leith)*
Ashdown, Rt Hon Paddy	Bruce, Malcolm *(Gordon)*
Ashton, Joe	Buchan, Norman
Banks, Tony *(Newham NW)*	Buckley, George J.
Barnes, Harry *(Derbyshire NE)*	Caborn, Richard
Barnes, Mrs Rosie *(Greenwich)*	Callaghan, Jim
Barron, Kevin	Campbell, Menzies *(Fife NE)*
Battle, John	Campbell, Ron *(Blyth Valley)*
Beckett, Margaret	Campbell-Savours, D. N.
Beith, A. J.	Canavan, Dennis
Bell, Stuart	Cartwright, John
Benn, Rt Hon Tony	Clark, Dr David *(S Shields)*
Bennett, A. F. *(D'nt'n & R'dish)*	Clarke, Tom *(Monklands W)*
Bermingham, Gerald	Clay, Bob
Bidwell, Sydney	Clelland, David
Blair, Tony	Clwyd, Mrs Ann
Blunkett, David	Cohen, Harry

Coleman, Donald
Cook, Frank *(Stockton N)*
Cook, Robin *(Livingston)*
Corbett, Robin
Corbyn, Jeremy
Cousins, Jim
Crowther, Stan
Cryer, Bob
Cummings, John
Cunliffe, Lawrence
Cunningham, Dr John
Dalyell, Tam
Darling, Alistair
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Ron *(Caerphilly)*
Davis, Terry *(B'ham Hodge H'l)*
Dewar, Donald
Dixon, Don
Dobson, Frank
Doran, Frank
Douglas, Dick
Dunnachie, Jimmy
Dunwoody, Hon Mrs Gwyneth
Eadie, Alexander
Eastham, Ken
Evans, John *(St Helens N)*
Ewing, Harry *(Falkirk E)*
Fatchett, Derek
Fearn, Ronald
Field, Frank *(Birkenhead)*
Fields, Terry *(L'pool B G'n)*
Fisher, Mark
Flannery, Martin
Flynn, Paul
Foot, Rt Hon Michael
Foster, Derek
Foulkes, George
Fraser, John
Fyfe, Maria
Galbraith, Sam
Galloway, George
Garrett, John *(Norwich South)*
Garrett, Ted *(Wallsend)*
George, Bruce
Godman, Dr Norman A.
Gordon, Mildred
Gould, Bryan
Graham, Thomas
Grant, Bernie *(Tottenham)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Hardy, Peter
Harman, Ms Harriet
Hattersley, Rt Hon Roy
Healey, Rt Hon Denis
Heffer, Eric S.
Henderson, Doug
Hinchliffe, David
Hogg, N. *(C'nauld & Kilsyth)*
Holland, Stuart
Home Robertson, John
Howarth, George *(Knowsley N)*
Howell, Rt Hon D. *(S'heath)*
Howells, Geraint
Hoyle, Doug
Hughes, John *(Coventry NE)*
Hughes, Robert *(Aberdeen N)*
Hughes, Sean *(Knowsley S)*
Hughes, Simon *(Southwark)*
Illsley, Eric
Ingram, Adam
Janner, Greville
Johnston, Sir Russell
Jones, Barry *(Alyn & Deeside)*
Jones, Ieuan *(Ynys Môn)*
Jones, Martyn *(Clwyd S W)*
Kaufman, Rt Hon Gerald
Kennedy, Charles
Kilfedder, James
Kinnock, Rt Hon Neil
Kirkwood, Archy
Lambie, David
Lamond, James
Leadbitter, Ted
Leighton, Ron
Lestor, Joan *(Eccles)*
Lewis, Terry
Litherland, Robert
Livingstone, Ken
Lloyd, Tony *(Stretford)*
Lofthouse, Geoffrey
Loyden, Eddie
McAllion, John
McAvoy, Thomas
McCartney, Ian
McCrea, Rev William
Macdonald, Calum A.
McFall, John
McKay, Allen *(Barnsley West)*
McKelvey, William
McLeish, Henry
Maclennan, Robert
McTaggart, Bob
McWilliam, John
Madden, Max
Mahon, Mrs Alice
Mallon, Seamus
Marek, Dr John
Marshall, Jim *(Leicester S)*
Martin, Michael J. *(Springburn)*
Martlew, Eric
Maxton, John
Meacher, Michael
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Michie, Mrs Ray *(Arg'l & Bute)*
Mitchell, Austin *(G't Grimsby)*
Mconie, Dr Lewis
Morgan, Rhodri
Morley, Elliott
Morris, Rt Hon A. *(W'shawe)*
Morris, Rt Hon J. *(Aberavon)*
Mowlam, Marjorie
Mullin, Chris
Nellist, Dave
Oakes, Rt Hon Gordon
O'Brien, William
O'Neill, Martin
Orme, Rt Hon Stanley
Owen, Rt Hon Dr David
Patchett, Terry
Pendry, Tom
Pike, Peter L.
Powell, Ray *(Ogmore)*
Prescott, John
Primarolo, Dawn
Quin, Ms Joyce
Radice, Giles
Randall, Stuart
Richardson, Jo
Roberts, Allan *(Bootle)*
Robertson, George
Robinson, Geoffrey
Rogers, Allan
Rooker, Jeff
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Ruddock, Joan
Salmond, Alex
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Shore, Rt Hon Peter
Short, Clare
Sillars, Jim
Skinner, Dennis
Smith, C. *(Isl'ton & F'bury)*
Snape, Peter
Soley, Clive
Spearing, Nigel
Steel, Rt Hon David
Steinberg, Gerry
Stott, Roger
Strang, Gavin
Straw, Jack
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Matthew *(Truro)*
Thompson, Jack *(Wansbeck)*
Turner, Dennis
Vaz, Keith
Wall, Pat
Wallace, James
Walley, Joan
Wardell, Gareth *(Gower)*
Wareing, Robert N.
Welsh, Andrew *(Angus E)*
Welsh, Michael *(Doncaster N)*
Williams, Rt Hon Alan
Williams, Alan W. *(Carm'then)*
Wilson, Brian
Winnick, David
Wise, Mrs Audrey
Worthington, Tony
Wray, Jimmy

Tellers for the Ayes:
Mrs. Llin Golding and
Mr. Frank Haynes.

NOES

Adley, Robert
Aitken, Jonathan
Alexander, Richard
Allason, Rupert
Amess, David
Amos, Alan
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Tom *(Hazel Grove)*
Ashby, David
Aspinwall, Jack
Atkinson, David
Baker, Rt Hon K. *(Mole Valley)*
Baker, Nicholas *(Dorset N)*
Banks, Robert *(Harrogate)*
Batiste, Spencer
Bendall, Vivian
Bennett, Nicholas *(Pembroke)*
Bevan, David Gilroy
Blackburn, Dr John G.
Blaker, Rt Hon Sir Peter
Body, Sir Richard
Bonsor, Sir Nicholas
Boscawen, Hon Robert
Boswell, Tim
Bottomley, Peter
Bottomley, Mrs Virginia
Bowden, A *(Brighton K'pto'n)*
Bowden, Gerald *(Dulwich)*
Bowis, John
Boyson, Rt Hon Dr Sir Rhodes
Braine, Rt Hon Sir Bernard
Brandon-Bravo, Martin
Brazier, Julian
Brown, Michael *(Brigg & Cl't's)*
Browne, John *(Winchester)*
Bruce, Ian *(Dorset South)*
Buchanan-Smith, Rt Hon Alick
Burns, Simon
Burt, Alistair
Butler, Chris
Butterfill, John
Carlisle, John, *(Luton N)*
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Carttiss, Michael
Cash, William
Chalker, Rt Hon Mrs Lynda
Channon, Rt Hon Paul
Chapman, Sydney
Chope, Christopher
Churchill, Mr
Clark, Hon Alan *(Plym'th S'n)*
Clark, Dr Michael *(Rochford)*
Clark, Sir W. *(Croydon S)*
Clarke, Rt Hon K. *(Rushcliffe)*
Colvin, Michael
Conway, Derek
Coombs, Anthony *(Wyre F'rest)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon John
Couchman, James
Cran, James
Currie, Mrs Edwina
Curry, David
Davies, Q. *(Stamf'd & Spald'g)*
Davis, David *(Boothferry)*
Devlin, Tim
Dickens, Geoffrey
Dicks, Terry
Dorrell, Stephen
Douglas-Hamilton, Lord James
Dover, Den
Durant, Tony
Eggar, Tim
Emery, Sir Peter
Evans, David *(Welwyn Hatf'd)*
Evennett, David
Favell, Tony
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Fishburn, John Dudley
Forman, Nigel
Forsyth, Michael *(Stirling)*
Forth, Eric
Fowler, Rt Hon Norman
Franks, Cecil
Freeman, Roger
French, Douglas
Fry, Peter
Gale, Roger
Gardiner, George
Garel-Jones, Tristan
Gill, Christopher
Glyn, Dr Alan
Goodhart, Sir Philip
Goodlad, Alastair
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Gorst, John
Gow, Ian
Gower, Sir Raymond
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Gregory, Conal
Griffiths, Peter *(Portsmouth N)*
Grist, Ian
Ground, Patrick
Grylls, Michael
Gummer, Rt Hon John Selwyn
Hamilton, Hon Archie *(Epsom)*
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hanley, Jeremy
Hannam, John
Hargreaves, A. *(B'ham H'll Gr')*
Hargreaves, Ken *(Hyndburn)*
Harris, David
Haselhurst, Alan
Hayes, Jerry
Hayward, Robert
Heathcoat-Amory, David
Heddle, John
Hicks, Mrs Maureen *(Wolv' NE)*
Higgins, Rt Hon Terence L.
Hill, James

Hind, Kenneth
Hogg, Hon Douglas *(Gr'th'm)*
Holt, Richard
Hordern, Sir Peter
Howard, Michael
Howarth, Alan *(Strat'd-on-A)*
Howarth, G. *(Cannock & B'wd)*
Howell, Rt Hon David *(G'dford)*
Howell, Ralph *(North Norfolk)*
Hughes, Robert G. *(Harrow W)*
Hunt, David *(Wirral W)*
Hunt, John *(Ravensbourne)*
Hunter, Andrew
Hurd, Rt Hon Douglas
Irvine, Michael
Irving, Charles
Jack, Michael
Jackson, Robert
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Robert B *(Herts W)*
Jopling, Rt Hon Michael
Key, Robert
King, Roger *(B'ham N'thfield)*
King, Rt Hon Tom *(Bridgwater)*
Kirkhope, Timothy
Knight, Greg *(Derby North)*
Knight, Dame Jill *(Edgbaston)*
Lamont, Rt Hon Norman
Lang, Ian
Latham, Michael
Lawrence, Ivan
Lawson, Rt Hon Nigel
Lee, John *(Pendle)*
Leigh, Edward *(Gainsbor'gh)*
Lennox-Boyd, Hon Mark
Lilley, Peter
Lloyd, Sir Ian *(Havant)*
Lloyd, Peter *(Fareham)*
Lord, Michael
Luce, Rt Hon Richard
Lyell, Sir Nicholas
Macfarlane, Sir Neil
MacGregor, Rt Hon John
MacKay, Andrew *(E Berkshire)*
Maclean, David
McLoughlin, Patrick
McNair-Wilson, Sir Michael
McNair-Wilson, P. *(New Forest)*
Major, Rt Hon John
Malins, Humfrey
Mans, Keith
Maples, John
Marland, Paul
Marshall, John *(Hendon S)*
Marshall, Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Mates, Michael
Mawhinney, Dr Brian
Maxwell-Hyslop, Robin
Mayhew, Rt Hon Sir Patrick
Mellor, David
Mills, Iain
Miscampbell, Norman
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David
Moate, Roger
Monro, Sir Hector
Moore, Rt Hon John
Morris, M *(N'hampton S)*
Moss, Malcolm
Mudd, David
Neale, Gerrard
Nelson, Anthony
Neubert, Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Norris, Steve
Onslow, Rt Hon Cranley
Oppenheim, Phillip
Page, Richard
Paice, James
Parkinson, Rt Hon Cecil
Patnick, Irvine
Patten, Chris *(Bath)*
Patten, John *(Oxford W)*
Pawsey, James
Porter, David *(Waveney)*
Portillo, Michael
Powell, William *(Corby)*
Price, Sir David
Raffan, Keith
Redwood, John
Renton, Tim
Rhodes James, Robert
Riddick, Graham
Ridley, Rt Hon Nicholas
Rifkind, Rt Hon Malcolm
Roberts, Wyn *(Conwy)*
Roe, Mrs Marion
Rossi, Sir Hugh
Rost, Peter
Rowe, Andrew
Rumbold, Mrs Angela
Ryder, Richard
Sainsbury, Hon Tim
Sayeed, Jonathan
Scott, Nicholas
Shaw, David *(Dover)*
Shaw, Sir Michael *(Scarb')*
Shelton, Sir William *(Streatham)*
Shephard, Mrs G. *(Norfolk SW)*
Shepherd, Colin *(Hereford)*
Shepherd, Richard *(Aldridge)*
Shersby, Michael
Sims, Roger
Smith, Sir Dudley *(Warwick)*
Smith, Tim *(Beaconsfield)*
Soames, Hon Nicholas
Speller, Tony
Spicer, Michael *(S Worcs)*
Stanbrook, Ivor
Stanley, Rt Hon Sir John
Steen, Anthony
Stern, Michael
Stevens, Lewis
Stewart, Andy *(Sherwood)*
Stokes, Sir John
Sumberg, David
Summerson, Hugo
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Taylor, Teddy *(S'end E)*
Tebbit, Rt Hon Norman
Temple-Morris, Peter
Thatcher, Rt Hon Margaret
Thompson, D. *(Calder Valley)*
Thompson, Patrick *(Norwich N)*
Thorne, Neil
Thornton, Malcolm
Thurnham, Peter
Townend, John *(Bridlington)*
Tracey, Richard
Tredinnick, David
Trippier, David
Trotter, Neville
Twinn, Dr Ian
Viggers, Peter
Waddington, Rt Hon David
Wakeham, Rt Hon John
Waldegrave, Hon William
Walker, Bill *(T'side North)*
Walker, Rt Hon P. *(W'cester)*
Ward, John
Wardle, Charles *(Bexhill)*
Warren, Kenneth
Watts, John
Wells, Bowen
Whitney, Ray
Widdecombe, Ann
Wiggin, Jerry
Wilkinson, John
Wilshire, David
Winterton, Mrs Ann
Wolfson, Mark
Wood, Timothy
Yeo, Tim
Younger, Rt Hon George

Tellers for the Noes:
Mr. David Lightbown and
Mr. Michael Fallon.

Question accordingly negatived.

Question, That the proposed words be there added, *put forthwith pursuant to Standing Order No. 33 (Questions on amendments), and agreed to.*

MR. SPEAKER *forthwith declared the main Question, as amended, to be agreed to.*

Resolved,

That this House notes with approval that the Government is providing over four and a half billion pounds for child benefit this year and that it has carried out its statutory obligation to review the level of benefit each year; and welcomes the additional resources to be provided from April for low income families with children.

Pre-school Education and Child Care

Mr. Speaker: I must announce to the House that I have selected the amendment in the name of the Prime Minister.

7.13 pm

Mr. Jack Straw (Blackburn): I beg to move,

That the House welcomes the First Report of the Select Committee for Education, Science and Arts, on Educational Provision for the Under Fives; believes that it should be the objective of both central and local government to ensure the steady expansion in provision of nursery education until it is available to all three and four year old children whose parents desire it for them; calls upon Her Majesty's Government to ensure a thorough survey of the existing demand for the various forms of provision for under fives and to improve co-ordination between government and local authority departments; welcomes the important contribution of the voluntary sector, including the playgroup movement; and calls for higher provision for under fives in future public expenditure White Papers, and for the speedy implementation of the Select Committee's recommendations.

In December 1972, the Prime Minister, then Secretary of State for Education and Science, published a White Paper on education called "Education: A Framework for Expansion". It launched what it called a

"new policy for the education of children under five".

The White Paper said that it was

"the first systematic step to offer an earlier start in education".

It went on to say:

"The value of nursery education in promoting the social development of young children has long been acknowledged . . . we now know that given sympathetic and skilled supervision, children may also make great educational progress before the age of five".

The White Paper spoke about the 1967 report by the Plowden committee which had estimated that provision for 90 per cent. of four-year-olds and 50 per cent. of three-year-olds would be sufficient to meet demands. The White Paper said that the Government aimed that within the following 10 years

"nursery education should become available without charge within the limits of demand estimated by Plowden, to those children of three and four year old whose parents wish them to benefit from it."

The White Paper said that circular 8/60—that infamous circular which prevented local authorities from expanding nursery education save where it was linked to returning teachers—would be withdrawn.

It is now not 10 but 16 years since the publication of that White Paper. During that time the Conservative party has been in power for 11 years and Labour has been in power for five years. However, Labour in central Government, and since 1979 in local government, has sought to implement the Prime Minister's 1972 pledge, while the Conservative party, nationally and locally, has sought systematically to ignore it.

The question of what resources and commitment we as a community should give to the education and care needs of children under five is highly political. It is a test of any party's approach to the sanctity and cohesion of family life. The contrast between the record and commitment of the Labour party and the record of the Conservative party could not be more telling or more stark.

Nationally, the significant growth in the number of nursery places took place between 1975 and 1980 when Labour was in office and responsible for spending. During that period the proportion of under-fives with nursery places doubled from 10 per cent. to 20 per cent. There has never been a greater growth before or since, as table 2 of the Select Committee report shows. In the eight years since 1980, the proportion of local authority nursery places has risen by just 3 percentage points to 23 per cent., less than a quarter of the annual rate of growth that the last Labour Government achieved.

It is perhaps a mark of the difference between the Labour party and the Conservative party that many of my hon. Friends are here for the debate while there are few Conservative Members. Apart from the parliamentary private secretaries and members of the Select Committee, there are just two free men on the Conservative Benches.

Today a child in a Labour area has twice the chance of under-five care or a nursery place than a child in a Conservative or an SLD area. The number of overall nursery and under-fives places has increased over the past nine years by 100,000, but that still leaves a shortfall of 200,000 on the Prime Minister's target of what amounts today to 700,000 places.

The expansion in good quality provision has occurred principally in areas served by Labour authorities. The best 24 education providers for three and four-year-olds are all Labour-controlled. The 24 councils whose provision is poorest are either Conservative or Democratic, or are controlled by no single party. A child in Salford, Manchester, south Tyneside or Walsall has seven times the chance of a nursery or rising fives place than a child in Kent or west Sussex. Some Conservative-controlled authorities do better, and I pay tribute to them. However, other Conservative-dominated authorities have cut the number of places for the under-fives in the last eight years. They include Harrow, Kent, Havering, west Sussex, and Hereford and Worcester. Where are those areas' Members of Parliament?

Conservative local authorities have taken their lead from their party's national administration, whose record in respect of the under-fives has been of consistent and wilful neglect. The 1979 Conservative manifesto pledged support for family life. Just nine months later, that pledge was overturned by a insertion into the Education Bill 1980 removing the qualified duty placed on local education authorities under the Education Act 1944 to provide nursery education, and replacing it with a discretionary power so that, in the words of the First Report of the Select Committee, LEAs are under no duty

"even to have regard to providing education for under fives."

That change was pushed into the law in 1980, not to encourage expansion of nursery education but to facilitate its annihilation. Conservative-controlled Oxfordshire county council, for example, proposed, as a result of public expenditure pressures, closing all 12 of its nursery schools and 16 nursery classes. The then Attorney-General advised that such action would be unlawful and outwith the authority's duties under the 1944 Act.

Faced with that situation, the Government—as my right hon. Friend the Leader of the Opposition pointed out at the time—had a choice between removing any vestige of duty and imposing a clear cut duty within the constraints of limited resources. They chose to remove that duty altogether. At that time, the present Secretary of State for Education and Science, a Back Bencher verging between sycophancy and rebellion, chose sycophancy and voted with the Government. Every year since then, local authorities have been set tighter and tighter financial guidelines by Ministers, including the right hon. Gentleman when he was Secretary of State for the Environment. It is no coincidence that there are among the

24 best local authorities for educational provision many that have been rate-capped—punished financially for caring about the under-fives.

In 1987, the Government decided to tax the benefit of private workplace nurseries, making it virtually impossible for any more to open. Last year, the Government signalled the end of any positive nursery education policy, for there was nothing on that aspect in the Education Reform Bill. On 22 March 1988, at the Bill's Report stage, Labour sought to remedy that by introducing a new clause giving effect to the Prime Minister's pledge of 1972 and repealing the infamous section 24 of the Education Act 1980. No right hon. or hon. Member advanced any argument against the proposed new clause, but the Government voted it down. I regret that every Conservative Member of the Select Committee went into the Lobbies with the Government.

Mr. Timothy Raison (Aylesbury): I am glad that the hon. Gentleman welcomes the Select Committee's report, but it is improper to debate it without making any reference to important comments made by the Committee as to the reasons why certain local authorities have done much better than others in terms of quantity of nursery provision.

The report points out that when social factors indicate a high level of need, that is likely to lead to a high level of block grant for that authority. It points out also that it was an objective of the 1972 White Paper that growth should be most rapid in areas of greatest need. We know that, by and large, Labour-controlled authorities serve those areas of greatest need, and they accordingly receive the largest block grants and assistance under urban development programmes, and so on. The hon. Gentleman cannot ignore that.

Mr. Straw: I do not ignore it, but the most important factor in determining whether a child has a good or bad chance of receiving nursery education is whether the local authority is Conservative or Labour-controlled. Does the right hon. Gentleman dispute that? Bristol is an area of great social need, as it was during the 1970s. Then, a Labour Government offered Avon county council, which was Conservative-controlled, hundreds of thousands of pounds to expand nursery education, but Avon refused to take a penny. Many other Conservative-controlled authorities would not take the money that they were offered in the 1970s, even though they served areas of acute social need.

The day after every Conservative Member voted down our proposed new clause to the Education Reform Bill, the Earl of Arran, speaking for the Government in the House of Lords, produced an epitaph for any suggestion that the Government support nursery education. He said:

"This objective, which was adopted in good faith in 1972, has long since been abandoned."—[*Official Report, House of Lords*, 23 March 1988; Vol. 495, c. 178.]

Tonight's motion has been drawn in its entirety from the Select Committee's recommendations, and is designed to put the authority of the House behind them. If Conservative Members of the Select Committee mean what they say—and I believe that they do—it is incumbent upon them to vote with us. The Government amendment, by deleting all reference to the Select Committee's recommendations, seeks to reject them. It avoids making any mention of a financial support target.

Mr. Harry Greenway (Ealing, North): Will the hon. Gentleman cut out his endless politicking, which we have seen also from his hon. Friends on the Select Committee? Is he not capable of making the educational and social case for nursery provision? The hon. Gentleman should get on with it.

Mr. Straw: It is because everyone accepts the educational and social case that I make the political case for nursery provision. We do not need a debate on the educational and social case, because it has never been denied. However, we need to debate whether the Government will back that case with cash and commitment. Those who have followed the Government's shameful and shameless record should savour the terms of the amendment that the Secretary of State has the gall to table this evening. It is breathtaking that it seeks to recognise

"The Government's achievements in securing a significant expansion of nursery education since 1979."

The Government have no achievement or policy for the under-fives. What achievements there have been are by local authorities in the face of Government apathy to the needs of under-fives and downright hostility to any additional expenditure on them.

No one can accuse the Secretary of State for Education and Science of being shy, self-effacing or reticent about his own achievements. Education correspondents are weighed down with his Department's press notices, and political correspondents are weighed down with offers of lunch. Schools, parents and governors are weighed down with expensive, glossy pamphlets. Inflation in the Department's publicity budget has reached Brazilian proportions. The Department of Education and Science's publicity budget has increased by 3,000 per cent. in three years.

But in those three years of hyperactivity, what has the Secretary of State said of his achievements and policies in respect of the needs of the under-fives? He has said nothing. It is true that there were 29 words about his predecessor, now Lord Joseph, in the right hon. Gentleman's first speech as Secretary of State for Education and Science at the Conservative party conference in October 1986—comments so unremarkable that they went unreported. The best researches of the Library, including access to the computer data bases of five leading national newspapers, have been unable to make any connection since October 1986 and those 29 words between "Baker, K.", "nursery", "under-fives" or "day care".

There has apparently been no speech about the Secretary of State's record, inside or outside the House, although he has devoted acres of paper and forests of newsprint to other aspects of education—his pet project of city technology colleges, and his alleged vision for higher education for the next 25 years. On the under-fives there is not a sentence, not a word, not even a glossy pamphlet. As far as he is concerned, their needs are a non-subject: they do not exist.

It cannot lie in the mouth of the Secretary of State at once to welcome the Select Committee report and congratulate the Government on their record. For the Select Committee report is a damning and—yes—a courageous indictment of the Government's entire record, and of this Secretary of State's record in particular. So indolent has he been that such policy as exists has now

[Mr. Straw]

been taken over by the Home Office—a Department that lost any responsibility for children 15 years ago—and its hyperactive Minister of State.

The Select Committee report charts not only the indifference of the Department of Education and Science but its associated failure to make any serious effort to co-ordinate other Departments. Paragraph 8.10 states that the interdepartmental group has not met for some time. Co-ordination between Departments is left to the telephone. It continues:

"We doubt whether such informal contacts, although valuable, are sufficient to ensure that policy on the under-fives is fully discussed and developed."

There is no longer any argument about the value of nursery education, but the Select Committee report spells out why today it is more vital than ever before. It says, with great eloquence, that in the 1980s two features stand out:

"First the child of the eighties may be lonelier than in the past: families are smaller and it is more difficult for children to play with others in public places. Second, the greater pressure on parents, and the increases in the numbers of families where both parents work, may mean there is less time in the family to focus specifically on the development of the child. The stimulus provided in a nursery school or class or other educational setting can help to counter both these aspects of modern life."

The Select Committee was right. There must be a clear and categorical commitment in favour of nursery education for all, as the Committee proposes in recommendations 1 and 3 and as the Prime Minister proposed in 1972. That must also mean a significant expansion in funding. Of course any expansion must be paid for, but today—when the economy is buoyant as never before, or so we are told, and Government receipts are to exceed expenditure by £10,000 million—there has never been a better time to begin expansion.

The Secretary of State is adept at finding money when he regards it as a priority. The £30 million a year now being spent on fewer than 1,000 children in city technology colleges could be used instead to fund at least 30,000 nursery places. Which is more important? Which will produce greater benefit? The Government's amendment seeks to speak of an intention

"to secure the continuing growth"

of this sector. How do they intend to secure that growth? Are the figures in the public expenditure White Paper to be revised upwards? For, as the Select Committee points out, simply maintaining the present proportion of under-fives in pre-school education is incompatible with the level of real-term funding specified in the White Paper, or even the 5 per cent. addition that subsequent clarification sought.

The number of under-fives is going to grow, and future White Papers must make provision for that. What policy has the Secretary of State for dealing with the shortage of nursery teachers now, let alone if and when there is an expansion?

As our motion makes clear, we welcome the important contribution of the voluntary sector in providing care and education for the under-fives, especially that of the playgroup movement. That movement has played a critical role in providing a much-needed service in many parts of the country, and has helped to change attitudes by showing the role that parents and volunteers can play. But we want to see choice area by area—choice in Brighton and in the rest of Sussex, as well as the choice that already exists in so many Labour areas. Playgroups can never and should never be seen as a cheap substitute for nursery education, but as a complement to it.

The Select Committee was convinced that the best environment for three and four-year-olds was the nursery class, and it was right. We have a duty to give all our young children the best, and that means nursery education. But there is no need for the playgroup movement to see itself as being in competition with the nursery movement or vice versa; there is work enough for both to do.

We spelt out in our consultative document, published on 11 January, the need to see nursery classes and the professionals whom they employ as resource centres for all under-five provision, giving training to support the voluntary groups. The voluntary groups have a major role to play, especially with younger children and where there is a demand for care beyond the half-day that the nursery can provide. The Secretary of State, however, will be deluding himself as well as parents if he suggests that the voluntary movement can fill the major gap in demand that is there today. Apart from the major problems of variable quality, there is the simple question of whether there will be enough volunteers.

Demand for under-five provision is increasing, not least because of the accelerating demand for mothers to go back to work. The very process that increases demand will also reduce the supply of volunteers, as the Thomas Coram research unit's work—quoted by the Select Committee—shows only too well. That increase in the number of women going back to work also underlines the case for a co-ordinated approach, nationally as well as locally, to the care needs of children—co-ordinating the provision of workplace nurseries and other nurseries, whether public or private, and raising the quality and standard of all who provide care as well as education.

Under-five provision is a Cinderella service in too many local areas, and at national level. That is shown by the lack of co-ordination between Government Departments. No Secretary of State or Department has clear lead responsibilities. That cannot go on; the DES and the Secretary of State need to take the lead. Locally, too, more co-ordination is needed, with a duty to be placed on local authorities to assess the total needs of day care and education in their areas, and then to be enablers and regulators of that provision as well as deliverers of some of it.

The Prime Minister preaches about the sanctity of family life, but her practice undermines it, whether through her broken promise on child benefit or through her broken promise on nursery education. Every child of every family in the land deserves good-quality care and good-quality education. We know what the best start is, and we know how to provide it. All that is lacking is the Prime Minister's will to govern.

Our motion turns the excellent recommendations of the Select Committee into action. It is the least that we can do for our children and their parents, and I commend the motion to the House.

7.37 pm

The Secretary of State for Education and Science (Mr. Kenneth Baker): I beg to move, to leave out from "House" to the end of the Question, and to add instead thereof: 'welcomes the First Report of the Select Committee for Education, Science and Arts, on Educational Provision for the Under Fives; recognises the Government's achievements

in securing a significant expanse of nursery education since 1979; welcomes the important contribution of the voluntary sector, including the playgroup movement; and commends the Government's intention to secure the continuing growth of provision for the under fives in all its varied forms, and its commitment to improve quality.'.

Before answering the points made by the hon. Member for Blackburn (Mr. Straw), let me say that I think that everyone in the House is conscious that this debate is taking place on a day when there has been a dreadful tragedy in an American school. I am sure that hon. Members on both sides of the House will want to convey to the American people our sense of shock and horror at that appalling tragedy.

That the debate is taking place at all—and I am very glad that it is—is largely due to the interest in education for the under-fives that has been kindled by the report published last week by the Select Committee on Education, Science and Arts. The report is extremely interesting. It results from a careful and thorough investigation undertaken by the Committee, guided ably by my right hon. Friend the Member for Aylesbury (Mr. Raison), and I put on record the Government's appreciation of the Committee's work. We shall be giving careful consideration to its recommendations, and we shall make a full response in due course. Hon. Members will not expect me to comment in detail on the Committee's conclusions at this stage—that would be an insult to the Committee—and I do not propose to do so.

Mr. Straw: The Select Committee's central recommendation has been known for 16 years. Does the Secretary of State not intend to comment on that key recommendation?

Mr. Baker: I shall come to that point later. The hon. Gentleman would not expect me to reply to the debate without dealing with that point, but I shall deal with it in my own time and in my own way.

The parents of young children have a wide variety of arrangements providing educational care for the under-fives. They are well known to all hon. Members. They are day nurseries, creches, child minders, playgroups, nursery schools, nursery classes in primary schools and reception classes in primary schools. Some are in the public sector; some are voluntary, as the hon. Member for Blackburn (Mr. Straw) acknowledged, and some are private. Some are, by definition, forms of nursery education. Others combine educational activities with a day care function. Still others are primarily providers of day care and supervision.

I welcome this diversity. It recognises the variety of needs and it responds to those needs. We must remember that what happens to children before they start school is entirely a matter for the parents to decide. They know their children best; they know their own circumstances; they are best placed to make an informed judgment about what is right for them.

It is therefore entirely right, and indeed one of the strengths of our diverse system, that over many years there has been a steady development of voluntary nursery provision, inspired by the work of the Pre-School Playgroups Association. Yesterday I met representatives of the association, including Lady Plowden. They told me that at the moment there are some 600,000 children benefiting from pre-school playgroups. They attend, on average, for four half-day sessions each week. The 1972 White Paper, to which the hon. Member for Blackburn referred—"Education: A Framework for Expansion"—and to which I shall return, spoke of the "distinct and valuable role" of playgroups

"alongside an expanding system of nursery education."

There are just over 17,000 playgroups. They vary in size enormously. Hon. Members on both sides of the House will know the playgroups in their constituencies. They vary in the times that they are open. Some are open late; some are open early; some provide half days and others provide full days. They make a huge contribution to the provision for the under-fives. They are to be found in the inner cities as well as in the suburbs and country towns.

When I met the representatives of the Pre-School Playgroups Association yesterday they told me of their disappointment at the apparent underestimation of their activities in the Select Committee's report. I am sure that the House will wish to join me in paying tribute to the enthusiasm and commitment shown by the association and its many thousands of volunteer members.

There is great strength in this diversity. Different sorts of provision serve different objectives. It is unrealistic to look to one form of organisation to meet all needs. Nursery education, for example, is of benefit primarily to the child. That is its purpose. It is often part time, and at its best it involves the parents. It cannot therefore be the principal means of releasing mothers during the working day, important though that is. That is the major function of other forms of child care—for example, day nurseries, creches or child minders.

Individual parents and individual children's needs will vary considerably. The Government are therefore committed to the continuation of a range of provision that will meet a variety of needs and a range of providers, in both the public and the private sectors. We have no intention of reducing the range of provision that is on offer. Any attempt at standardisation would be profoundly misguided.

Mr. Graham Allen (Nottingham, North): After the glowing tribute that the Secretary of State has paid to the work of day nurseries, may we take it that he intends to make representations to the Secretary of State for the Environment about improving the financial arrangements so that day nurseries can be expanded at county level?

Mr. Baker: I wish that the hon. Gentleman would listen, instead of muttering away to himself. I have been talking about playgroups, not about day nurseries. He should pay a little more attention, instead of trying to rehearse such ineffective interventions.

As for what the Government have done, the range of choice is already wide. There are also more places on offer than ever before. That is due to one very important difference between Opposition Members and ourselves. Their party talks; our party acts. The Government's record on nursery education is very impressive. Let me spell it out.

Mr. Straw: It will be for the first time.

Mr. Baker: No, it will not be for the first time. The hon. Gentleman has obviously not read "Our Changing Schools: A Handbook for Parents." There I am at the front. It is part of the enormous expansion of publicity. I wrote some of the pamphlet and I certainly approve of what I did not write. The first two pages are on how to help parents with children under five. It is one of the most popular documents that the Department of Education and

[Mr. Baker]

Science has ever produced. The Department is having 4 million copies printed, because schools are asking for it and want to distribute it. Let me therefore place on record my interest and involvement.

When we came to office, fewer than 430,000 under-fives attended a nursery school or class, or a primary school. By 1986, the number had increased to 509,000. In 1987 there were 8,000 more, and I am able to tell the House that we shall shortly be publishing statistics which show that in 1988 there were 16,000 more than in 1987—a doubling of the previous year's increase. That was when the numbers of three and four-year-olds increased by only 3,000. In 1988, well over half a million children in this age group —533,000 to be exact—were in school, an increase of one quarter since 1979. The Government have dramatically increased the amount of education on offer to the under-fives.

The numbers are going up all the time, and so is expenditure. In cash terms, spending in 1979-80 was £177 million. In 1989-90—10 years later—we are planning expenditure of £536 million, which is well over half a billion pounds. That means an increase in expenditure of over 50 per cent. in real terms in 10 years. Our plans do not simply keep pace with the rise in the number of three and four-year-olds. They allow, too, for a real increase in the participation rate.

These figures are just for education, but that is only part of the story. It is not easy to estimate the level of involvement of three and four-year-olds, because many children take part in more than one activity. For example, some may attend nursery classes in the morning and a play group in the afternoon. However, on the information that is available to us, we believe that, taking all forms of education and care together, the participation rate for three and four-year-olds is over 85 per cent., and may well be higher. That figure places us near the top of the European league table—not, as is all too often claimed, somewhere near the bottom.

Mr. Doug Henderson (Newcastle upon Tyne, North): The figures are bogus.

Mr. Baker: The hon. Gentleman says that the figures are bogus, but they are not.

I want to examine what Labour did. Then we can see what happens under a Labour Government. We have improved massively on what we inherited from the Labour party. Let me begin with the 1972 White Paper "Education: A Framework for Expansion" which the hon. Member for Blackburn is so fond of quoting. When that White Paper was published there were over 1·5 million three and four-year-olds, as against some 1·2 million today. That White Paper's target for nursery places was framed in the expectation of a rising birth rate. It remained the basis of policy planning for the remainder of the Conservative Government's term of office until 1974.

When the Labour party took office, it took advantage of the fall in the birth rate to claim in 1975 that it was sticking to the 1972 targets. However, it stuck only to the percentages—which was not hard going, given the drop in numbers. By 1976, with the IMF knocking on the door, it had abandoned those previous targets and substituted much more modest goals. That proved too much for the then Under-Secretary of State, the hon. Member for Eccles (Miss Lestor), who I see is here. She resigned because the Labour Government had cut nursery education.

Then the party of the hon. Member for Blackburn abandoned all pretence. It inflicted on nursery education a cut in spending of more than 5 per cent. in real terms between 1976 and 1979. But I do not want to be unfair to the hon. Gentleman. It could have been worse. It was not as bad, for example, as the 10 per cent. cut on primary schools or the 13 per cent. cut imposed on local authority higher education. So much for the party that cares.

Mr. Straw: I explained earlier that one reason why expenditure went down after the 1977 county council elections was that many Conservative authorities—I have the list with me—refused to take up the allocations they were offered. Will the Secretary of State explain why, despite that, there was a 60 per cent. increase in the number of nursery places—from 121,000 to 198,000—during that period and why the Select Committee—his Conservative friends—published a table on page 14 of its report showing that the number of nursery places doubled between 1975 and 1980? Who was responsible for that increase?

Mr. Baker: In the planning provisions that were made under the Conservative Government between 1972 and 1974 there was the possibility of expansion.

Mr. Straw: What about 1977?

Mr. Baker: There was a cut in 1977 because the Labour party made such a mess of running the country, and Opposition Members cannot get away from that. They cut nursery education in money terms. We have increased it by 50 per cent.

The number of places is only part of the picture, as the Select Committee points out several times in its report. We must also be concerned with the quality of the educational experience that our young people can expect to receive. The evidence from the inspectors is that in the best nursery schools and classes, teachers build on children's natural curiosity and appetite for new experience. This helps to prepare them for a smooth transition to the curriculum they will meet as they grow older.

Much of the expansion of under-fives education has taken place by accommodating four-year-olds in infant classes, and we recognise that that has not been uniformly successful. This arrangement can give children appropriate and valuable educational experience. I have visited some reception classes in primary schools which do outstanding work, but I accept that that is not uniformly the case. To avoid the immense disruption that a child can suffer when changing school at five, this arrangement is to be welcomed.

The best work with under-fives has always taken careful account of the need for continuity with what follows when children start their statutory education. In short, a crucial factor in education is the quality of the teachers. That means that there must be enough of them and that they must be properly trained—*[Interruption.]*—and I am sure that Opposition Members will welcome what I have to say about that.

There is now strong evidence that the supply of teachers for this age group is improving rapidly. Recruitment to all forms of initial teacher training for the early years is very buoyant indeed. Since 1986, the intake to post-graduate

certificate of education courses of training for teachers of three to seven-year olds—*[Interruption.]* I shall come to the question of BEd, where the position is even better. I am at present speaking about the range of children from three to seven and PGCE courses.

The increase has been 170 per cent., from 292 to 788. Over the same period, the intake to bachelor of education courses for the same age range has gone up from 1,018 to 1,628—an increase of 60 per cent. In all, the intake in September 1988 was 84 per cent. up on September 1986. This is money that I provide for the training of teachers.

In-service training is equally important. The Government have created a new national priority area in the training grants scheme and provided grant on expenditure of £1·5 million in 1989-90 for in-service training of teachers working with four-year-olds in primary schools.

So we have already taken significant steps towards improving quality. But there is more to be done, and the national curriculum will introduce a new set of factors which those providing education for pre-school children will need to take into account.

I am asking my hon. Friend the Minister of State to establish, and to chair, a small committee including experts in the field to examine the content of the education experience offered to the under-fives. I want the group to consider, in particular, issues of quality, continuity and progression, taking into account the existing diversity of provision.

The National Curriculum Council will have a part to play in the work of the group, and I expect it in due course to be involved in taking forward its recommendations. The committee's report, which will be published, should prove a valuable source of guidance to all those providing nursery education. We shall announce details of the membership of the committee and its terms of reference very shortly. *[Interruption.]* That will be done as soon as possible; I treat this, as do hon. Members in all parts of the House, as a matter of importance.

Mr. Max Madden (Bradford, West): Will the right hon. Gentleman initiate an urgent investigation into the mounting concern in Bradford among parents of first school children over the tremendous slump that has occurred in the number of children paying for school meals because of the substantial increase in the price of meals? In Bradford today a five-year-old is required to pay the same as a 15-year-old for a school meal. As a result, there is great concern about whether, on leaving school each day, children have had a school meal. There is rising absenteeism and anxiety about children's safety and welfare. Will the right hon. Gentleman do all he can to persuade Bradford council to return to the previous three-tier system which offered excellent value for money and was extremely popular among parents?

Mr. Baker: That goes wide of what we are discussing and is essentially a matter for the Bradford education authority.

Mr. Madden: It should be a matter for the right hon. Gentleman.

Mr. Baker: It is an issue for that local education authority.

To sum up, we are proud of our record. We have increased resources rapidly. Now, more children than ever are in pre-school education. More teachers are being trained. We have increased expenditure by 50 per cent. Labour Members cut it by 5 per cent. We care. They cut. But we will not rest on our record. We are already committed to continuing growth in education for the under-fives and to improving the quality of that education.

Responsibility for the under-fives is not the Government's alone. All the evidence shows that pre-school education is most effective when it is supported and reinforced by the child's home experience. I believe that the main responsibility for decisions about the care, welfare and education of young children, right up to the start of compulsory schooling, lies with the parents.

Involving parents is absolutely crucial. In all education, the best practice depends on a partnership between the parent and the teacher, a partnership between the family and the school. This is nowhere more evident than for our youngest children, the under-fives. Let us all remember that.

7.57 pm

Mr. Martin Flannery (Sheffield, Hillsborough): I have said previously that when the Secretary of State is orating on his achievements and those of the Government, he is so lyrical that his words could almost be set to music. On such occasions he is always poetic. Indeed he was at his most deadly today because he was affable and more glib than usual. Some of my hon. Friends shared my experience of sitting opposite the right hon. Gentleman for about three months in Committee when we debated what became the Education Reform Act 1988. What a monster came out of that.

We are really debating not whether the Select Committee has produced a good or bad report—hon. Members on both sides have welcomed it—but whether anything will be done as a result of it. I remind the Secretary of State that it is not true to say that there are more children in nursery school now than at any time in the past. Far more children were in nurseries during the war. At that time the Education Act 1944 came into existence and we debated this subject at length at that time.

People's thoughts tend to reflect only on the situation at the time of the Secretary of State for Education and Science—now the Prime Minister—in the Heath Government. Many overlook the fact that the 1944 Act sought nursery education for all under-fives whose parents wanted it, though its provisions were not too clear about that. The Government talk blithely about the White Paper "Education: A Framework for Expansion". It should have been called, "A Framework for Contraction". Unless something emerges from the report of the Select Committee on Education, Science and Arts, it is obvious that the Government have no intention of doing anything.

I want to compliment all my colleagues who were members of the Select Committee, especially the Chairman and the secretary. The report is good and one of the best that we have produced. Like one Conservative Member, I have been a member of three Select Committees reporting on education.

The Prime Minister, in the White Paper, "Education: A Framework for Expansion", said:

> "The value of nursery education in promoting the social development of young children has long been acknowledged. In addition, we now know that given sympathetic and skilled supervision, children may also make great educational progress before the age of five. Progress of this kind gives any child a sound basis for his subsequent education."

[Mr. Martin Flannery]

Those of us who have travelled around the country will realise that there is less nursery education in nearly all the Tory-controlled areas than in Labour-controlled areas. Is that to continue? Will the Government lean on other aspects of education or will they do something about the imbalance? The Minister has said that the Government will take action, but that remains to be seen. I will be happy if they do something.

We are all worried that this report, like many other reports about education and reports about prisons, will be ignored. Literally nothing has been done about our reports. However, the Government did say that they would do something. We have bitter experience of the Government doing little about the recommendations of Select Committees.

The fundamental problem facing nursery education is the same as that which faces the whole of the education system. The problem of nursery education may be more difficult to resolve, but essentially the problem is lack of money. It needs sufficient money to produce nursery schools and classes and sufficient teachers to teach nursery classes of a manageable size.

Mr. Irvine Patnick (Sheffield, Hallam): Will the hon. Gentleman give way?

Mr. Flannery: Not just now.

There must be more nursery nurses as well as teachers. There must be more money. Nursery nurses have been struggling with the local education authorities for higher wages. However, the Government will not negotiate with any teachers, let alone the nursery teachers and nursery nurses. There is no negotiation and that augurs badly for any fulfilment of the Select Committee's recommendations.

Mr. Patnick: I wonder whether the hon. Gentleman remembers the forward planning for local authority expenditure in 1976-77, the figures for which were set out in circular 10/75 from the Department of Education and Science. The circular recommended that local authorities which had recently allowed children to be admitted full-time to infant classes should make cuts. It said:

"Younger children should be admitted, normally for part-time attendance, only within the capacity of purpose-built or adapted nursery accommodation."

Does the hon. Gentleman accept that one of the last things that the Labour Government did was to cut back on infant nursery education? That policy was not rescinded before the Labour party left office.

Mr. Flannery: The hon. Gentleman is the only Conservative Member out of the 17 hon. Members who represent south Yorkshire. I knew that he would come out with something like that. There were cuts during the Labour party's tenure of office. We had taken over from a wretched Government under whom there was a three-day week—*[Interruption.]* It is no good Conservative Members making a lot of noise. I know that there are only a few of them here now, but they are trying to stop me speaking by making a lot of noise. The Labour Government did not have the benefit of North Sea oil or the £100 billion that it produced. We had only what a wretched Government left us and we had to do the best that we could with it.

When those cuts were announced by that Labour Government my hon. Friends the Members for Eccles (Miss Lestor) and for Bradford, West (Mr. Madden) spoke against our Government. How many Conservative Members will challenge the Government by raising a deputation?

I had to give way to the hon. Member for Sheffield, Hallam (Mr. Patnick) because if I did not he would have gone to the press in Sheffield and told them that I would not give way. I am not joking about that; he would really have done that. Conservative Members must remember that Sheffield has a Conservative-controlled press.

The demand is far too great for too few places in nursery provision. I hope that the hon. Member for Hallam will quote my next points. In Sheffield we must use priority. The Secretary of State said that there are special favours in Labour-controlled areas. That is not right. Primary education and education in nursery schools is real education. The Government are forcing us to give priority to women who go out to work because the only alternative is nursery education. We need more money from central Government who rely on under-staffed local authorities to make the money available.

When my hon. Friend the Member for Blackburn (Mr. Straw) asked the Secretary of State for more money, he was told that that was a matter for the local authority. However, local authorities are rate capped and they do not have the money, so central Government must provide the money even for the good local authorities.

My hon. Friend the Member for Blackburn stated that the top 24 providers of education for three and four-year-olds are all Labour-controlled authorities. Indeed, almost all the 40 top providers are Labour-controlled authorities. Only a couple of the top 40 are not Labour-controlled. Those Labour authorities with much less cash than the wealthy Tory authorities are providing more. I am sure that the Secretary of State will try to disprove that if he gets the chance, although he could not disprove it in Committee.

Many Conservative areas, whole counties, have virtually no nursery education provision. The areas which do have it have very little. However, the Government pay tribute to nursery education. The Prime Minister has done that and she did it before when she was an education Minister. However, the Government have done very little about it. *[Interruption.]* The hon. Member for Rugby and Kenilworth (Mr. Pawsey), who is obviously the cheer leader on the Conservative Benches, is aware that I take everything that the Secretary of State says with a pinch of salt and I check up on it later to see whether his glib words are right. Usually he is not right.

The Government take refuge in the provision of pre-school playgroups. Those of us who were members of the Select Committee will know that I asked whether the Government would continue nursery education in areas where there is very little, such as Dorset. The chairman of Dorset education committee said no, even though there was a demand for it in the villages in that Tory-controlled area. That demand exists elsewhere as well, but people cannot get it because the majority of the areas are Tory-controlled. Those authorities want to keep their rates down. When Labour-controlled authorities increase rates to provide nursery education, the Government rate cap our councils.

The Government fall back on the provision of pre-school playgroups. I do not need lessons about the

Pre-School Playgroups Association. Lady Plowden visited the Select Committee and said that she changed her mind afterwards. I remember Lady Plowden commenting on other reports including one on primary education. I want pre-school playgroups, but not as a substitute for nursery education because they are cheaper.

Tory authorities deliberately keep the rates down and do not have nursery education because they say that many middle-class people educate their children. We want money from central Government to pay for planned nursery education for our children. Many Labour authorities which have spent rates on nursery education are suffering as a result. We hear all the incantations from the Conservative party, but the Minister is no more determined to do anything about the Select Committee report than he was to do anything about previous reports, especially if it entails spending money. He knows that the great dictator will say, "No. You must make do with what you have." Conservative Members say that we are the "nanny" group, but they have the greatest nanny of them all who tells the Minister exactly what he has to do. If he is awkward, she will sack him. If he wants to preserve his position, he had better do nothing about nursery education. If he stands up and fights for nursery education, we shall check on him and find out just how much he does.

We have to struggle to get the Government to provide the necessary money. If local education authorities try to raise money through the rates, the Government will rate cap them. The Government have never provided sufficient money. In the Select Committee, we were all cautious because we wanted to produce a good report, and we have achieved that. I pay tribute to my Conservative colleagues on the Select Committee on producing such a good report when there were seven Conservative Members and only three Opposition Members. The number varied. There might have been four Opposition Members at one time, but we returned to only four Opposition Members attending yesterday.

Any expansion in nursery education has been achieved through good local government and not through central government. The Government shamelessly say that they have caused that expansion when it was produced by the rates in Labour authorities. I believe that we did a good job, but the Government have scores of billions of pounds at their disposal, yet they plead poverty. When abuse is hurled at us Labour Members do not say that we did not have sufficient money to carry out our plans and that we were up against a colossal Tory propaganda machine which included newspapers, radio and television. The Government now have millions of pounds at their disposal and they give it to the rich at the expense of our children.

My hon. Friend the Member for Blackburn never mentioned the fact that in addition to the CTCs the Government have taken more than £80 million through the assisted places scheme which is growing year by year, by which middle class children are helped because they are accused of being poor.

In conclusion—and I know that Conservative Members will cheer because I am reaching a conclusion—our motion encapsulates the aims of the Select Committee, without going into detail. It points the way forward. The Government's amendment evades the issue and shows no real intention of implementing the proposals in the report. There is ample money available, if the Department can get hold of it. We shall watch very closely to see whether the Government will do anything more than welcome the report. Will the Committee be set up and will funds be forthcoming? If funds are not forthcoming, the report has been a waste of time.

8.13 pm

Mr. Timothy Raison (Aylesbury): I am happy to follow the hon. Member for Sheffield, Hillsborough (Mr. Flannery) who is a very active long-standing member of the Select Committee. I am grateful for his kind words about me and for the way in which he referred to the fact that the Select Committee was able to produce a unanimous report. Some hon. Members may wonder how we achieved that, but we managed it and I hope that that gives the report an authority which it would not otherwise have had.

I shall return to the hon. Gentleman's point about why there should be variations in the provision of education across the country. However, it is splendid for a Select Committee report to be debated within seven days of publication. Normally we wait for months, and then the report is not debated at all. Therefore, we should thank the hon. Member for Blackburn (Mr. Straw) for tabling today's motion. It is admirable and encouraging that both sides of the House have welcomed the report. That is the correct response to the public mood, and I am delighted by it. The Opposition motion summarises the report and the Government amendment states their

"intention to secure the continuing growth of provision for the under fives in all its varied forms, and its commitment to improve quality."

The motion and the amendment are gratifying responses.

It is a pity that the hon. Members for Blackburn and for Hillsborough spoke as they did about which authorities provide most nursery education. At the very least they should have considered paragraphs 4.8, 4.9 and 4.10 of the report, which contain some very carefully written passages discussing why that should be so. The report makes the point that, over the years, it has generally been the case that the needs element in the rate support grant has provided additional funds for areas of greater need, as one would expect. That has been reinforced by the urban development programme. It was the stated intention of my right hon. Friend the Prime Minister, in her 1972 White Paper, that in the expansion which that White Paper planned, those areas with the greatest need should take priority. I consider that it was absolutely right that extra resources should go to the parts of the country where there are extreme needs, and it is absolutely logical that those areas should be able to achieve greater provision of nursery education.

It is a bit rough on the shire counties which get very small amounts of rate support grant because there is more overall prosperity, but we have poor people as well as rich people and we do not get the central Government support that has enabled apparently poorer areas to provide more nursery education. Rather than condemning the shire counties for our forbearance, people should occasionally thank us for accepting that we should receive less rate support grant so that areas with greater need receive more.

I hope that the hon. Member for Blackburn, who I know is quite serious about such matters, will have the goodness to read the report and acknowledge the force of what it says.

Mr. Gerry Steinberg (City of Durham): I accept that, within the rate support grant and the grant-related

[Mr. Gerry Steinberg]

expenditure assessment for each local authority, there is a needs element for nursery provision. However, does the right hon. Gentleman accept that Labour local authorities use the money that is made available specifically for nursery provision, while Conservative authorities use it for something else?

Mr. Raison: I think that it varies. Very often, Conservative authorities have particular problems—for example, the population may be more dispersed. It is easier to provide nursery education in a concentrated urban area than in a scattered rural area. However, it remains the case that if an area receives extra money specifically to meet certain needs, it should be able to provide more to meet those needs than if it did not receive that money. I do not believe that anyone can dispute that. I am not suggesting that the pattern is consistent, because, as the report makes clear, policy choices are also involved, and some areas are more enthusiastic than others. But to ignore altogether the significance of what comes from central Government, as the hon. Member for Blackburn did, is to present a very misleading picture.

Mr. Straw: I have paid the right hon. Gentleman the compliment of reading every word of the Select Committee report.

Mr. Harry Greenway: One would not have known that.

Mr. Straw: I have read the whole report. The right hon. Member for Aylesbury (Mr. Raison) ignores the fact that, while it is true that social needs are recognised in the calculation of the rate support grant, certainly between 1983 and 1987 the target and penalty system had the impact of removing most, if not all, the rate support grant from those authorities which had the best record in nursery education. So the mechanism that the right hon. Gentleman describes, of money being targeted to local authorities, did not operate. Despite that, and despite real cuts in central funding for local authorities, particularly those authorities in social need, the amount spent on nursery education was increased as a result of local decisions.

Mr. Raison: It is also the case that the target system applied right across the board. My county of Buckinghamshire was affected by the target system. I accept that it had an impact. It was designed to have an impact on total local authority spending. I cannot deny that. As I have said, there has been a perfectly correct priority for needs. It is not surprising that the priority should have achieved the results that it was intended to achieve. I only wish that Opposition Members would not gripe about it. I wish that they would say thank you, to put it crudely.

That the Committee produced a unanimous report reflects its ecumenical approach. It is important that we have the kind of expansion that we called for in our report. It is necessary to state that social factors are a major part of that.

I was on the Plowden committee back in the 1960s when we looked at this matter. Except in terms of my own children growing up, I did not have a close professional interest in what was going on over the years, but when I looked carefully at the subject with the Select Committee, I was struck by the impact of several perfectly familiar social changes. One inescapable fact is the increase in family breakdowns. We cannot get away from it. Illegitimacy figures, one-parent family figures and divorce figures have gone up. Those matters, which must worry all of us, constitute a significant argument for an increase in pre-school provision.

There is also greater isolation for many children. Nowadays, families are almost always smaller. Whereas, in days gone by, one might have had three, four or five brothers and sisters, statistically speaking one now has seven tenths of a brother or sister. In other words, there are fewer children around, particularly in a tower block on a housing estate or in a remote rural area. Let us not forget that side of the equation.

Coupled with that is another important problem, which is the way in which children, like everybody else, are becoming increasingly dependent on television for their experiences of life. It was pointed out to us in one local authority that the Committee visited that constant television watching can lead to a kind of cultural impoverishment, which some form of pre-school education is valuable in offsetting.

Another factor must be the enormous increase in the number of women at work and the number of women who would like to be at work. I can refer to one figure to illustrate that. According to the 1988 edition of "Social Trends",

> "In Great Britain, the civilian labour force rose by 1·8 million people between 1971 and 1986 entirely because of an increase in the number of women in the labour force."

That is a dramatic social fact. It must make us think carefully about how to meet the perfectly legitimate needs of women at work. It covers not only what we were concerned with in the report, which is education, but wider matters concerning day care which we did not go into deeply.

We must respond by providing good under-five education. I do not say that all children under five should receive some form of institutional education; some are not ready for it. It is a great mistake to push them into it if they are not ready. Nor—I emphasise this—should we make mothers feel inferior if they stay at home to look after their children. There is a real problem. Many mothers stay at home to look after their children, from choice or whatever reason, but they are so bombarded with propaganda about the importance of going to work and the fact that there should be more provision for those at work and so on that they are beginning to wonder whether they are occupying a legitimate role in society. We should not condemn a mother who chooses to stay at home and look after her children.

I have reservations about giving tax concessions to families in which the mothers and fathers are out at work because, by definition, they are getting two incomes, whereas, by definition, mothers who stay at home are not getting two incomes. It seems unjust that those with larger sums of money coming in should get tax concessions and that those with lesser sums coming in should not get them. Tax concessions may not be all that valuable for many poorer people, because they are not earning at the level at which they must pay tax. We should think carefully before we make any decisions.

I emphasise that I strongly support the availability and possibility of all three and four-year-olds to have nursery education, if their parents so wish.

That leads me to another overwhelming reason for an expanded programme. I refer to the ever-increasing quality and value of what can be provided at that age, leaving aside social factors, which are not the only consideration. I again refer to my own experience, going back to the Plowden days of the 1960s and what I have seen recently. Over the years there has developed an increase in the sheer professionalism and skill in education at its best. That is encouraging. I have been struck by a greater sense of rigour and direction in nursery classes. They have always been pleasant places and they have always been staffed by dedicated people. But, at their best today, they are capable of doing something of enormous value. That value is important to the child as it lives its life.

The ages of three and four are just as important as any other ages. It is worth extracting as much as we can from them. Nursery education has a long-term impact on the development of the child through the years. It is difficult to prove that statistically. There are attempts to do so, and they are well worth studying, and, although we cannot state categorically that there is a proven, long-term case for it, there is a strong case for it. We talk about nursery classes, nursery schools and playgroups.

The Pre-school Playgroups Association has exaggerated its view of what was stated in the Select Committee report. Paragraph 7.31 states:

"We strongly support the place of the playgroup movement as part of this diversity."

I repeat, we strongly support it. We are not in any sense trying to denigrate what playgroups are doing. We are right to say that, in some cases, they could do with greater educational back-up. I hope that local authorities will be more willing to make available to playgroups the services of their under-five advisers. We were right also to say that, although we do not call for a general transfer of responsibility, it would make sense to transfer responsibility for playgroups from social services to education.

Mr. Harry Greenway: My right hon. Friend is making a most important point about the educational content of playgroups. Will he mention also the fact that the Select Committee was concerned about the need to produce a more even educational content in nursery provision?

Mr. Raison: My hon. Friend is right.

Playgroups have characteristics of real value. They need more help, but it is eternally to their credit that, in particular, they have involved parents to a greater degree than was the case in years gone by. The statutory sector has learnt from the voluntary sector. Let not the PPA think that we are trying to run it down or do it out of existence. That is not the case.

As my right hon. Friend mentioned, there is concern about the teaching of children aged four in primary school reception classes. I do not say that it is all bad or that teachers do not know what they are doing—it would be ridiculous to adopt that position. Nevertheless, there is anxiety about the extent to which teachers are trained or experienced in handling children of that age group as opposed to the higher age group. Sometimes there is anxiety about the child-staff ratio. Children who are just four require a ratio of 1:13, but often they do not find that in reception classes.

The ambience in primary school reception classes may be different from that in a good nursery class or good nursery school. There is general agreement about that. In the report, the Committee says that that is not an area in which it wants to see expansion and it hopes that local authorities will be able, if they are expanding their provision, as we hope they will, to do so through nursery schools or ordinary nursery classes. The special problem is that parents are often so anxious that their children should —as they see it—get on with the three Rs that they want them to start at the earliest possible opportunity.

Sometimes, there has been a doctrinaire resistance to allowing three and four-year-olds to read at all. That is, obviously, ridiculous, but we do not want to ram into children of three and four knowledge and skills that are more appropriately picked up at five, six or seven. There is agreement about that in the educational world. One must occasionally be firm with parents although, in general, we respect the parents' importance generally in these matters.

I now wish to deal with the crucial question of funding. What the report says is, in a sense, widely accepted. The argument now becomes one of how rapidly we can see it implemented. The Government have made it clear that they intend to expand the provision of nursery education and that they plan for a 5 per cent. increase in real terms between now and 1991. However, there is a problem—one always talks in terms of problems—in that the numbers of children of nursery age are beginning to pick up.

The question is, therefore, how far the additional provision will have simply to deal with the additional children. The Government's position seems to be that they believe that, within the level of expansion that they talk about, it should be possible to accommodate the growth in the relevant age group and to have some improvement in the quality of provision as well, especially in reception classes.

That is fine, but it is obviously the case that our report is asking for more than that. An essential part of the report is that we want to see an increase in planned public expenditure to allow the steady expansion that we have in mind. I understand—as the House does—the great pressures on the budget of my right hon. Friend the Secretary of State. I believe, for example, that there is a powerful case for funding for science and research in our universities. The introduction of the curriculum will make substantial demands and we cannot duck those real and important needs in education. However, there is great difficulty.

That leads to the fact that we must obtain more for the educational budget as a whole from the Treasury. One can at least put it to the Treasury that, among the social services, education is almost uniquely an investment. People used to think that the Health Service was an investment, but one cannot look at it in those terms. Housing is a service and social security is a service, but a good education system will clearly lead to an ever stronger economy. My right hon. Friend the Secretary of State should be in a strong position to obtain more over the years for the education budget.

If we consider the public expenditure cycle, we have already had the Autumn Statement and we shall have the White Paper in a few days' time. To expect the White Paper to be rewritten as a rapid response would be a bit optimistic. However, I hope emphatically that, when we come to the next public expenditure round and the next White Paper is published, we shall see not merely the maintenance of the level of improvement that the Government have promised, but a real surge forward. That is important, and public opinion as a whole is

[Mr. Raison]

strongly in favour of that, for the reasons I have mentioned. As I said when I introduced the report a few days ago, this is a need whose hour has come. We look forward to the Government ensuring that that need can be properly and realistically recognised.

Several Hon. Members *rose*——

Mr. Deputy Speaker (Sir Paul Dean): Order. I know that the Front Bench hopes to catch my eye at 9.30 pm, so time is short. I hope that hon. Members will help each other by making short speeches.

8.25 pm

Mr. Simon Hughes (Southwark and Bermondsey): I am grateful to have the chance to follow the Chairman of the Select Committee. He and his colleagues have done an excellent piece of work, which carries the authority of having unanimous agreement in the Committee. I imagine that, as the right hon. Member for Aylesbury (Mr. Raison) commented, it is a unique event that we should be debating a Select Committee report so soon after its publication.

The motion and the amendment are especially interesting. The Labour party's motion, which I and my colleagues will support, makes it clear that it wants the Select Committee's recommendations to be implemented. The Committee does not mince its words and it makes it clear that it is important for our nation and for young people that there is an expansion in nursery education. It also says that such nursery provision requires considerably more money to be spent. It is an investment in the future which needs to be initiated soon. The Government amendment is entirely hollow. It merely comments that the report is good and recognises that the Government have done something—as they inevitably would and should. But it does not say that they will do anything to implement the Select Committee's recommendations.

There are further worrying signs, because, as the statistics in the report make clear, the expansion that was considered to be necessary in 1972-73 has not happened. Paragraph 4.3 says:

"the objectives laid down in the 1972 White Paper have not been achieved."

The announcement by the Secretary of State that a Committee will be set up is, on the face of it, welcome, but it may be dangerous. It is a well-known Government trick to respond to a Select Committee and to other proposals by setting up a committee that will deliberate for sufficiently long that no decisions can be taken for a long time because the Government will say that everything is being considered. If we are to have increased spending commitments in 1990, which is the first realistically achievable opportunity, any committee must come to conclusions quickly. Otherwise, just at the time when local authorities are feeling the strain because of the implementation of the poll tax in England and Wales, they will not be able to do their part to ensure the expansion of the budget that is necessary for pre-school education and child care. We need to sound a warning about that and to point out the need for a strong and urgent commitment from the Government.

The right hon. Member for Aylesbury has, I hope, allayed the fears of those who are professionally interested in playgroups. He has made well the point that the Select Committee envisages the continuance of diversity. The statistics in the report make it clear that up to now playgroups have formed the largest group of provision. Table 1 shows that 409,000 children attended playgroups in 1985. The next most sizeable group, in nursery classes and schools, was 267,000. There are no foreseeable circumstances in which playgroups will not continue to play a major part. The liaison between the voluntary and statutory sectors and the extended sector that nursery education should form seems to be fundamental. Playgroups must be supported and increasingly supplied with trained people to work in them. Qualified nursery nurses are one category of professional that should be expanded.

The points made by the right hon. Member for Aylesbury about expenditure must be listened to. Over the years, certain local authorities have been funded specifically to meet the need. Avon, for example, where power is shared between Labour and my colleagues, spent on under-fives about £8 million over the grant-related expenditure assessment figure of £3·6 million. It spent a lot more than it was given to spend, but it is still in the lower half of the list of provision. How much local authorities have as the base from which they start depends on the allocation by central Government. Simply looking at the provision and attributing fault or credit to the local authorities is insufficient analysis. We must look at such matters accurately and then consider the commitments of local and central Government.

Another issue that has been alluded to but not developed is that, as we know, one of the Government's expenditure commitments will be the national curriculum and one of the implications of the national curriculum is that schools will assess youngsters aged seven, of whom some will have been at school earlier than others and some will have received nursery provision. I hope that the way in which those children are assessed will take into account the unevenness of the present education provisions. The Select Committee report makes it clear that there is a range of provision from almost nothing in some areas of the country to substantial provision in other areas.

Of course, one must select priorities and the Secretary of State and his colleagues will have to do that as they consider the report. However, I hope that they will not only make it a priority that they argue for and, I hope, achieve more funding but that they will then decide where that money should go. I would argue first that there should be funding for local authorities to enable them to co-ordinate public and voluntary efforts and so that they can secure the availability of part-time care provision for all three-year-olds and full-time provision for all four-year-olds within, say, three years. Secondly, I suggest that we build on the present public and voluntary provisions for three and four-year-olds and commit the money to secure the educational content of that provision —a point made by the right hon. Member for Aylesbury —with the aim of securing nursery provision with properly trained staff for all three and four-year-olds by the late 1990s. We must keep up the momentum, and the statistics, which are well set out in the report, show that we have slipped.

I should like to refer to just one more issue and shall do so by way of example. The right hon. Member for Aylesbury rightly quoted the reasons why nursery education is especially important, and referred specifically to the social reasons. It is true and significant that there is an increasing number of isolated children and isolated

families, including isolated one-parent families, and that fact contributes to the greater need of those families for the sort of provision that the report recommends.

The social context now is very different from what it was 20 years ago. Those of us who represent areas such as inner London are forced to observe that things are not only getting worse but that children are substantially at risk. The Inner London education authority has done relatively well as an education authority, yet it is in the lower half of the Labour party's table of nursery education provision, even though it has always been under Labour control. It is to be abolished in 1990 and its education functions are to be transferred to boroughs, such as my own of Southwark and others.

The report makes the point that the co-ordination of functions between authorities needs to be substantially improved. At the end of December two parents, a mother and a stepfather, were convicted at the Old Bailey of the manslaughter of their 16-month-old child. That case was widely reported. The child was Doreen Mason Aston who came from Southwark. She had been the responsibility of various agencies, authorities and departments and of different borough and district councils for all of her 16 months. Those bodies had wilfully neglected to come to her rescue. Her life came to an end because there was no proper co-ordination between the agencies caring for children.

The Labour motion calls on the Government

"to improve coordination between government and local authority departments."

One way to do that is by knowing what is happening. Like all institutions of the House, the Select Committee is commendable because it is a public body which reports in public and makes sure that we all know what it thinks. However, there is a worrying trend that in central and local government things are kept quiet. The only way we shall be able to judge what Government Departments do and what local authorities do is if, when they are inspected, monitored and assessed, the results become public information.

I am restrained tonight from commenting on the documents in the Doreen Mason Aston case, although I have read them because the local council went to court and took out an injunction based on the "Spycatcher" principle preventing the press from publishing details of the case. That is a restriction on the right of the public and those in both central and local government to be able to judge what goes wrong when agencies caring for children do not co-ordinate their services.

In London, which I know better than other places, the social services departments and the other agencies, including education authorities, that work with and for children are in crisis. They are underfunded and are not co-ordinating their work properly. Unless we correct that trend and unless we can deal with social pressures in the inner city through substantial funding and substantially better monitoring and co-ordination, we will not be caring for our under-fives because they will not be entering the compulsory education system able to develop properly as rounded children.

The Select Committee report gives us the launch pad for the debate. Our objectives should be that children are cared for, first by their family, but by their community if their family cannot do it. Education provision should be provided for them as early as possible. We lag behind other European countries in this and, sad to say, have made little progress in recent years. I hope that today will mark a change in that tradition and that we shall expose those things that are hidden at present which prevent us from knowing how severe a problem we have.

8.46 pm

Mr. James Pawsey (Rugby and Kenilworth): I hope that the hon. Member for Southwark and Bermondsey (Mr. Hughes) will forgive me if I do not pursue his arguments too closely. I suppose that Conservative Members should see the Opposition motion as something of a backhanded compliment about the way in which the Government are managing the economy. Clearly, the Opposition have much higher expectations of this Government than they had of theirs between 1974 and 1979. My reason for saying that is that real term spending on the under-fives has increased by some 35 per cent. since 1979-80 and is planned to increase by a further 15 per cent. between 1986-87 and 1989-90.

I have to repeat the question that my right hon. Friend the Member for Aylesbury (Mr. Raison) asked Opposition Members earlier: if they felt so strongly about pre-school education, why did they not do more about it when they were in government? The answer, I suspect, is that they allowed the economy to get into such a complete shambles that they were unable to fund any expansion anywhere, let alone for the under-fives.

Fortunately, the present Government through their careful management of the economy have funds and I am pleased that, as my right hon. Friend said, there has been a substantial increase of about 100,000 pupils under five in nursery and primary schools—an increase of about 25 per cent. in eight years. The lectures to which we have listened from Opposition Members would be rather more acceptable if their record was not so appalling in this, as in so many other areas of education.

The House will recall that it is not a statutory requirement on local education authorities to provide education for children under five. The view taken by this side of the House is that local education authorities should be able to decide for themselves the degree of priority which they should give to that part of the education scene.

Again, it is important to remember that in this country we seek to provide as wide a choice as possible to parents, and some parents will undoubtedly decide that playgroups are the best answer for their children, and I find it significant that they provide a facility for about 40 per cent. of four-year-olds.

Mr. Win Griffiths (Bridgend): On the basis of the provision tables, it would appear that the Conservative authorities give least priority to nursery provision for the under-fives. Will the hon. Gentleman comment on the fact that in the county of Gloucester there is not a nursery school place for any child under five?

Mr. Pawsey: With respect to the hon. Gentleman, he clearly did not listen to the answers which were given to similar questions by my right hon. Friend the Secretary of State and my right hon. Friend the Member for Aylesbury. However, I must say to the hon. Gentleman that those authorities must respond to the democratic principle, just as we must in this House. They must reply to their electorate through the ballot box. If the electorate do not like the way in which those authorities run the education scene, the answer is clear.

[Mr. Pawsey]

I acknowledge, however, that, as the economy continues to improve and as unemployment continues to fall, so more mothers are being encouraged to take up and, indeed, are taking up employment. The corollary of that is that they require their child to be cared for and looked after when they are at work. That is why I welcome—it would be good to hear Opposition Members also welcoming it—the further cash increase this year of £139 million, which brings the total spending on the under-fives to well over half a billion pounds—some £536 million.

However, I should like to strike a gentle note of caution. While I understand the pressures on mothers to go out to work, they will be aware of their unique importance to young children. I acknowledge the point made on this matter by my right hon. Friend the Member for Aylesbury. It appears to me that the family still remains the best nursery for children. Children can learn so much from caring parents. One of the matters which causes me special concern is the fact that when I visit schools I discover that some children must be taught—even in primary school reception classes—certain basic matters, such as simple and elementary conversation. I would therefore like to see more head teachers advising parents of the standards which are expected when a child actually starts school.

No one expects any great knowledge or ability from a rising five-year-old, but I hear too often from teachers that parents are increasingly prepared to pass more and more responsibility for their children's education on to the school and on to the classroom teacher. I hear too often that parents are prepared to leave their child in front of the television set. Indeed, television appears to be becoming some form of electric childminder to the great disadvantage of young children, which is a further point that was made by my right hon. Friend the Member for Aylesbury. One cannot stress enough the importance of encouraging parents to talk with their children, to answer their questions and to encourage the growth and development of their young minds.

I referred earlier to working mothers, and I must say that there appears to be a substantial element of responsibility on an employer—rather than just on the local education authority and the state—to make adequate provision for children. Clearly, the employer is deriving some form of commercial advantage from mothers working and I can see no reason therefore why an employer should not shoulder a greater burden of the involvement in caring for the child of a working mother.

Mr. Malcolm Thornton (Crosby): We would all agree with my hon. Friend's comments, especially those of us who were able to study the American system of employer provision. Will my hon. Friend comment on the fact that there is a problem in this respect because, if employers provide facilities for their employees' children, those facilities are taxed as benefits in kind, which is in fact a disincentive?

Mr. Pawsey: I have some sympathy with what my hon. Friend is driving at. Perhaps it is a matter to which we should give further consideration. As I said earlier, the employer should carry a little more of the burden than he does presently. The giving of certain tax incentives may be a way of achieving my hon. Friend's objective.

The report of the Select Committee is most comprehensive. I would like to congratulate my right hon. Friend the Member for Aylesbury and the other members of the Select Committee, because they have clearly produced a painstaking report. They examined witnesses in depth. Undoubtedly, the report will be considered by the Government during the months ahead.

I noted what the Select Committee said under the heading "Conclusions and Recommendations". It said:

> "There are many good playgroups and day nurseries, but in many there is scope for giving greater emphasis to education objectives."

I must say to my right hon. Friend and other members of the Select Committee that, with the introduction of the national curriculum, one hopes that there will be a little less emphasis on play and rather more emphasis on learning.

I am not entirely certain that I agree with the Select Committee when it says in its report:

> "It should be the objective of both central and local Government to ensure the steady expansion of provision of nursery education until it is available for all three and four year old children whose parents desire it for them."

I feel that three is a little early. I know that my right hon. Friend might quote the example of John Stuart Mill, who at the age of three was, in fact, being brought up on classical Greek. However, I put it to him that there are not many in that position. I am a little doubtful, therefore, about the effectiveness of anything resembling a structured education for three-year-olds. It is significant that in France only 14 per cent. of the three to five-year-olds have full-time education. By comparison, in this country, it is 47 per cent., with, I suspect, the majority of them falling into the four rather than the three-year-old category.

Mr. Raison: We are certainly not advocating that all three-year-olds should have full-time education. My hon. Friend is under a misapprehension.

Mr. Pawsey: I am grateful to my right hon. Friend for clarifying that point. None the less, I am apprehensive about three-year-olds even enjoying part-time education to the degree to which perhaps my right hon. Friend has implied in the report.

Elsewhere in the report the Select Committee says that

> "the number of places specifically for the initial training of early years teachers should be further increased."

I am entirely in agreement with that laudable objective. For too long education of the very young has been regarded as a not especially important job. I happen to believe the reverse and that to cater for young children in nursery or reception classes is a demanding job, calling for enormous patience. I certainly support the Select Committee in its encouragement to the training colleges to ensure that students cover the entire age range of the course.

In taking note of the Opposition's appalling record in this sector, I believe that this motion is completely mischievous and deserves to be soundly defeated.

8.58 pm

Miss Joan Lestor (Eccles): I am grateful to the Secretary of State for following my career with such profound attention. I cannot for the life of me remember what he was doing 13 years ago, and if anybody in 13 years' time can look back and remind us what he was doing tonight I shall be surprised.

I am grateful to the Secretary of State for reminding me that I resigned from the Labour Government over their failure to expand nursery education. I am also grateful to one or two newer hon. Members who have come up to me this evening and said, "My God, did you actually resign?" That may have elevated me a little in the annals of Parliament and in my own party. But I am not the slightest bit embarrassed. My resignation may have been the catalyst a year or two later which encouraged the Labour Government to expand nursery education, as they did, before the 1979 election. One has to take a stand. If someone in the DES were to take it upon himself to resign now we may see an expansion in nursery education.

Mr. Pawsey: We are happy with the team that we have.

Miss Lestor: The hon. Gentleman is easily satisfied.

I congratulate the Select Committee on its report. I agree with most of what the right hon. Member for Aylesbury (Mr. Raison) said, so I shall not repeat it except to remind him that he and I go back a long way in the battle for pre-school education. My regret is that so much of what is in the report has been said repeatedly over the years, yet a large number of our pre-school children still do not receive the stimulation or the facilities that they should receive.

Education is basically about curiosity, as every good educationist knows. A good educationist has the technique to harness that curiosity, to stimulate it and to apply it in a learning situation. Children are at their most curious between the ages of two and five. Those are the golden years of learning and development. How we treat children during that period of their lives, how we develop their attitudes to learning and to the world around them, can and does have a profound effect upon their later progress and what they do when they enter the education system. That is the educational case for the pre-school child. That has always been the education case for the pre-school child.

It is a matter for great concern that in Britain we have a school starting age of five. Many children do not start school even then—many have had no pre-school experience. As the hon. Member for Rugby and Kenilworth (Mr. Pawsey) pointed out, many children arrive in school unable to look after themselves in fundamental ways. However, it is no good saying that the parents should be told to do this or that. That is where we may differ. In my area Salford is top of the pops for nursery education. That is no credit to the Government, but to Salford. Salford has made that provision, not the Government.

Mr. Pawsey: Will the hon. Lady give way?

Miss Lestor: My hon. Friend the Member for Norwood (Mr. Fraser) says that I should not give way, but I may later.

Salford has expanded nursery education because of the need for pre-school experience for our children.

The Secretary of State's figures included a variety of provision, much of which is not funded by the Government. Twenty-one years ago almost to the day, I believe in April—we are having a bit of history tonight—there was the first ever lobby of Parliament by the under-fives for more pre-school education.

Before that, in the early 1960s when the Tory Government were in power, the pre-school playgroup movement was formed. I have always supported that movement. I did so long before many hon. Members recognised its value. It came into being because of the lack of nursery school provision in Britain. Whatever contribution it has made since then in a variety of provision that we all welcome, it came into being because of the lack of provision under the Tory Government in the early 1960s.

Dame Elaine Kellett-Bowman (Lancaster): Any lack was continued by the Labour Government.

Miss Lestor: Yes. I am not saying that it was not. I am saying that the playgroup movement came into existence because of the lack of nursery education under the Tory Government in the late 1950s and early 1960s. People can look that up for themselves.

I take the point made by the hon. Member for Southwark and Bermondsey (Mr. Hughes) on departmental confusion over provision for the under-fives. That has always existed. There has always been confusion between health and education. There is a sort of apartheid, which is worrying, where children who—to use the phrase loosely—may be considered priority cases or deprived tend to go in one section, while children living in different types of area go into another section. Somehow the two must be married. Nursery centre developments in which people from the DES and the National Nursery Examination Board have joined together have resulted in the sort of provision that is necessary for the development of young children.

The report—in this it was supported by the Secretary of State—also criticised taking four-year-old children into primary schools in which there is no proper pre-school equipment or the standard of nursery-school ratio that we want. Too often children are confused and not given the stimulation required for the age group to which they belong. I am glad that this fact has been recognised. Many of us have said for a long time that it should be.

I am apprehensive about the report's ideas that we must start somewhere. Of course, for many years we have been saying that priority should be given to children in high risk categories until more resources are available. But it depends what is meant by priority. There are children at risk, children who fall between two stools, children trapped in high-rise flats and children in bed and breakfast accommodation. Most of them have no pre-school experience and need it desperately. There are bored children, lively children, highly active children, lonely children, isolated children of working mothers. I congratulate the *Daily Mirror* on the valuable campaign that it is waging in this last respect. All our children need pre-school experience and a variety of pre-school facilities must be made available. It is not right to pick out one category of children and say that they need the experience more than any other.

The table clearly shows the lack of provision by local authorities in some of the rural and more isolated areas of the country, which is where the need is often greatest. Children are isolated; the gaps between houses and areas are wide, and that is where provision is needed. Children there are at risk and isolated.

The hon. Member for Southwark and Bermondsey spoke of a child who fell between various Departments and was picked up by some. That has happened before. Abused children who have recently been in the news, some

[Miss Lestor]

of whom have died at the hands of inadequate parents, have often not had the opportunity of a pre-school education, or been caught up in any organised form of education. If the facilities had been available to offer them that, it would have helped us to spot the children who are suffering and in need.

9.8 pm

Mr. Harry Greenway (Ealing, North): It is difficult to disagree with much that was said by the hon. Member for Eccles (Miss Lestor). Her record with under-fives is distinguished, but I want to pick up one point that she made, which links in with the report, which I wholly support.

I refer to the position of three and four-year-olds in primary schools. It is absolutely right, as my right hon. Friend the Member for Aylesbury (Mr. Raison) and the hon. Member for Eccles said, that such children should not be absorbed into primary schools and into the main stream of five-plus education. However, I hope to carry all hon. Members with me when I say that it must be possible in a time of falling rolls in primary schools, when there is plenty of room for expansion in the number of places for children, for many three and four-year-olds to go into primary schools because the space is not taken up by five-plus-year-olds. But each nursery unit in a primary school must be separate. It should have a separate head and be separately run. That is where we have been going wrong. Our report would have been better if we had stressed the need for heads of nursery units, both in primary schools and in separate units. That would be valuable for the teaching profession because it would increase the opportunity of senior posts for people looking after the under-fives.

My right hon. Friend the Member for Aylesbury mentioned those who told the Select Committee that children who do not receive education below the age of five are disadvantaged for the rest of their lives. I agree with that, although it is not necessary for such children to be educated in nursery units or pre-school playgroups. If children have not received an education from their mothers, or in some other way when under five, they are disadvantaged for the rest of their lives. That is why the report is so important. We say that the state should provide a back-up for all children whose mothers cannot perform, or do not want, this role, or whose parents do not have the resources to make provision for them. That must be part of the state's role, and that is why I am a keen supporter of the report.

I have known the hon. Member for Blackburn (Mr. Straw) for over 20 years and I am sorry that he did not make the case on education and social grounds. I understand his need to put the political case, but I urge him to stress the education and social needs of the under-fives. I invite the hon. Gentleman to consider what the Select Committee saw in the United States. There, we learnt that 57 per cent. of all mothers with a child below the age of a year are out at work—a huge figure. In this country, the equivalent figure is 27 per cent. In the United States we saw children from the age of a fortnight in nurseries or some form of pre-school provision. That is horrendous but one day we shall have to face it.

In some areas of the United States the provision for the under-fives is not ambitious enough. The fresh start programme, which has been commended throughout the world, sought, as its basic aim, to give all under-sixes self esteem. That is tremendously important because so much grows from it, but much more than that could be done. For example, the way that children learn to socialise, have good conversations with one another and with adults, and learn to read and write, all depend on their ability and drive. I commend self esteem as a good start, but we must do more.

For the report, the motion and the amendment to say that all parents of three and four-year-olds should have the opportunity of nursery education if they want it suggests to parents that they should want education for children below the age of five and that if they do not they are failing them. That is not to say, as my right hon. Friend the Member for Aylesbury said, that they would be failing them if they did not place them in nursery schools or pre-school playgroups. The diversity of provisions that we have means that there are so many valuable provisions for the under-fives that parents who do not place their children in some form of pre-school facility or who do not look after them and educate them in their own homes will be failing them for life.

It would be wrong to advocate compulsion. It has been suggested in this debate that perhaps there should be compulsory education for children of three years upwards. That would be wrong. The existing system is most likely to lead to well-motivated education for children below the age of five and well-motivated parental interest. The motivation of parents and children throughout education is of the highest importance.

The report, which has been so fully debated, brings out the fact that we need to look much more for an even education provision for the under-fives because there is no broad acceptance of what society is seeking to do with children of that age. In some places they play about with water and sand—and there is nothing wrong with that—while in other areas they are pressed to learn to read and write, and that can be stressful to little children. In other areas none of those things is provided. As I have said, in the United States they are content to go simply for self-esteem and ignore some of the other learning skills that could be developed.

The most important education aspect of the report presses for each local authority to be asked to produce a report on what is best practice in its area. That would be done as a means of seeking to influence people in its own area, and in other areas, to do well for everyone that which is best done in some places. That is of the highest importance and great stress should be placed upon it.

As the hon. Member for Eccles and my right hon. Friend the Secretary of State said, we need to underline again and again the urgent social need for education for the under-fives. Many of us have experience in our constituency surgeries of mothers, girls of 16 to 19 and sometimes outside that age range, coming to see us. They are girls whose partner has left them or who are unmarried and struggling to bring up children on their own. Those young women are not able to give their children the education background that they need and often they are not able to give them the right sort of social background. Many of them certainly have financial difficulties. Society must step in to help children whose mothers are so hard pressed.

9.17 pm

Mr. Gerry Steinberg (City of Durham): When nursery education is discussed there is always an abundance of good will about the idea of increasing the number of nursery places. Unfortunately, the reality is that there is little evidence of financial commitment by the Government to enable that expansion to take place. The idea of expanding nursery education has been talked about for years without any appropriate action being taken, and the meagre Government provision is under threat from further cuts in spending and must be protected.

We must always understand that the provision that exists is no thanks to the Government. As my hon. Friend the Member for Blackburn (Mr. Straw) said, the Education Act 1980 required local education authorities to provide nursery education, but that requirement was removed to allow Oxfordshire to savage its nursery provision. So much for the Prime Minister's so-called commitment. The top 20 providers of nursery education are all Labour-controlled local education authorities. If it had not been for such authorities nursery provision would be negligible.

I have great respect for the Chairman of the Select Committee, the right hon. Member for Aylesbury (Mr Raison), and admire the way in which he handled the Committee and the report. However, despite what he says, every local education authority gets some recognition in its grant-related expenditure assessment of the need to spend money on nursery education. That need is defined by reference to the numbers of children under five and the social conditions. While Labour authorities spend that money on nursery provision, Conservative authorities spend it in other ways. It is audacious for the Government to claim any credit for increased provision or for education spending in general. The Government's audacity takes some beating.

Government spending on education has been cut by about 18 per cent. since 1979. The national increase is due to the efforts of Labour local authorities, who have funded it by increasing rates to compensate for Government cuts. The Government's downright dishonesty is disgraceful. They claim credit for increased expenditure, but have penalised many education authorities for spending more. That must be the height of hypocrisy.

Putting financial considerations aside, why has nursery education been relegated to the bottom of the league table? I believe that it is because parents, and the public in general, are not sufficiently aware of the importance of nursery provision and have no long-term commitment to it, even though it is special and more urgently needed than ever before. Nursery education is not a child minding service; it plays a crucial role in a child's ability to benefit fully from later educational opportunities. It helps form a positive attitude towards the child's future education. Plowden, Bullock and Warnock are among those who stress their conviction that nursery education is important and desirable, yet the hoped-for expansion has yet to be realised.

There is now the Select Committee's report to consider. Will we hear the same old story about lack of resources? Before the age of five, children experience their most rapid period of development—physically, socially, emotionally and intellectually. Nurseries provide carefully planned and structured environments for stimulating the child's curiosity, helping to make sense of the world around him. Qualified nursery teachers and nurses provide a total learning environment, comprising a whole range and variety of stimulating activities, incorporating pre-number and pre-reading skills that extend the child's comprehension and capacity for learning. The nursery sets the foundation for his future.

Unfortunately, only a small proportion of children benefit from nursery education. It depends where they live. If parents live in an area whose local authority is not Labour controlled, or they are unable to meet the cost of private nurseries, an important and crucial stage in the child's young life will be missed. The skills and expertise of a trained nursery teacher and nursery nurse can also help diagnose potential handicaps or special needs. Nursery education is of undoubted benefit to the disadvantaged child. It is not a luxury but an investment in the future Our children deserve the best possible provision in their vital early and formative years. That means making available many more pre-school places.

If the Government recognise the value of nursery education, as they claim, they must accept and adopt the Select Committee's report in its entirety. There are no substitutes for nursery education. Early admission to schools also varies considerably from one local education authority to another, but if LEAs are obliged to provide nursery education for all pre-school children, the discrepancies between admission policies will disappear.

Sufficient expansion of nursery places will ensure that the need for early school admission will be negligible. It is deplorable that we have to admit children to schools early simply because there is inadequate nursery provision. That should never arise. More nursery school and nursery unit places are needed. The lack of them is damaging our children's prospects. Admitting children to school early is no substitute for the stimulating environment of a nursery school or unit.

For young children, play is the principal means of learning, and they ought not to be deprived of that important element in their development. Infant schools do not have the facilities or scope to provide the opportunities that nurseries can offer. They are often handicapped because of the large numbers they have to accomodate, which can be high, even in reception classes.

The Government have not capitalised on falling rolls to provide a lower teacher-pupil ratio. The reverse is true: teacher-pupil ratios have increased alarmingly in some schools. Reception classes, in which in my opinion the teacher-pupils ratio should be 1:20 at the maximum, have a ratio as high as 1:30 in many schools, and sometimes more. That is damning for the education of young children, but then the Government have shown scant regard for our education system as a whole. If we addressed ourselves to providing free nursery education —nursery schools as well as units—for every child who wanted it, the problems of rising-fives and early admission to schools would no longer exist.

In speaking about nursery provision we must not forget the handicapped child, who deserves the same opportunities. The Warnock committee recommended that provision be made for such children if they were to be integrated into normal schools later. Unfortunately, the recommendations have yet to be implemented, which is hardly surprising, given that there is inadequate provision of nursery places for the normal child.

For too long we have merely talked about increasing nursery provision. We must take a more positive attitude.

[Mr. Gerry Steinberg]

Most hon. Members seem to realise the value of such provision, yet nothing seems to be done. Is that because pre-school attendance is not compulsory and we therefore do not attach the same importance to it? If so, we are making a big mistake. We should be answerable to our children and their prospects. We owe them the opportunity to reach their full educational potential.

The Select Committee has made some important recommendations on pre-school provision. The Government should accept those recommendations as a basic starting point and provide the necessary resources.

9.26 pm

Mr. James Paice (Cambridgeshire, South-East): I am grateful for the opportunity to contribute to the debate as a "free-standing" Member, to quote the hon. Member for Blackburn (Mr. Straw), as I am not a member of the Select Committee. However, I read the Committee's report with great interest.

I found it difficult to equate the account given by the hon. Member for Blackburn of the record of the past 16 years with what I believe to be the case. The Plowden report was produced in 1967, three years before the end of a Labour Government, and it was not until the Conservatives came to power that the White Paper that has been referred to so many times was published, to be implemented subsequently by a Government circular.

I looked in vain for evidence of what the Labour Government had done in the way of White Papers, memos, circulars and so on. All that I found was a Green Paper, which has not been referred to, called "Education in Schools". It contained a telling paragraph. Having paid lip service to the Labour Government's record in nursery education, it qualified that with the words

"even though limitations on resources will confine further expansion of provision in the immediate future to the areas of greatest social deprivation."

That does not quite tally with the massive expansion that we were expected to believe in.

Another important development was the Education Act 1981, which laid a duty on local authorities to identify and assess cases of special need among children aged over two, and, if making a statement on such a child, to make the provision indicated. That is an important step forward, and I am sorry that not every local education authority has proceeded with it.

The Opposition make great play of the need to understand and support local democracy. It is a result of that that, unfortunately, they have not all made the provision that we would wish. [HON. MEMBERS: "They had no money."] We have already heard the argument about money, and the clear case that many authorities have not the allocation to enable them to act.

I strongly support the Government's policy of a variety of provision, but I was a little disappointed by the implication about pre-school playgroups that I read into the report. I am comforted by the comment of my right hon. Friend the Member for Aylesbury (Mr. Raison) that we may have misunderstood it, but I shared the pre-school playgroups views of the association. Playgroups have an important role to play.

The hon. Member for Eccles (Miss Lestor) mentioned rural areas, one of which I represent. In such areas nursery schools are almost a non-starter from the financial point of view.

We have great difficulty in maintaining some of our primary schools that cater for five or six age groups. It is impossible to justify special schools for one or two age groups. Pre-school playgroups have a major role to play in catering for them. They have a number of advantages. The hon. Member for Sheffield, Hillsborough (Mr. Flannery) referred disparagingly to the fact that pre-school playgroups are cheaper to run, but that is very important.

I am the first to accept that the standards of some playgroups need to be improved, as does the quality of the training of the people who run them. However, we should capitalise on the great wealth of opportunity that the pre-school playgroups provide. The children will benefit if their parents and other adults are involved in running them. It is most important to involve parents in the education of their children while they are very young. I support the Government's policy to try to involve parents throughout the whole of their children's education. The provision of pre-school playgroups means that parents are involved in their children's education from the very beginning. If parents are involved at that stage, they will continue to be involved in their children's education.

I am grateful for the opportunity to speak in the debate. It is a good report. I welcome the Government's policy and I look forward to the substantive reply to the report.

9.30 pm

Ms. Hilary Armstrong (Durham, North-West): This has been an important debate, called for by the Opposition because of their commitment to improve the opportunities for all children under the age of five and to enable their parents to take advantage of pre-school education and child care. The Select Committee's report has provided a timely and apposite basis for many hon. Members' speeches.

The motion is based on the Select Committee's report but the debate has not centred solely on the report. We called for the debate because the Government have signally failed to fulfil even their manifesto commitment. Therefore, they have failed the children and the people of this country.

The Secretary of State admitted that he had not previously made a speech on nursery education. I was glad that he referred to the importance of choice for parents. Parents say that they want choice, but for most of them there is no choice. If there is no provision, how can they have choice?

I was interested in the remarks of the hon. Member for Southwark and Bermondsey (Mr. Hughes). He has had to leave the debate early, for personal reasons. I hope that he will have words with the leader of his party, who said, when he last spoke in the House, that it was ludicrous to ask for nursery provision to be made available for all children over the age of three if their parents wanted it. I hope that the right hon. Member for Yeovil (Mr. Ashdown) will learn something from the hon. Member for Southwark and Bermondsey.

If we are to fulfil the commitments contained in the Select Committee report and in the motion, we have a lot of work to do. People are sick of words. They are looking for action. We have heard much about the Government's

commitment and how well they have done. That is a travesty of the reality, which is that Labour authorities have increased spending on education while the Government have been in office, although the Government have reduced the overall amount that is spent on education.

Education in a child's early years is very important. Its value has been spelt out over the years by many hon. Members, and it was confirmed by the 1972 White Paper and by recent research. Its value was reaffirmed by the Select Committee. Nursery education and child care have become increasingly important in our changing society. Young children are vulnerable. We are just beginning to recognise how vulnerable they are as we come to terms with child abuse. They are not as safe on the streets as they used to be. They are much more likely now to be members of small families. All those developments increase the need for group care and education.

Nursery education and child care is of growing importance to parents. Many more adults, particularly women, are required to become members of the work force, and I have been interested to see the way in which some hon. Members think that women decide to work as a whim. While many women have to work through economic necessity, many of them wish to contribute their skills, experience and knowledge to society and to achieve personal fulfilment. If the Government are serious about achieving equal opportunities, they must ensure that women have a real choice when they wish to go out to work. They can make that choice only if there are adequate child care and education facilities for their children.

Nursery education in the 1990s will be important economically for the nation. As many more women are encouraged to go to work and into post-school training and education, the break to have children must no longer result in their often returning to jobs with less skill and a lower rate of pay. What a waste, and how frustrating and demoralising that is for women. They should have confidence that they can make real choices about when they return to work after the birth of their babies, and those choices must not leave them feeling anxious all day long.

All that involves the availability of affordable and accessible quality child care. Today, provision for the under-fives is sparse, unco-ordinated and of variable quality. We in Britain are isolated in our failure to recognise the urgency of these demands and the damaging effects on families when their needs for child care are neither acknowledged nor met.

Labour Members are determined that there will be a co-ordinated strategy which will integrate facilities and offer parents a real choice of quality provision. At present the chance of one's child having some form of pre-school provision is a lottery. It depends on where one lives. If one lives in Labour Salford or north Tyneside, one has an opportunity to send one's child to school or playgroup.

I talked to parents in North Tyneside on Friday. They expressed enthusiasm for what was on offer there and talked about its value for their children. One mother spoke of the difference she had perceived between her son's first year at school—the boy had not previously had access to a nursery place—and the first year of her daughter, who had attended nursery.

Parents also talked about what pre-school provision meant for them. It had made them more confident in asking questions about their children's education, about what books to choose, about what play equipment was good for their children and about the confidence they themselves had to return to education. Several spoke about the value of being involved in the parent and toddler group which was accommodated in and supported by the local school but run and managed by the parents. Their children were able to move into nursery school, and they could continue to play a part in their children's schooling, if they wished.

The tragedy of much of the current debate is that, as a diversion from the objective of giving more choice and opportunity nationwide, the Government are trying to set the value of one provision against that of another. To argue for more nursery school places is not to devalue the contribution, for example, of pre-school playgroups.

There must be a variety of provision, but it must be within an area as a whole, with parents being assured of quality wherever their children are placed. At present, many parents must put together a package that is convoluted and includes too many carers, leading them to feel that their children could be unhappy.

We desperately need a co-ordinated and integrated national strategy. Leaving it to chance, as the Government have been happy to do, is simply not good enough. The Government have a responsibility to monitor, to regulate for minimum standards and to provide a structure for training and support of all workers in child care. Commitments made in 1972 about supplying teachers have yet to be met. The nursery element in teacher training is still wholly inadequate and the status of nursery teachers is frequently low with little opportunity for career development.

Nursery nurses feel undervalued and have little opportunity for career progression. Nursery staff have told me over and over again that they try to work as a team, but the provision for in-service training offered by the Government divides them and undermines the team spirit.

I visited Sheffield recently, as did the members of the Select Committee. Sheffield has made great progress in trying to tackle those problems. It has also moved towards the integration of education and social services to great effect. But at what cost? Sheffield knows where it wants to go, but it has suffered from Government cuts and has had to hold up its programme of expansion. North Tyneside is also not complacent, but it is aware that further demands must be met. Newcastle has been rate-capped. I was told that in Newcastle three nursery units attached to schools are already open or due to open this year, but there is no money to furnish or staff them. Will the Government take responsibility for that? Petitions have been prepared on those matters and the demand is obvious.

Workplace nurseries also have a role to play in the overall provision. Employers increasingly recognise the importance of their contribution. However, particularly for mid-range income earners, tax is a major disincentive. We welcome the prolonged campaign by the *Sunday Mirror* to abolish the workplace nursery tax. We remind the Government that the *Sunday Mirror* has received many representations from parents about the importance and centrality of workplace nursery provision.

Labour-controlled authorities have tried to fulfil the aims and objectives of the 1972 White Paper, and they have been punished for that. From the Dispatch Box the Prime Minister frequently lectures us and bombards us with statistics to try to prove through a smokescreen that

[Ms. Hilary Armstrong]

we have misunderstood her commitment to the Health Service or to social security. However, she has been strangely silent on her commitment in 1973 that within 10 years nursery education should be available without charge to three or four-year-olds whose parents wanted them to have it.

We have seen no effort from the Government to meet the obligations inherent in the Education Act 1981 to meet the requirements of children with special needs. How can a child with special needs be integrated into mainstream nursery provision when there is no nursery?

The Government have shown that they are so obsessed with short-term economic profit that they are prepared to sacrifice the opportunity of millions of children for a good start in life. The Government's lack of care has cost our children dear. The nation's future is their future. The Government have failed children and parents. They have failed to fulfil their promise to the nation and they have failed the nation's future opportunities.

The House has an opportunity to remind the Government of their promises, commitments and responsibility and a chance to show that we are prepared to secure the best opportunity for children, their families and their future. I invite hon. Members to do that.

9.45 pm

The Minister of State, Department of Education and Science (Mrs. Angela Rumbold): I warmly congratulate the hon. Member for Durham, North-West (Ms. Armstrong) on her first appearance at the Dispatch Box. While I do not agree with all that she said, I think it right to welcome her to her new position. I also add my warm welcome to the Select Committee's report. Like many other hon. Members, I have read it carefully. I certainly hope to make the Government's response to it most worth while.

Because the report was issued only last week, many of its recommendations have formed the basis for the debate, which has included some valuable contributions and important thoughts on the pre-school experience for children. However, it is important to establish the major issues that have emerged from the debate.

I thought that I would be disappointed when the hon. Member for Sheffield, Hillsborough (Mr. Flannery) almost gave the game away. While some Opposition Members are prepared to bob and curtsey to that most valuable organisation the Pre-School Playgroups Association, when it comes to the nub of the matter they would like total state provision of nursery education, which the Government are not so anxious to provide. We have always been convinced of the importance of diversity of provision to meet the varying and different requirements of parents.

The hon. Member for Hillsborough, rather ungraciously, called into question my right hon. Friend's figures on expenditure. I should point out—perhaps the figures will help—that in 1988-89 the expenditure was £495 million and in 1989-90 the figure is expected to be £536 million, an increase of 8 per cent., while there has been a 2 per cent. increase in the number of three and four-year-olds in the system. There were 1·206 million three and four-year-olds in 1988-89, and in 1989-90 there will be 1·230 million. Therefore, the hon. Gentleman will see that there is some disparity in the figures and therefore, of necessity, we are planning some increase in provision.

The hon. Gentleman also called into question the number of people who are interested in becoming early-years teachers. It is important to point out that between last year and this year there will be an increase of 6·4 per cent. in the number of people interested in taking bachelor of education degrees in early child education.

Mr. Flannery: Is the hon. Lady counting the children who, due to empty spaces in primary schools, are entering reception classes and therefore receiving a different type of education from that which they would have received in nursery schools?

Mrs. Rumbold: Of course I am counting all the children because I am talking about provision for pre-five children.

I share the view of my right hon. Friend the Member for Aylesbury (Mr. Raison) that it is a pity that Opposition Members should be so ungracious about the disparity of provision between concentrated urban areas and country areas where it is undoubtedly more difficult to make consistent provision. I was delighted to hear from him.

Mr. Win Griffiths *rose*——

Mrs. Rumbold: No, I shall not give way. I must get on.

I was delighted to hear that my right hon. Friend believes that the quality of provision has become better targeted. That gave me considerable pleasure. I have always felt that there needed to be an improvement in what was happening within pre-school experience for children. My right hon. Friend's views on the quality of education content in both the state provision and playgroups will be taken most seriously in the Government's review. He was anxious about the experiences of children aged four years in reception classes not being taken into account as much as they should by some teachers, simply because they lack experience of the relevant teaching and curriculum development that four-year-olds should have. That is another matter that the Government understand and will take into consideration. I was grateful to my right hon. Friend for raising that point.

I understand why the hon. Member for Southwark and Bermondsey (Mr. Hughes) is unable to be in his place. He talked about the importance of first assessments for children in compulsory schools taking place at the age of seven. He hoped that the early experiences of children and their social and cultural backgrounds will be taken into account when assessments are made. Perhaps a further study of the report of the task group on assessment and testing will reassure the hon. Gentleman. It is something that we are concerned to ensure. Children who are tested or assessed at the age of seven will not necessarily be disadvantaged if they have less pre-school experience than others.

My hon. Friend the Member for Rugby and Kenilworth (Mr. Pawsey) was absolutely right to reiterate that local authorities, and particularly local education authorities, have the right, given and upheld by all hon. Members, to make choices about the perceived priorities for education expenditure. I am grateful to him for reiterating the amounts of money that are always in the expenditure levels. I strongly support his view that care for the under-fives is a most demanding job. Therefore, training must be carefully looked at.

I greatly admire the hon. Member for Eccles (Miss Lestor) for taking her stand on the principle of nursery education. I am sad to say that I can give her no hope that her example is likely to be followed in the near future. Her analysis of the importance of early education experience bears some study. It seemed to encapsulate the views of several people who have studied the development of children and the importance of early development and experiences. She pointed out that the success of compulsory schooling at the age of five depends on some sort of pre-school experience.

I take the opportunity of reminding Opposition Members that, when they make comparisons between this country and others, they frequently manage to forget that, with the possible exception of the Netherlands, Britain is the only country with compulsory education beginning at the age of five. In most other countries, full-time compulsory education paid for by the state starts at the age of six. In some countries it begins at the age of seven. Therefore, we can rightly claim that by the age of five, 100 per cent. of our children are in full-time education provided by the state.

My hon. Friend the Member for Ealing, North (Mr. Greenway) said that it is wrong to opt for compulsion. I agree that any form of compulsion would be wrong. One of the things that worry me about blanket state nursery provision or nursery schools being attached to schools as of right for all children is that we shall immediately have the possibility of mothers having to queue to get their children into nursery schools, and later having to send them straight on to the primary school. Parents do not always want their children to go to the nursery class that is attached to a specific primary school. They want to choose the pre-school experience that they consider to be best for their children. I defend that to the end as I believe that it is of critical importance. *[Interruption.]* The Opposition yell at me and try to cover up the fact that, really they are asking the Government to provide blanket state education. That was the message that came loud and clear through every speech made by Opposition Members.

The hon. Member for the City of Durham (Mr. Steinberg) made it plain that that was his view. I am sad that he is not in the House at present. *[Interruption.]* I apologise to him; I had not seen him. I shall consider his views and those of my hon. Friend the Member for Cambridgeshire, South-East (Mr. Paice) about special educational needs. I must point out to them that the Education Act 1981 embodies our policy on the education of children under five with special educational needs. Clearly, it is important that if children have special needs, they should be identified as early as possible. That is why parents have the right to ask local education authorities to assess from the age of two whether a child has special educational needs.

I want to make one or two general observations. We have scarcely heard a word about mothers, who generally want their babies to develop into normal young children, physically, emotionally and intellectually. [HON. MEMBERS: "What about fathers?"] Fathers want that as well. Mothers who want to work—we have talked about the difficulties of such mothers—also want to reassure themselves about the quality of the care they provide. Perhaps we should realise that there are some important points for mothers and fathers to understand fully. The best education for young children in their pre-school years —emotionally and developmentally—undoubtedly comes from their parents. However, the stage is always reached in a young child's development when some structured experience with the peer group helps to extend its intellectual and physical growth. That is not always understood by young parents, or by those who come from different cultures or from deprived areas. From an educational point of view, that experience has to be limited and part time simply because young children cannot cope with lengthy experiences in education. It is equally important, as hon. Members from both sides of the House have said, to realise that parental involvement may not always be possible, but is highly desirable and should not be discouraged.

Much has been said about financial help to mothers to offset the costs of such care. The hon. Member for Durham, North-West talked about offsetting the costs of child care. We can argue about how that money should be provided and who should provide it—the state or the employer—but the point is that employers could look to the needs of children to have the opportunity to be with their parents—either their mothers or fathers—and could develop more flexible hours of work and more flexible work places for mothers.

Our amendment rests on the Government's record. It is a record of which we can be proud, as my right hon. Friend the Secretary of State said. We have pledged to improve the quality of our provisions while maintaining diversity. I have no hesitation in commending the amendment to the House.

Question put, That the original words stand part of the Question:—

The House divided: Ayes 228, Noes 281.

Division No. 39] **[9.59 pm**

AYES

Abbott, Ms Diane	Cartwright, John
Adams, Allen *(Paisley N)*	Clark, Dr David *(S Shields)*
Allen, Graham	Clarke, Tom *(Monklands W)*
Alton, David	Clay, Bob
Anderson, Donald	Clelland, David
Archer, Rt Hon Peter	Clwyd, Mrs Ann
Armstrong, Hilary	Cohen, Harry
Ashdown, Rt Hon Paddy	Coleman, Donald
Ashton, Joe	Cook, Robin *(Livingston)*
Banks, Tony *(Newham NW)*	Corbett, Robin
Barnes, Harry *(Derbyshire NE)*	Corbyn, Jeremy
Barnes, Mrs Rosie *(Greenwich)*	Cousins, Jim
Barron, Kevin	Crowther, Stan
Battle, John	Cryer, Bob
Beckett, Margaret	Cummings, John
Beith, A. J.	Cunliffe, Lawrence
Bell, Stuart	Cunningham, Dr John
Benn, Rt Hon Tony	Dalyell, Tam
Bennett, A. F. *(D'nt'n & R'dish)*	Davies, Ron *(Caerphilly)*
Bermingham, Gerald	Davis, Terry *(B'ham Hodge H'l)*
Bidwell, Sydney	Dewar, Donald
Blair, Tony	Dixon, Don
Blunkett, David	Dobson, Frank
Boateng, Paul	Doran, Frank
Bradley, Keith	Douglas, Dick
Bray, Dr Jeremy	Dunnachie, Jimmy
Brown, Gordon *(D'mline E)*	Dunwoody, Hon Mrs Gwyneth
Brown, Nicholas *(Newcastle E)*	Eadie, Alexander
Brown, Ron *(Edinburgh Leith)*	Eastham, Ken
Bruce, Malcolm *(Gordon)*	Evans, John *(St Helens N)*
Buchan, Norman	Ewing, Harry *(Falkirk E)*
Buckley, George J.	Fatchett, Derek
Caborn, Richard	Faulds, Andrew
Callaghan, Jim	Fearn, Ronald
Campbell, Menzies *(Fife NE)*	Fields, Terry *(L'pool B G'n)*
Campbell, Ron *(Blyth Valley)*	Fisher, Mark
Campbell-Savours, D. N.	Flannery, Martin
Canavan, Dennis	Flynn, Paul

Foot, Rt Hon Michael
Foster, Derek
Foulkes, George
Fraser, John
Fyfe, Maria
Galbraith, Sam
Galloway, George
Garrett, John *(Norwich South)*
Garrett, Ted *(Wallsend)*
George, Bruce
Godman, Dr Norman A.
Golding, Mrs Llin
Gordon, Mildred
Gould, Bryan
Graham, Thomas
Grant, Bernie *(Tottenham)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Hardy, Peter
Harman, Ms Harriet
Healey, Rt Hon Denis
Heffer, Eric S.
Henderson, Doug
Hinchliffe, David
Hogg, N. *(C'nauld & Kilsyth)*
Holland, Stuart
Home Robertson, John
Hood, Jimmy
Howarth, George *(Knowsley N)*
Howell, Rt Hon D. *(S'heath)*
Howells, Geraint
Hoyle, Doug
Hughes, John *(Coventry NE)*
Hughes, Robert *(Aberdeen N)*
Hughes, Sean *(Knowsley S)*
Hughes, Simon *(Southwark)*
Illsley, Eric
Ingram, Adam
Janner, Greville
Jones, Barry *(Alyn & Deeside)*
Jones, Ieuan *(Ynys Môn)*
Jones, Martyn *(Clwyd S W)*
Kaufman, Rt Hon Gerald
Kennedy, Charles
Kilfedder, James
Kinnock, Rt Hon Neil
Kirkwood, Archy
Lambie, David
Lamond, James
Leadbitter, Ted
Leighton, Ron
Lestor, Joan *(Eccles)*
Lewis, Terry
Litherland, Robert
Livingstone, Ken
Lloyd, Tony *(Stretford)*
Lofthouse, Geoffrey
Loyden, Eddie
McAllion, John
McAvoy, Thomas
McCartney, Ian
McCrea, Rev William
Macdonald, Calum A.
McFall, John
McGrady, Eddie
McKay, Allen *(Barnsley West)*
McKelvey, William
McLeish, Henry
Maclennan, Robert
McTaggart, Bob
McWilliam, John
Madden, Max
Mahon, Mrs Alice
Marek, Dr John
Marshall, Jim *(Leicester S)*
Martin, Michael J. *(Springburn)*
Martlew, Eric
Maxton, John
Meacher, Michael
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Michie, Mrs Ray *(Arg'l & Bute)*
Mitchell, Austin *(G't Grimsby)*
Moonie, Dr Lewis
Morgan, Rhodri
Morley, Elliott
Morris, Rt Hon A. *(W'shawe)*
Morris, Rt Hon J. *(Aberavon)*
Mowlam, Marjorie
Mullin, Chris
Nellist, Dave
Oakes, Rt Hon Gordon
O'Brien, William
O'Neill, Martin
Orme, Rt Hon Stanley
Owen, Rt Hon Dr David
Patchett, Terry
Pendry, Tom
Pike, Peter L.
Powell, Ray *(Ogmore)*
Primarolo, Dawn
Quin, Ms Joyce
Radice, Giles
Randall, Stuart
Rees, Rt Hon Merlyn
Richardson, Jo
Roberts, Allan *(Bootle)*
Robertson, George
Robinson, Geoffrey
Rogers, Allan
Rooker, Jeff
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Ruddock, Joan
Salmond, Alex
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Shore, Rt Hon Peter
Short, Clare
Sillars, Jim
Skinner, Dennis
Smith, C. *(Isl'ton & F'bury)*
Snape, Peter
Soley, Clive
Spearing, Nigel
Steel, Rt Hon David
Steinberg, Gerry
Stott, Roger
Strang, Gavin
Straw, Jack
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Matthew *(Truro)*
Thompson, Jack *(Wansbeck)*
Turner, Dennis
Vaz, Keith
Wall, Pat
Wallace, James
Walley, Joan
Wardell, Gareth *(Gower)*
Wareing, Robert N.
Welsh, Andrew *(Angus E)*
Welsh, Michael *(Doncaster N)*
Williams, Rt Hon Alan
Williams, Alan W. *(Carm'then)*
Wilson, Brian
Winnick, David
Wise, Mrs Audrey
Worthington, Tony
Wray, Jimmy

Tellers for the Ayes:
Mr. Frank Haynes and
Mr. Frank Cook.

NOES

Aitken, Jonathan
Alexander, Richard
Alison, Rt Hon Michael
Allason, Rupert
Amess, David
Amos, Alan
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Tom *(Hazel Grove)*
Ashby, David
Aspinwall, Jack
Atkinson, David
Baker, Rt Hon K. *(Mole Valley)*
Baker, Nicholas *(Dorset N)*
Banks, Robert *(Harrogate)*
Batiste, Spencer
Bendall, Vivian
Bennett, Nicholas *(Pembroke)*
Bevan, David Gilroy
Biffen, Rt Hon John
Blackburn, Dr John G.
Blaker, Rt Hon Sir Peter
Body, Sir Richard
Bonsor, Sir Nicholas
Boscawen, Hon Robert
Boswell, Tim
Bottomley, Peter
Bottomley, Mrs Virginia
Bowden, A *(Brighton K'pto'n)*
Bowden, Gerald *(Dulwich)*
Boyson, Rt Hon Dr Sir Rhodes
Braine, Rt Hon Sir Bernard
Brandon-Bravo, Martin
Brazier, Julian
Brooke, Rt Hon Peter
Brown, Michael *(Brigg & Cl't's)*
Browne, John *(Winchester)*
Buchanan-Smith, Rt Hon Alick
Burt, Alistair
Carlisle, Kenneth *(Lincoln)*
Carttiss, Michael
Chalker, Rt Hon Mrs Lynda
Channon, Rt Hon Paul
Chapman, Sydney
Churchill, Mr
Clark, Hon Alan *(Plym'th S'n)*
Clark, Dr Michael *(Rochford)*
Clark, Sir W. *(Croydon S)*
Clarke, Rt Hon K. *(Rushcliffe)*
Conway, Derek
Coombs, Anthony *(Wyre F'rest)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon John
Critchley, Julian
Curry, David
Davies, Q. *(Stamf'd & Spald'g)*
Davis, David *(Boothferry)*
Douglas-Hamilton, Lord James
Dunn, Bob
Durant, Tony
Eggar, Tim
Emery, Sir Peter
Evennett, David
Fallon, Michael
Favell, Tony
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Fishburn, John Dudley
Forman, Nigel
Forsyth, Michael *(Stirling)*
Forth, Eric
Fowler, Rt Hon Norman
Franks, Cecil
Freeman, Roger
French, Douglas
Fry, Peter
Gale, Roger
Gardiner, George
Garel-Jones, Tristan
Gill, Christopher
Gilmour, Rt Hon Sir Ian
Glyn, Dr Alan
Gorman, Mrs Teresa
Gorst, John
Gow, Ian
Gower, Sir Raymond
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Gregory, Conal
Griffiths, Peter *(Portsmouth N)*
Grist, Ian
Ground, Patrick
Grylls, Michael
Hamilton, Hon Archie *(Epsom)*
Hampson, Dr Keith
Hanley, Jeremy
Hannam, John
Hargreaves, A. *(B'ham H'll Gr')*
Hargreaves, Ken *(Hyndburn)*
Harris, David
Haselhurst, Alan
Hayes, Jerry
Hayhoe, Rt Hon Sir Barney
Heathcoat-Amory, David
Higgins, Rt Hon Terence L.
Hill, James
Hogg, Hon Douglas *(Gr'th'm)*
Holt, Richard
Hordern, Sir Peter
Howard, Michael
Howarth, Alan *(Strat'd-on-A)*
Howarth, G. *(Cannock & B'wd)*
Howell, Rt Hon David *(G'dford)*
Howell, Ralph *(North Norfolk)*
Hughes, Robert G. *(Harrow W)*
Hunt, David *(Wirral W)*
Hunt, John *(Ravensbourne)*
Hunter, Andrew
Irvine, Michael
Irving, Charles
Jack, Michael
Jackson, Robert
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Robert B *(Herts W)*
Jopling, Rt Hon Michael
Kellett-Bowman, Dame Elaine
Key, Robert
King, Roger *(B'ham N'thfield)*
King, Rt Hon Tom *(Bridgwater)*
Kirkhope, Timothy
Knight, Greg *(Derby North)*
Knight, Dame Jill *(Edgbaston)*
Knowles, Michael
Lamont, Rt Hon Norman
Lang, Ian
Latham, Michael
Lawrence, Ivan
Lawson, Rt Hon Nigel
Lee, John *(Pendle)*
Lennox-Boyd, Hon Mark
Lester, Jim *(Broxtowe)*
Lilley, Peter
Lloyd, Sir Ian *(Havant)*
Lloyd, Peter *(Fareham)*
Lord, Michael
Lyell, Sir Nicholas
Macfarlane, Sir Neil
MacGregor, Rt Hon John
MacKay, Andrew *(E Berkshire)*
Maclean, David
McLoughlin, Patrick
McNair-Wilson, Sir Michael
McNair-Wilson, P. *(New Forest)*
Madel, David
Malins, Humfrey
Mans, Keith
Maples, John

Marland, Paul
Marlow, Tony
Marshall, John *(Hendon S)*
Marshall, Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Mates, Michael
Mawhinney, Dr Brian
Maxwell-Hyslop, Robin
Mellor, David
Meyer, Sir Anthony
Mills, Iain
Miscampbell, Norman
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David
Moate, Roger
Monro, Sir Hector
Moore, Rt Hon John
Morris, M *(N'hampton S)*
Morrison, Sir Charles
Moss, Malcolm
Moynihan, Hon Colin
Mudd, David
Neale, Gerrard
Nelson, Anthony
Neubert, Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Norris, Steve
Onslow, Rt Hon Cranley
Oppenheim, Phillip
Page, Richard
Paice, James
Patnick, Irvine
Patten, John *(Oxford W)*
Pawsey, James
Porter, David *(Waveney)*
Portillo, Michael
Powell, William *(Corby)*
Price, Sir David
Raffan, Keith
Redwood, John
Renton, Tim
Rhodes James, Robert
Riddick, Graham
Ridley, Rt Hon Nicholas
Rifkind, Rt Hon Malcolm
Roberts, Wyn *(Conwy)*
Roe, Mrs Marion
Rost, Peter
Rowe, Andrew
Rumbold, Mrs Angela
Ryder, Richard
Sackville, Hon Tom
Sainsbury, Hon Tim
Sayeed, Jonathan
Scott, Nicholas
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shaw, Sir Michael *(Scarb')*
Shelton, Sir William *(Streatham)*
Shephard, Mrs G. *(Norfolk SW)*
Shepherd, Colin *(Hereford)*
Shepherd, Richard *(Aldridge)*
Shersby, Michael
Sims, Roger
Smith, Sir Dudley *(Warwick)*
Smith, Tim *(Beaconsfield)*
Soames, Hon Nicholas
Speller, Tony
Spicer, Michael *(S Worcs)*
Stanbrook, Ivor
Stanley, Rt Hon Sir John
Steen, Anthony
Stern, Michael
Stevens, Lewis
Stewart, Andy *(Sherwood)*
Stokes, Sir John
Sumberg, David
Summerson, Hugo
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Taylor, Teddy *(S'end E)*
Tebbit, Rt Hon Norman
Temple-Morris, Peter
Thompson, D. *(Calder Valley)*
Thompson, Patrick *(Norwich N)*
Thorne, Neil
Thornton, Malcolm
Thurnham, Peter
Townsend, Cyril D. *(B'heath)*
Tracey, Richard
Tredinnick, David
Trippier, David
Trotter, Neville
Twinn, Dr Ian
Vaughan, Sir Gerard
Viggers, Peter
Waddington, Rt Hon David
Wakeham, Rt Hon John
Waldegrave, Hon William
Walker, Bill *(T'side North)*
Walters, Sir Dennis
Ward, John
Wardle, Charles *(Bexhill)*
Warren, Kenneth
Watts, John
Wells, Bowen
Whitney, Ray
Widdecombe, Ann
Wiggin, Jerry
Wilkinson, John
Wilshire, David
Winterton, Mrs Ann
Winterton, Nicholas
Wolfson, Mark
Wood, Timothy
Yeo, Tim
Young, Sir George *(Acton)*

Tellers for the Noes:
Mr. David Lightbown and
Mr Stephen Dorrell.

Question accordingly negatived.

Question, That the proposed words be there added, *put forthwith pursuant to Standing Order No. 33 (Questions on amendments), and agreed to.*

Mr. Speaker *forthwith declared the main Question, as amended, to be agreed to.*

Resolved,

That this House welcomes the First Report of the Select Committee for Education, Science and Arts, on Educational Provision for the Under Fives; recognises the Government's achievements in securing a significant expansion of nursery education since 1979; welcomes the important contribution of the voluntary sector, including the playgroup movement; and commends the Government's intention to secure the continuing growth of provision for the under fives in all its varied forms, and its commitment to improve quality.

Beef and Veal Regime

10.14 pm

The Minister of Agriculture, Fisheries and Food (Mr. John MacGregor): I beg to move,

That this House takes note of European Community Document No. 8903/88 + COR 1 on reform of the Community beef and veal regime and of the Government's intention to negotiate an outcome which takes account of United Kingdom producers and consumers and of the need to keep Common Agricultural Policy expenditure within the budgetary guideline.

This motion concerns the European Commission's proposals for the reform of the common agricultural policy regime and for the support of the internal market in beef. These proposals build on the temporary but important reforms agreed by the Agriculture Council in December 1986. These temporary arrangements were due to expire at the end of 1988. But the regime has been extended until 5 March 1989, pending decisions on the regime which should replace it. The current proposals are intended to provide a more permanent basis for the beef regime and management of the beef market.

As always with the common agricultural policy, these are complex issues, and I shall endeavour to explain this one as briefly as possible.

The internal support measures for beef can be categorised under two heads. On the one hand, there are intervention measures, affecting prices of beef on the market, and on the other there are direct payments to producers. The Commission's proposals affect both these types of measures and must be considered against the background of the current regime.

It may be helpful if I remind the House that intervention is currently available on the carcases of male animals which reach certain standards as regards conformation and fat-cover. In order for intervention to be open in respect of any quality or group of qualities, two conditions must simultaneously be met. First, the average price for that quality on the Community market must be less than 91 per cent. of the intervention price. Second, the average price for that quality on the market of the member state concerned must be below 87 per cent. of the intervention price. The buying-in price for beef bought into intervention under these conditions approximates to the average price on the markets open to intervention. One of the key points is that, for so long as these conditions are met, there is currently no limit on the volume of beef which may be offered to intervention agencies. For most of the 22 months during which the current regime has operated, intervention has been open on most of the eligible categories and qualities in the major beef-producing member states.

What the Commission now proposes is that there should be an annual ceiling on the quantities which may be offered into intervention and a tendering system to determine buying-in prices. It proposes that the ceiling should be set at 200,000 tonnes. The trigger points for intervention would each be reduced by three percentage points to 88 per cent. and 84 per cent. If the triggering conditions are met, the Commission, in consultation with the beef management committee, would have discretion —the key word—to open tenders for intervention in the member states concerned. The Commission would not be obliged to open intervention. Moreover, tenders once opened could be closed even if the triggering conditions were still met. In any event, they would be closed automatically if the conditions were no longer met, or if the ceiling on purchases was reached.

As a further refinement to the system, the Commission proposes that it should no longer be obliged to fix the same buying-in price for any one quality of beef in all those member states in which intervention in that quality is open. The aim of this measure is to try to ensure that buying-in prices are more closely geared to actual market prices in the country concerned, and that intervention should not become a market in its own right, as it has tended to be under the current system.

The Commission also states—this is in response to pressure from some member states—that in very weak market conditions, exceptional support measures may be necessary. The proposal therefore provides that, even if the ceiling is reached in any one year, tenders may be reopened. In this event, however, the trigger points for intervention would each be reduced by a further four percentage points to 84 per cent. and 80 per cent. respectively.

I recognise that these are complex technical matters, but it is important to set them on record. I now come to the important point relating to intervention. Taken as a whole, these proposals constitute radical reform of the intervention system, and in the direction in which I firmly believe it is right to go, namely reducing the role of intervention and changing it from what had become an alternative market outlet to a limited safety net.

There can be no doubt that reform is needed. The measures adopted, following the agreement reached in December 1986, involved a reduction in effective intervention prices of about 15 per cent. It was hoped then, and I see why, that this would make intervention less attractive and thus, in time, lead to a substantial reduction in stocks. However, in 1987, as in 1986, purchases into intervention exceeded 500,000 tonnes. For much of 1988, purchases ran at 10,000 tonnes a week, despite adjustments to the system agreed as part of the 1988 price-fixing which resulted in a further fall in buying-in prices.

The new temporary system has had some impact, but not enough. For many operators, intervention has simply proved too easy. Why bother about marketing when there is a ready client in the form of intervention able to take anything one cares to offer? The industry throughout the Community needs to recognise that the customer to whom it has to direct its product—and to whom it has to be acceptable—is the consumer, not the intervention store.

Dame Elaine Kellett-Bowman (Lancaster): Will my right hon. Friend explain why it is that the other Community countries have never cottoned on to our excellent system, which is fair to the housewife and the farmer?

Mr. MacGregor: If my hon. Friend is referring to the variable premium scheme, I am coming to that. There are two aspects; the first and important one is the intervention system, and it is to that that I am addressing myself first.

The point that I was making, before my hon. Friend intervened, about the importance of recognising that the consumer is the customer, not the intervention store, is a point that I have constantly emphasised ever since I was appointed Minister.

The Government have therefore strongly welcomed the Commission's proposals on intervention. The operation of

a tendering system in the beef sector will not be without difficulty. Inevitably, those wishing to sell into intervention will face less certainty than they do at present, but a tendering system is central to the reform we need.

In discussions in the Agriculture Council, attention has been focused on the safety net provisions which would operate in exceptional market conditions. The original Commission proposals are vague on how these might operate. During the protracted negotiations in December, the Commission suggested that, should the average price on the Community market fall to 78 per cent. of the intervention price, tenders would automatically be opened for that quality and all bids below 80 per cent. of the intervention price would be accepted. Purchases under such tenders would not count towards the ceiling.

This would represent a cut of 13 percentage points in the Community trigger, from 91 per cent. at present to 78 per cent. These ideas did not satisfy all member states, some feeling that a firmer safety net was needed. In negotiations next week, I shall be anxious to ensure that, whatever safety net is finally agreed, it does not run the risk of permitting continuing intervention when market conditions do not justify it.

I turn now to the other aspects of the Commission's proposals, those affecting premiums paid to producers. As in 1986, the Commission has proposed that cuts in intervention support should be offset by increased payments to producers. As the House knows, under current arrangements, there are four premium schemes in existence: the United Kingdom's beef variable premium scheme, the calf premium scheme which is operated in Northern Ireland, the Irish Republic and Italy, the special premium which is paid in all member states except the United Kingdom and Italy and at a reduced rate in the Irish Republic, and the suckler cow premium. The Commission's proposals envisage that the beef variable premium and the calf premium would lapse and be replaced by the special premium which would become a permanent part of the beef regime in all member states.

The special premium is a headage payment currently of 25 ecu, which is equal to £17·76. For reasons of brevity, I shall refer to ecu. That is the amount payable per head on male cattle up to a limit of 50 cattle per holding in any one year. The Commission proposes that the premium should be increased to 40 ecu and that the headage limit should be increased to 75 ecu. The suckler cow premium is partly funded by the agricultural guarantee section of the Community budget, and partly by national funds. The Commission proposes that the Community-funded element should be increased from 25 ecu to 40 ecu and that member states should be entitled to pay a further 25 ecu from national funds.

For us, this has certainly been one of the most difficult areas in discussions in the Agriculture Council. The United Kingdom's variable premium on beef has never had any friends outside the United Kingdom and we have always had to fight extremely hard to maintain it. But from the producers' point of view, it is important to bear in mind the fact that the variable premium is imposed as a clawback charge on exports and is paid out on imports from the Irish Republic. Both these factors result in extra supplies on the market, which push the market price below the level that it would otherwise reach. In these ways, therefore, the variable premium reduces the return that the producer receives from the market.

Mr. Charles Wardle (Bexhill and Battle): Will my right hon. Friend explain why the Commission's proposals exclude heifers? Is it not the case that bull beef production is much more widespread in other EEC countries and that the proposals are therefore a disadvantage to United Kingdom beef producers because they exclude heifers?

Mr. MacGregor: I am coming to that point. Perhaps my hon. Friend could wait until I deal with it in a logical sequence.

It follows that it would be quite wrong simply to compare the size and coverage of the variable premium with the special premium now on offer, and conclude that producers will lose by the difference between the two. This would be to ignore the effects of the variable premium on market returns. Conversely, these effects have, of course, been to the benefit of consumers. From its inception, the variable premium was regarded as a way of keeping consumer prices down by discouraging intervention buying, while still providing adequate support to producers. But the weakening of the intervention system agreed in 1986 and the further moves in this direction currently under consideration mean that much more account is being taken of consumers' interests in keeping prices at reasonable levels.

The Commission is adamantly opposed to including the variable premium scheme as part of the current arrangements, and no one else in the Community is arguing for that. The problem that we have had in the negotiations is that the alternative arrangements are simply not satisfactory: the proposed headage limit for the special premium is a major problem. I can see no justifiable reason why the Community should seek to impose this brake on the creation of more efficient agriculture structures. Perversely, the limit would discriminate in favour of the mixed farmer, who can run other enterprises alongside his beef unit, and against the specialist producer who, for reasons of climate and terrain, may have little alternative but to produce beef, and must therefore seek to maximise his return from doing so. Moreover, the headage limit causes greater problems in the United Kingdom than in some other member states because of our generally larger farming units, although it has emerged in negotiations that Spain, Denmark and the Netherlands —expecially Spain—are rather more affected.

Although I received a measure of support for the headage limit's abolition and for the scheme's simplification in other respects, most member states accept the scheme as proposed. So far, the Commission takes the view that removing the limit will be contrary to its policy of focusing support away from the largest enterprises, and more costly than its own proposal—particularly because of the large extra numbers that will be brought into account in Spain. That has been one of the most difficult elements in the package we are currently discussing—which includes more than the beef regime's future. It is the main reason why I opposed the package last December.

We and the Commission are firm in our determination that the 1989 budget provision and the budgetary guideline will be respected. That has been a significant constraint on the negotiations. In December, the Commission said it might allow member states that wished to do so to pay the special premium with no headage limit, provided that the payments so made are no greater in total

[Mr. MacGregor]

than had the member states concerned paid them on-farm with a 75-head limit—the main option it is putting forward.

In calculating the appropriate rate of premium for such a slaughter scheme, the Commission took in all the member states that expressed an interest in operating in that way, rather than choose the other option, and lumped them together. The resulting rate of premium is only 25 ecu, which I was not prepared to agree. So far, the Commission has been unable to envisage a scheme in which differing rates applied in different member states. That negotiating problem remains, and was the main reason I could not accept the December package.

I have said nothing about heifers. I appreciate that the loss of variable premium will adversely affect those specialising in heifer beef production. However, no other member state has received Community support for heifer beef production through intervention or premia. We explored in the negotiations whether the special premium can be extended to heifers. That is a point we pushed. I always believe in being open with the House about negotiating problems, and I have to say that, in this respect, we shall have real difficulties in achieving what we first sought—one of them being cost, but there are others. The special premium, for example, is designed as an on-farm scheme with payments being made on live animals. How will those responsible for paying it know that a heifer will not be used as a replacement for a dairy cow?

The present Commission proposals will provide a benefit for producers, retaining heifers for suckler beef production as a result of the provision for a higher proposed rate for suckler cow premium.

The negotiations on this package have been long and difficult, and when we resume next week we shall have a hard battle ahead. Our approach must continue to be that reform is essential if we are to have a stable regime that does not give rise to disproportionate cost. The beef regime has no stabiliser mechanism to ensure that the budget guidelines are respected, and the Commission's proposed intervention ceiling is vital in that respect.

We need an effective intervention system, but one that does not provide a disproportionately high safety net. We also want premium arrangements that put us on an equitable basis compared with other member states, and avoid the beef trade penalties that have beset that particular premium. Within those constraints, I shall seek a deal giving our beef industry a firm and fair basis for the future.

Mr. Tony Banks (Newham, North-West): On a point of order, Mr. Deputy Speaker. I apologise to both you and the House for interrupting the proceedings. I understand that one of the officials in the Box is blind, and that his guide dog is outside, behind the Chair, and is distressed because it has been parted from its owner. Will it be possible to allow the dog into the Box? Apparently, there is an order saying that it cannot——

Mr. Deputy Speaker (Mr. Harold Walker): Order. The hon. Gentleman and the House know that what happens behind the Chair is not a matter for the occupant of the Chair. Doubtless there will be a response to the hon. Gentleman's remarks.

10.34 pm

Mr. John Home Robertson (East Lothian): I sincerely hope, Mr. Deputy Speaker, that the valid point put by my hon. Friend the Member for Newham, North-West (Mr. Banks) will be taken into account, particularly among those of us who are worried about animal welfare. We are also a little worried about the welfare of the Minister of Agriculture, Fisheries and Food. He has been very candid with the House in talking about the difficulties that he is experiencing, and he may be aware that we intend to add to those difficulties during the course of next week—although not, of course, in relation to the negotiations to which he has referred. Broadly speaking, we hope that he will be successful in achieving the compromises that are required in the interests of the United Kingdom.

I am particularly grateful for this opportunity to debate the future of the beef industry, which is a matter of special significance in my own country of Scotland. Scotland produces no less than 40 per cent. of the United Kingdom's prime beef and contains 11,000 specialist beef breeding herds and 2,500 finishing herds, which produce 31 per cent. of our overall farm output—a cool £423 million in 1987. The industry is also important in Wales, Northern Ireland—to which the scheme relates rather differently; no doubt Northern Ireland Members will speak about it later—and much of the north and west of England. The wellbeing of the beef farming industry is of vital interest to the economy, and indeed the environment, and to vast expanses of the British countryside, and it is therefore important that we try to get these decisions right.

It is also important to recognise that beef is a popular food, and—provided that it is handled and stored hygienically and properly—a healthy, useful and thoroughly enjoyable part of our national diet. We recognise the possible dangers arising from excessive consumption of animal fat, but it is relevant to point out that Britain's beef consumption in 1987, at 22·3 kilos per head, was below that of France, Italy, Belgium, Luxembourg, West Germany and even Greece. In turn, the average European Community consumption, at 23·5 kilos per head per year, is well below that of a number of other countries such as Australia, Canada and New Zealand, and less than half that of the United States.

The point that I am trying to make is that it would not do the great British public any harm at all if they had the opportunity to enjoy a little more prime beef as part of their weekly menu. I am sure that they would very much like to do so if the price were right, but I fear that the proposals being forced on the House by the European Commission could put up the retail price and make it more difficult to sell beef to consumers in Britain and elsewhere in the Community.

Other factors, of course, affect the consumer's attitude to beef. There are suspicions about contamination by hormones, and fears about bacterial contamination and bad hygiene standards. The Minister knows that he has connection. Our somewhat ill-considered ban on "safe" hormones has given rise to a thriving black market in potentially dangerous products in some parts of the Community, not to mention a trade war with the United States. Whatever the history of the ban, I think that it must now be maintained, effectively and fairly; and that must mean better enforcement in certain parts of the Community. I understand that not long ago, in Bavaria, no fewer than 150 veal calves were found to be

contaminated with diethylstilboestrol, or DES, which is supposed to be banned. Such incidents simply aid the United States' interest in the suggested trade war.

Meat hygiene is a matter more of national than of European concern, and the shortcomings of Britain's slaughterhouses and meat inspection procedures have come in for some adverse comment recently. Far too few of our slaughterhouses come up to European Community standards. It is left to hard-pressed local authority environmental health officers to control all aspects of the market, and I fear that last month's events in Truro will have done nothing to improve consumer confidence in the product. On the contrary, they may have confirmed some people's worst fears about what is concealed in curry sauce —no double entendre is intended. The Ministry of Agriculture, Fisheries and Food must sharpen up its procedures on food quality and food hygiene control.

Mr. Andrew Hunter (Basingstoke): The hon. Gentleman rightly stresses the importance of consumer interest, but does he accept the proposition that the consumer does not benefit if the producer is impoverished? Will he pay due attention to that proposition and comment on his attitude to a change in the regime, bearing in mind the importance of the beef sector of the market to Scotland?

Mr. Home Robertson: Most certainly. I intend to deal with that. If consumers are to have confidence in that product, the Minister must take certain measures. There are welcome signs that after recent pressure the Ministry is beginning to take action to sharpen up the procedures for maintaining food hygiene standards in the United Kingdom. However, the Minister knows that he will be hearing more about that subject as time goes by.

If the Minister could get these aspects of his responsibility for the meat trade in order, and if there were to be either a reduction in the retail price of beef or, better still, a reduction in poverty levels in Britain—which would make it possible for more people to include some beef in their weekly shopping budget—there could be scope for expanding the market for beef. Supply and demand in the beef market are more or less in equilibrium. If we could increase the demand for and the consumption of beef, there would be an almost unique potential for growth. That would be a treat for the consumers. It would also help to "diversify and extensify" the agriculture industry—to borrow a bit of MAFF-speak, just this once.

Has the Minister considered how much better it would be if land taken out of the surplus production of milk or cereals could be transferred to the extensive grazing of beef cattle, instead of the messy, short-term expediency of set-aside? It would help to retain employment on farms and it would be better for the management and appearance of the countryside. We are talking about a price-sensitive commodity. If action could be taken to control the price of beef, there would be potential for expanding the market.

This is a European Community proposal to scrap the beef variable premium which was negotiated by Labour Ministers. The fixed premium was negotiated by Fred Peart, whom many hon. Members fondly remember. The variable premium was negotiated by my hon. Friend the Member for Edinburgh, East (Mr. Strang) when he was working with the late John Silkin.

These mechanisms have been, literally, a uniquely-beneficial element in the common agricultural policy, in that they are market orientated. They are in the interest of both the producer and the consumer. That is a unique feature of the CAP. The beef variable premium in Britain has encouraged the production of quality beef to meet demand all the year round. It helped the industry through a period of glut when the dairy herd was cut and it has reduced the price of beef in butchers shops by a small but significant amount, which has helped to protect that aspect of the market.

Against that background, it is significant to note that Great Britain—which produces 11 per cent. of European Community beef—accounted for only 1·3 per cent. of the intervention buying of beef during the last year. Out of 820,000 tonnes of production up to November 1988, just 5,000 tonnes of British production accounted for intervention buying. During the same period, 370,000 tonnes of beef went into the costly and wasteful intervention system in other parts of the European Community. That is the market in its own right, to which the Minister referred. He is right to be seeking ways to phase out that wasteful and useless scheme.

If there were need for any proof that the beef variable premium system works, those figures should be conclusive. That premium, and other factors in Great Britain, have helped to make the intervention system almost redundant in recent months. However, we understand that the Government are under pressure to scrap the well-proven variable premium mechanism and to replace it with, first, an enhanced suckler cow premium, secondly, with a new special rearing premium, to be paid only for male cattle up to a maximum of 75 per farm, and, thirdly, with the new system of restrictions on intervention buying that the Minister described. Presumably, in addition to that we shall still be left with the hill livestock compensatory allowance to support the less favoured areas, although even that allowance has been frozen this year.

We endorse the principle of the enhanced suckler cow premium, although there must be some question as to whether the level of payment that is being suggested will be enough to do the job required. We certainly support the targeting of support towards the hills and uplands, and we strongly support moves wherever possible to phase out and supersede the absurd and discredited system of intervention.

But the proposed special rearing premium as proposed by the Commission will be a lousy substitute for the beef variable premium. The proposed restrictions will discriminate outrageously against British interests, as some Conservative Members have pointed out in interventions. This change would reduce support for farmers, increase the price of beef in the shops and, by removing the system of quality grading at the time of slaughter, remove an important incentive to produce high quality stock. Also, incidentally, according to my information, it would destroy the jobs of about 200 Meat and Livestock Commission graders.

Meanwhile, the restrictions on numbers and different options for claiming the premium at different stages in the production cycle—by breeders, dealers or feeders—will give rise to bureaucratic problems and, I fear, some scope for fraud, something which we should always bear in mind in connection with European mechanisms.

I presume that to stop the duplication of payment of subsidy under the scheme, we shall have to return to the

[Mr. Home Robertson]

literally bloody ritual of punching holes in calves ears, a process which many of those involved in the agriculture industry were happy to get rid of.

The proposed maximum levels of support, when compared with the existing framework, would be 40 per cent. lower for the specialist beef units with 150 cows or less. For the large number of British herds which are bigger than 250 cows, the cut in support could be even more severe. Those farms provide vital jobs in very remote areas of the United Kingdom.

Specialist beef farms would also suffer discrimination because of the exclusion of heifers from the special rearing premium. I presume that this sex discrimination has been suggested because of the prevelance of dual purpose husbandry on the mainland of Europe, where heifers from the same herd are used for dairy production and bull calves are used for beef. The scheme should be adjusted to take account of the interests of the specialist beef production in the United Kingdom.

The Minister said that there would be no way of ensuring that a calf on which the premium had been paid might not be used for breeding. If the payment were made at the time of slaughter, breeding could not take place after that. So there are ways of overcoming that problem and the Minister should address them. This point has been made by the National Farmers Union and by hon. Members in all parts of the House. My hon. Friends the Members for Durham, North-West (Ms. Armstrong) and for the City of Durham (Mr. Steinberg) were speaking to me earlier about concern expressed by their constituents on this issue.

Both the 75-calf cut-off point and the exclusion of heifers are intolerable from the British point of view, and given that this sector of the industry has suffered from falling returns in recent years, there must be a strong argument for maintaining something like the current net level of support to prevent more job losses and more business failures in the livestock producing areas of the United Kingdom.

Ideally, that should be done through something like the variable premium scheme, which would continue to provide support for producers with incentives for consumers. But the figures that have been proposed by the Commission would represent a net cut in support of about 40 per cent., which could do considerable damage to the fragile economy—and, indeed, the fragile ecology—of grassland areas, particularly in our hills and uplands.

I suspect that I am echoing some of the arguments that the Minister adduced at the December meeting of the Council of Agriculture Ministers. I strongly urge him and his colleagues to continue the fight on these vital British interests—on these vital factors for the British rural economy—and, above all, to demand the retention and development of the variable premium, which is good value both for the taxpayer and for the housewife in Britain.

Beef and Veal Regime

10.49 pm

Mr. Christopher Gill (Ludlow): There is much to be said about the European Community beef regime, but little of it is complimentary. Over the past 15 years we have seen tremendous changes in the method of supporting our beef industry—from the original fat stock guarantee scheme which supported the producer at the expense of the taxpayer, to the benefit of the consumer, to a regime which today has failed to support the producer adequately, has been of doubtful benefit to the consumer and has cost the taxpayer dear.

The question about intervention is whether we can justify continuing, even at a reduced rate, a system that has failed in its stated purpose. That is not only my view. It is the view of the Commission as stated in the explanatory memorandum issued in connection with the debate. The memorandum states:

"Experience during this period has shown that intervention, even at lower prices, is still a costly and inefficient instrument lacking the power to affect prices to any substantial extent."

The system palpably cannot be policed adequately. We have only to consider the European Court of Auditors report, volume 31, page 70, paragraph 4.34, to see evidence of that.

The present system is not intelligible and little wonder. The estimates of the number of people who actually understand the European beef régime vary from six to 20 people. Those estimates can include precious few beef producers, meat traders, civil servants or politicians. The prime reason for the failure of intervention is, as my right hon. Friend the Minister of Agriculture, Fisheries and Food has already said, because it ignores the customer and at the same time defies market forces.

Production has progressively and increasingly been targeted at the seasonal price scales and intervention stores and not at the consumer. Without doubt that has been to the long-term detriment of the industry and to the disadvantage of housewives, unless housewives happen to be in a third country. The purpose of producing food must be to feed mouths. It would be folly to do otherwise.

There are difficulties in controlling or policing intervention effectively. Increasingly the trade in beef today is in boneless boxed form and not carcase form. It is physically impossible to inspect all the boxes of beef in intervention stores. It is even impossible to inspect a reasonable percentage of them. When beef is in that form in a coldstore—frozen, boxed and boneless—it is practically impossible even for experts to identify it. That gives rise to some of the scandals and abuses that we can all read about in the report of the European Court of Auditors. We must accept that inspectors have a limited ability to recognise the kind of meat that they are invited to inspect.

There is also a presumption that all the inspectors in the intervention process are honest and doing what they should. The whole system is wide open to fraud and abuse but the abuses are not necessarily the fault of individuals. I submit that they are a fault of the system. Sad to say, the abusers are not necessarily working in the production, slaughtering or processing of the product; they can be third parties. Unfortunately, those third parties bring the whole trade into disrepute. It is extraordinary that people who cannot tell wheat from barley trade in and make windfall profits from intervention stocks.

It is regrettable that, for a variety of reasons, the system is so unintelligible. It is difficult for a bona fide farmer producing beef to understand why the intervention stores take the best beef off our market and spend money storing it in cold store. It comes out of cold store not as the first-quality beef that went in, but as a second-rate article which is inevitably disposed of at knock-down prices. All that is an admission that the system fails in its primary purpose. The fact that it is not understood means that it is least helpful to those who most need help. The system was intended to help the smaller farmer and prop up the beef producer, but the benefits under intervention often do not go to those people.

Intervention is discredited. The proposed headage payments are causing immense dissension and disagreement for understandable reasons, many of which have been mentioned. Not least is the fact that 35 per cent. of our beef comes from heifers. My suggestion and recommendation is that we should make every effort to concentrate our support for the beef industry on the suckler cow.

The hon. Member for East Lothian (Mr. Home Robertson) spoke about the current net level of support. If that could be targeted on the suckler cow rather than to intervention or to headage payments it would produce a desirable situation in the United Kingdom beef industry. Suckler cow premiums directly benefit primary producers. An improvement on the present system would be for the support to be directed to the primary producer. Any support to the primary producer must perforce benefit the rural economy. That is another advantage in targeting the suckler cow as the vehicle for our support mechanism. The suckler cow keeps active and working people and families in the countryside. It is an extensive form of farming, and that is significant in these times of surpluses.

The hon. Member for East Lothian pointed out that beef was a useful, healthy and thoroughly satisfactory food. Beef produced from the suckler herds is probably the most natural food obtainable in the market place today. The suckler cow is ecologically acceptable, and 72 per cent. of the United Kingdom suckler herd is in the less-favoured areas.

Help targeted on the suckler cow would positively assist the United Kingdom to capitalise on its human and natural resources. It would enable us to capitalise on the skilled stockmanship in this country and on the interest and inclination of our farmers to involve themselves in that sector of agriculture. It would enable us to take up some of the slack and absorb some of the spare capacity on our farms and in our countryside. Our climate and geography are ideally suited to the production of beef. I urge my right hon. Friend the Minister to encourage some research into the comparative advantage that Britain may have in producing beef economically, possibly more economically than it can be produced in other member states of the European Community. Some native breeds in this country are ideally suited to that type of meat production.

My hon. Friend the Member for Daventry (Mr. Boswell) would have been as heartened as I was to note that a pure-bred south Devon heifer won the award for champion carcase at the Smithfield show this year. That demonstrates that, against all comers—charolais,

[Mr. Christopher Gill]

limousin, or any other exotic or continental breed—we have the breeds in this country economically to produce a first-class product and to give meat consumers something that they will enjoy. Encouragement of the suckler cow herd will help to rebuild the United Kingdom beef industry, help us to develop an export market in the trade, and put the roast beef of old England on the European map.

11 pm

Mr. Geraint Howells (Ceredigion and Pembroke, North): On this occasion, I shall be complimentary to the Minister of Agriculture, Fisheries and Food. He deserves the support of all hon. Members. The future of the beef industry is at stake, if consumers are to have good supplies of beef in the years to come. I compliment the Minister for holding on to the beef variable premium scheme for many years. It has been a great success in this country. I wish him well in future negotiations to safeguard the interests of British beef producers.

The beef variable premium scheme came into operation in this country in 1974, the year I was first elected. From that time, I have been able to observe its development as a valuable support system for the beef industry. It has provided a floor for the market. Although it has not necessarily improved the profitability of beef production, it has resulted in much-needed stability for that sector of the industry. It has encouraged orderly marketing and ensured a steady, high-quality supply of beef for consumers in this country.

As we all know, beef production is an important section of British farming, particularly in less-favoured areas of Britain, where it forms the economic basis of a large part of rural communities. Therefore, it is the Government's duty to ensure that adequate support is available, to the benefit of producers and consumers. The right course is for the Government to argue for the retention of the beef variable premium scheme to fulfil their stated aim of negotiating an outcome that takes account of United Kingdom producers and consumers. I shall strongly back the Minister if he pursues that line.

Like Conservative Members, I have always regarded the intervention buying of beef as wasteful and unnecessary. I have often criticised it, in the House and elsewhere. I do not object to its role being diminished through the new Community regulations. The proposed premium in place of the variable premium is not adequate for the needs of British farming. The present provisions are totally unsuitable and will work directly against the interests of the British producer. If the proposals are accepted without alteration, they will lead to a total loss of confidence in the industry, particularly in less-favoured areas.

First, the rate offered is considerably less than that paid under the variable premium scheme at its maximum. Secondly, it is limited to 75 head of cattle, which restricts payment even more. Thirdly, as the United Kingdom industry produces more than 35 per cent. of its clean beef from heifers, which is a higher percentage than in any other member state, the restriction of payment to male cattle only is especially unfair. That restriction must be removed if there is any possibility of accepting the proposals at all. I urge the Minister—as I am sure he will —to try to amend the proposition, so that the figure of 75 can be increased. That would mean that every bullock that is reared on a particular farm or farms would qualify for the premium.

It is also important to ascertain whether the special premium is restricted to specialist producers who do not produce milk or dairy products. Such a restriction would operate unfairly against the many mixed farmers in the less favoured areas and should not be approved.

One provision that I can welcome is the increase in the European Community's contribution to the suckler cow premium. However, that will only be of benefit if the Government take advantage of the right to top up the premium to a reasonable and economic level.

I hope that, when the Minister goes to Europe next week, he will bear these points in mind and that the feeling expressed in the House tonight will stiffen his resolve to ensure that the beef producers of the United Kingdom do not lose as a result of the EEC proposals. I urge him to say once again to his friends in Europe—in the interests of both producers and consumers, in the short to medium term at least—that the variable premium scheme should continue unamended to provide a base to the market and a degree of stability until the period of transition in the dairy sector, which has direct implications for beef producers, is completed.

I want to ask the Minister one final question. What does the future hold for the Meat and Livestock Commission? Will it be dismantled in the next few years?

11.8 pm

Mr. Colin Shepherd (Hereford): I congratulate my right hon. Friend the Minister on the way in which he introduced the subject this evening. He knows that the beef industry in my part of the world is very important. We have been brandishing names around tonight and I was disappointed not to hear the Herefordshire breed mentioned by my hon. Friend the Member for Ludlow (Mr. Gill). If he cares to travel 25 miles from his constituency, I shall show him some fine specimens. Of course, there are Herefordshire cattle in his own constituency. Beef production is an important activity in the western part of my constituency.

I am anxious that, as an outcome of the discussions on which my right hon. Friend will again embark, the United Kingdom industry should feel that it has emerged sharing an equal burden of the misery. I am not certain that the Commission has fully realised the importance of that. The Commission does not yet understand the significant difference between farm structures in this country and those in other parts of the world. It is easy, knowing that the agriculture vote in the country is lower than it is elsewhere, to try to load the difficulties on to the United Kingdom industry to the benefit of other countries in the Community.

Mr. Hunter: I accept entirely what my hon. Friend has said. It is false to draw a ready distinction between the industry and the consumer because thriving producers are in the interest of the consumer. I invite my hon. Friend to continue his argument, but to draw attention to the cohesion of interest between producer and consumer.

Mr. Shepherd: I am much in agreement with my hon. Friend. We cannot have a healthy market for the

consumer unless goods are produced at the right price to the benefit of the producer. That is what we must seek to achieve at all times.

Our producers will judge the success of the negotiations on whether their industry has been discriminated against in the outcome. We have heard already of the various items of discrimination that are on the table. It is important that these are trimmed, or that the arguments for them are made to hold water by those who propound them. They certainly do not hold water from the standpoint of the United Kingdom industry. I am disappointed that the Commission, and the Community as a whole, has not seen fit to learn from the lessons of the variable premium scheme and its success in encouraging the consumption of beef. I accept that the hon. Member for East Lothian (Mr. Home Robertson) had a good point when he said that our consumption of beef is lower than that of other European countries. It seems crazy that we should be throwing out a scheme that maintains a lower level of price so as to increase the price to the consumer and reduce consumption at a time when we are trying to increase consumption or reduce its production. That is inimical.

There is a finely poised structure of agriculture in the hills. My right hon. Friend the Minister has said that there are many holdings in the uplands, in less favoured areas and on marginal land where the only option is to use the grass. That means sheep or suckler cows. Unlike the Bavarians, we do not have the alternative of making BMW motor cars. We have people whose sole occupation is rearing cattle or sheep. They do not have the facility, the opportunity or the finance to make changes. We must encourage the suckler cow herds. The dairy herd is down for reasons that have been mentioned already and therefore we must encourage the continued growth of the suckler herd in the hills. I shall measure the success of the negotiations on whether the uplands are favoured on balance so as to maintain the delicate structure of the countryside.

I wish my right hon. Friend the Minister well in the negotiations. I know that he will carry both sides of the House with him as he travels. I hope that the members of the Commission and those of other Governments who read the report of the proceedings of the House this evening will understand our strength of feeling.

11.13 pm

Mr. Eddie McGrady (South Down): Like earlier contributors to the debate, I give my support to the Minister for his renewed endeavours, which he will demonstrate at next week's negotiations, to improve the terms of this package. I speak from experience, as a Northern Ireland Member, and with an understanding of how the package will affect farming in the North.

Northern Ireland farmers will be suffering double jeopardy with the abolition of the calf premium and the variable beef premium. The Northern Ireland farming industry is already suffering multiple deprivation—the milk quotas are biting deeply with tragic results for some small dairy farmers, some of whom have had this month to return milk cheques to the Milk Marketing Board because of slight over-production. The cereal producers are having to make a contribution to the financial arrangements of the cereal regime regarding over-production, even though they are net importers of cereals to Northern Ireland.

Of course, like every other area, the poultry industry in Northern Ireland, even though it was and is entirely free from pollution and disease, has suffered dramatically. Now, beef, the last residual sector in agriculture, is suffering the possible double jeopardy of the abolition of the premium and the variable beef premium.

I ask the Minister whether it would be possible to negotiate an extension of the variable beef premium—which was beneficial to the beef producer in Northern Ireland—from 5 March to 31 March, which would be the end of the marketing season in Northern Ireland. That would be a small but useful contribution to that industry. How important that variable beef premium is to the Northern Ireland farmer can be seen by the fact that the beef industry accounts for more than one third of agricultural products. The loss in the first year alone to our relatively small farming population would be about £18 million.

The abolition of the calf premium will cause the Northern Ireland producers to suffer a loss of between £2 million and £3 million.

It could be argued that those premiums are being replaced by the special premium, but the farming community in Northern Ireland consider that that premium, at the rate proposed, will not compensate for the losses which will be incurred by the loss of the other two premiums. The Northern Ireland farmer would ask that, not only the headage should be extended beyond the proposed 75 heads, but that the premium should be increased from 40 ecu to at least 50 ecu.

Like other hon. Members, I would ask for the scheme to be extended to the maiden heifers, because it is interesting to note that in Northern Ireland 50 per cent. of beef production is from the maiden heifer, and would be an important addition to the proposals.

We feel that the point made by the Minister about intervention will adversely affect the income of farmers in Northern Ireland to the extent of about £2·2 million—if it operates equally in all regions. The figures could be much higher if the internal European Community Market reacts to heavier supplies by accepting a lower general marketing price.

Our farmers believe that the proposal by the European Commission to reduce the trigger levels of the market price from 91 per cent. to 88 per cent. of the intervention price would rule out the possibility of Northern Ireland participating in intervention within the 200,000 tonnes limit, about which we are most concerned. We are concerned, too, about the possibility of inviting tendering for intervention purchasing. The Northern Ireland industry feels that such tendering for beef intervention would probably lead to the large monopolistic interests moving in and obliterating our rather smaller meat plants and factories, because of their larger size and greater economies.

The Northern Ireland farmer is seeking an adequate replacement to the variable beef premium, an extension of the special premium to both male and female beasts and a further increase—which I have not mentioned yet—in the suckler cow premium, which is affecting another important sector of the Northern Ireland farming economy. Northern Ireland farmers have greater transport and cereal costs than farmers in the rest of Britain because

[Mr. Eddie McGrady]

of the need to transport to and from Northern Ireland, so the margin of profit is much less than in the rest of the United Kingdom.

Our community is completely based on the agriculture of the small farmer and these movements and the depletions of income will have a considerable effect. Given our other problems, it is most important that we have a good basic farming industry and a good and stable livelihood for farmers in the rural community to sustain them and their families in their natural communities rather than that they should have to move to troubled areas.

I hope that the Minister will be encouraged by the support that he has on both sides of the House and that at the negotiating table next week a viable substitute scheme for Northern Ireland farmers and, indeed, all the farmers in the United Kingdom will be found for the replacement of the calf premium and the variable premium subsidies.

11.20 pm

Mr. Tim Boswell (Daventry): The beef variable premium scheme is the linear successor to the fatstock guarantee scheme which came in on decontrol in 1954. I think that I can fairly claim to have known that man and boy, and indeed to have produced beef in many of the latter years of that intervening period.

The advantages of the beef variable premium scheme have already been extensively canvassed and in support I would add only two comments. First, the 1984 Ministry submission to the EC points out that if we had had intervention at the time the cost to the Community would have been approximately twice that of the premium scheme.

Secondly, the good National Audit Office report on the implementation of the common agricultural policy in Britain shows that there is a much lower share of expenditure on beef and veal within the United Kingdom as a proportion of the Community's expenditure—the figure is under 10 per cent.—than one might reasonably have expected from the level of production in Britain.

The premium scheme has been good for Britain and the intervention scheme will be less desirable. But the issue is how long we can hold out with our distinctive policy. In saying that, I should put on record some of the costs of the premium scheme. The first, which has not been mentioned, is that it has cost the British taxpayer some £100 million a year in Exchequer funding. The second and much more serious cost is that it has produced a special arrangement for Britain which has had to be defended at every agricultural negotiation year by year and has cost us heavily in our negotiating position on other matters.

I concede that we are now preparing for the last rites. The scheme must go, but I am reluctant that it should. If it is to go, this is perhaps the right time, with strong market conditions in the beef market and the prospect, as dairy cow numbers reduce, of a continuing reduction in beef supplies. The issue will not be how much more beef we can produce, but how we can continue to produce what we are producing now and get it to the consumer for consumption.

What, then, do we require of my right hon. Friend the Minister in this negotiation? As has already been mentioned, our basic principle must be to ensure adequate supplies in Britain and to fight off undue discrimination. That, I fear, is a battle in which we must engage year by year in the European negotiations because of our farm structure, although, unusually in the case of beef, or certainly suckler cows, we do not have the largest units in the Community.

In relation to the special premium for all beef production, which will be the main vehicle on the departure of the variable premium, one should first recall that that is much lower—approximately £28 compared with an average under the beef variable premium of over £50.

Secondly, as has already been said, the coverage would be less because there would be a top limit on herd size and a restriction on heifers. That is the nub of the Minister's negotiating requirement, and it is important to move towards a premium paid at slaughter, which would overcome many of these problems.

I echo the points already made about the dangers of not emphasising the suckler cow sector. I warn the Minister about a sentence in his explanatory memorandum, which has a nasty ring to it:

"Adoption of the proposed increase in the element of the premium funded by the EAGGF would not necessarily give rise to an increase in premium payments since it could be implemented by reducing the current national contribution".

That sentence has the Treasury's fingerprints all over it.

It seems reasonable to start with a base line of the current premium, which I believe to be £33·40. We should add the additional 15 ecu—another £10·66—and then consider asking the Treasury to add back a little of the £100 million being surrendered to the shortfall from what is now permissible under the premium, which I calculate as another 3 ecu—or £2—bringing about a total suckler cow premium of £46. That would be a useful contribution. It would stabilise and partially increase suckler cow numbers, and concentrate production on specialists, on high quality and on the areas of greatest sensitivity. Above all it would secure adequate supplies of beef for the British consumer, now and in the future. I wish the Minister well in his negotiations with the Treasurey in Brussels.

11.27 pm

Mr. Ieuan Wyn Jones (Ynys Môn): Two principles should guide our deliberation in this debate. I stress again —this has been stressed often in previous similar debates —the importance of livestock production to Wales and Scotland. Here I speak for my colleagues in the Scottish Nationalist party. There is a tremendous reliance in our countries on the less-favoured area schemes. Farming unions in Wales emphasise that we suffer from a lack of real opportunities for diversification, relying instead on livestock production because of difficulties of terrain and climate, as the Minister pointed out.

This is important if we are to maintain the fabric of rural society, as well as the rural economy. That fabric depends on a good and viable agriculture economy. For that we need a bottom to the market, which the variable beef premium has provided.

I must also point out the difficulties that we have suffered from the imposition of milk quotas. They have operated in such a way that large parts of Wales now have no quotas, because of the opportunities to buy and sell them. Farmers are being driven into fewer and fewer options. Livestock production is so important that the success of the Minister's negotiations will be vital to the future of our rural communities.

It has not been sufficiently stressed that if the beef variable premium is ultimately scrapped, that will be the precursor of a similar decision on the sheep premium. If one accepts that the one must go, the case for retaining the other is greatly weakened.

Another important point is that the drive for harmonisation within the Community, which the Commission proposes in these documents, should not be at the expense of our producers. They should not be disadvantaged as a result of it. We welcome the Minister's general views on intervention and the value of the beef variable premium, which must be considered alongside the Commission's proposals for the special premium, with its restrictions. Those restrictions are in the maximum headage of 75, that only male cattle are referred to, although we have heard that 35 per cent. of our clean beef comes from heifers, and that the figure proposed, at 40 ecu, is substantially lower than the maximum paid under the beef variable premium. Those have important implications for the beef sector in Scotland, as they do in parts of England and Northern Ireland.

I support the Minister's argument for the retention of a premium that supports the rural communities, and farmers in those communities, and we would welcome increased support for the suckler cow premium because many of the farmers in my constituency tell me that this is a way in which we can build up the quality of our beef herd. Many hon. Members have stressed the importance of ensuring that. Farmers are concerned at the lack of good quality calves in recent years, and they want greater support for this move. There has been a substantial drop in standards, particularly since the 1970s.

Many of the comments that I could make would simply be repetition of points that have already been made by hon. Members on both sides of the Chamber. However, I have one last comment. Often, after I have come to debates about diversification and have looked for other ways in which farmers can produce, they tell me when I go back to my constituency that all that we have said is academic. Because of the physical constraints resulting from weather and terrain, they cannot shift methods overnight. Our message to the Minister is that he should redouble his efforts and, with the support of both sides of the House, ensure that he gets the best possible deal for our beef producers.

11.32 pm

Mr. David Curry (Skipton and Ripon): In the uplands of Britain, the choice is between sheep, cattle and caravans, and of those, sheep and cattle are by far the more desirable. The problem in the beef regime is the system. Intervention is too available, too convenient and too profitable. The intervention store is frequently near to the abattoir, and it is too easy to put the forequarters into intervention and mark it as the hindquarters. The store is open every day of the year, and the potential for fraud arises because there is literally a raffle of product to go into the world market, and sometimes for that to go into the domestic market.

The answer to the fraud question, raised by my hon. Friend the Member for Ludlow (Mr. Gill), is not to multiply the number of inspectors but to remove the cause of the abuse of the system—the surplus and the way in which the intervention system operates. We must recognise that there is some good news around. For a start, stocks of beef are down to 425,000 tonnes, compared with 750,000 a year ago. The special export subsidy to the Comecon countries was abolished last Friday. It did its job because it got rid of 200,000 tonnes, although it was perhaps the most unpopular export that we have ever had. However, that has taken the top off the surplus. Recently, some 100,000 tonnes tendered to Comecon was rejected because the subsidy was too low, which is a good straw in the wind. The actal sales into intervention, which were running at 4,000 tonnes a week in December, were down to 700 tonnes in the first week in January, which is the lowest level for seven years. In the second half of last year, output declined, and that decline will continue this year as we see the end of the slaughterings from the spillover in the dairy sector. Those measures taken in 1986 and subsequently have had a contributory effect, and I pay tribute to my right hon. Friend the Member for Westmorland and Lonsdale (Mr. Jopling) for the role that he played in those difficult negotiations. That is a role that my right hon. Friend the Minister will now have to play for the next few weeks.

Beef must not become too attractive an alternative to other products, the producers of which are also feeling the economic squeeze. We must ensure that the intervention system reverts to its original purpose, which is to be a genuine safety net and not an alternative market place. The suggestions before the House are, first, the limitation of intervention to 200,000 tonnes. There are two keys there, and the first is that a target for intervention is now available to the Commission so that it will be able to open intervention, where that is necessary, for certain cuts and for a certain period. It need not be open every day of the year.

The second key, which I do not think has been mentioned so far, is the change to a system of tendering. That would also give the Commission the discretion to reject offers into intervention. That is part of the selectivity and targeting that we need if we are to have a genuine safety net. There is no point in talking about getting rid of the system because that is not a practical option and there is little point in talking in esoteric terms. I and my hon. Friend the Member for Daventry (Mr. Boswell) do not think that there is any point in singing a requiem to the variable premium. The Minister cannot defend it indefinitely. It is one of those outposts of our battlements and every time that we have to defend it we have to divert more and more troops to it. The political costs become higher and there must come a time when we draw our frontier upon more effective terrain. We must recognise that political reality.

The principle of the single premium must be acceptable in the light of the single market place, which is one of the Government's major policy thrusts. If we are genuinely concerned about eliminating fraud, we must recognise that a double system always leaves more scope for distortion than a uniform system. The problem is how to arrange it. It is unrealistic to argue that we should pay a premium on all animals without any limit. That would be prohibitively expensive and it is not a negotiable position. Spain has 1 million eligible animals, three quarters of which are in large feed lots and would cream this premium in the way that it used to cream the variable premium on sheepmeat.

The proposal before the House is for a single premium on the first 75 animals and we would find it difficult to accept that even though the bulk of our herds would be covered. The option may well be to seek a compromise

[Mr. David Curry]

that looks towards a two-tier arrangement that would cover the majority of British producers. It would not be a perfect solution, but ultimately we could live with it. It is important that it should go to the producer and it must be fraud-proof. We cannot complain about fraud in the existing system and then ask for a system that reproduces the complexity of the one that we seek to change.

I echo what some of my hon. Friends have said about the suckler premium and there is no point in repeating what they have said. I am confident that the Minister will safeguard British interests but we must remember that our interests are twofold. We are interested in making sure that we have a viable agricultural community in the uplands. That community has a special interest in this production and is under pressure from various directions. As far as possible, people in that community must have their livelihoods safeguarded.

At the same time, the major British thrust must be the reform of the common agricultural policy, the constraint of expenditure on agriculture. That must be observed. We cannot proclaim the general principle of constraint on such expenditure while always proclaiming a particular derogation that allows us not to conform to the same kind of constraint. That is one of the political realities that we have to bear in mind, and it is part and parcel of our negotiating position. Successive Ministers have found this to be a difficult problem.

Lamb and beef are two central livestock sectors and so far have either not been subject to reform or have been resistant to it. Those sectors have significant international implications in terms of our relationship with the United States, a subject that we are not debating. I am confident that my right hon. Friend will do what his predecessors have done—go in and bat hard while remembering that our long-term interest is a prosperous agriculture community in a Britain that feels at ease with the agriculture policy because it is operating effectively, economically and honestly.

11.39 pm

The Parliamentary Secretary to the Ministry of Agriculture, Fisheries and Food (Mr. Donald Thompson): It is usual to begin winding up an agriculture debate by saying that it has been good, because they generally are. It has been both a good and clear debate, but—unusually for this House—those who have contributed to it have understood exactly what they are talking about, and I hope to carry on in that vein.

I thank the hon. Members representing four different Opposition parties for their speeches. I refer to the hon. Members for East Lothian (Mr. Home Robertson), for South Down (Mr. McGrady), for Ynys Môn (Mr. Jones), and for Ceredigion and Pembroke, North (Mr. Howells), who offered my right hon. Friend their support when he again enters negotiations in Brussels next week. I am glad that he has decided to take me along as prop. We shall manage not to sleep, but to do our best for United Kingdom beef producers.

The hon. Member for East Lothian was right to say that beef is an important product throughout the United Kingdom—from Angus in Scotland, through Hereford, and down to Wales, Devon and Cornwall. However, the hon. Gentleman allowed himself to be diverted into hormones and hygiene. Hormones are not a matter for this debate. The hon. Gentleman said that we allow hard-pressed environmental health officers to maintain standards. They were responsible for putting matters right at Truro, not wrong. They often make their way to my door, saying that they wish to continue doing the job they do after 1992, and that they can maintain their existing standards—which they say are the highest in Europe—and take them into Europe.

I do not understand the hon. Gentleman's cry yet again for grazed fallow set-aside and for a return to price fixing. However, mine is too short a winding-up speech to go down those alleys. Hon. Members have either spoken in favour of a continuation of the variable premium or referred to it with great nostalgia. I had not realised that my hon. Friend the Member for Daventry (Mr. Boswell) was so old. The hon. Member for Ynys Môn is dangerously wrong to confuse sheep and beef. They are entirely different products when it comes to variable premium. He must bear that in mind.

No good word has been spoken for intervention. The hon. Members for East Lothian and for Ceredigion and Pembroke, North and my hon. Friends the Members for Hereford (Mr. Shepherd), for Skipton and Ripon (Mr. Curry), and for Ludlow (Mr. Gill) all spoke against it. The point made was that it should be a market of last resort, and my hon. Friend the Member for Skipton and Ripon commented that a tendering system will be better and fairer than an ever-open door.

There was little support for the headage system, and many hon. Members pointed out that 35 per cent. of beef production comes from heifers. My right hon. Friend and I will certainly bear that in mind in Brussels next week. Headage is perhaps the most important of all the questions that we shall be addressing there. It is pivotal.

The suckler cow premium was mentioned for various reasons. The hon. Member for Ynys Môn talked about the rural economy, as did my hon. Friend the Member for Ludlow; my hon. Friend the Member for Hereford talked about the hills; and the hon. Member for South Down highlighted the importance of the premium. Everyone echoed my right hon. Friend's resolve to ensure that the package that emerges from Brussels after the long and hard negotiations there takes into account all parts of the United Kingdom—Northern Ireland, Wales, Scotland----

It being one and a half hours after the commencement of proceedings on the motion, MR. DEPUTY SPEAKER *put the Question, pursuant to Standing Order No. 14 (Exempted business).*

Question agreed to.

Resolved,

That this House takes note of European Community Document No. 8903/88 + COR 1 on reform of the Community beef and veal regime and of the Government's intention to negotiate an outcome which takes account of United Kingdom producers and consumers and of the need to keep Common Agricultural Policy expenditure within the budgetary guideline.

STATUTORY INSTRUMENTS, &c

Motion made, and Question put forthwith pursuant to Standing Order No. 101(5) (Standing Committees on Statutory Instruments, &c.).

URBAN DEVELOPMENT

That the Bristol Development Corporation (Area and Constitution) Order 1988, a copy of which was laid before this House on 17th May, in the last Session of Parliament, be approved.

That the draft Bristol Development Corporation (Area and Constitution) (Amendment) Order 1988, which was laid before this House on 12th December, be approved.—*[Mr. Lightbown.]*

Question agreed to.

ENERGY

Ordered,

That Mr. Rhodri Morgan be discharged from the Energy Committee and Mr. David Clelland be added to the Committee.—*[Mr. Ray Powell.]*

HOME AFFAIRS

Ordered,

That Mr. David Clelland be discharged from the Home Affairs Committee and Mr. Joe Ashton be added to the Committee.—*[Mr. Ray Powell.]*

TRADE AND INDUSTRY

Ordered,

That Mr. Joe Ashton be discharged from the Trade and Industry Committee and Mr. Jim Cousins be added to the Committee.—*[Mr. Ray Powell.]*

EDUCATION, SCIENCE AND ARTS

Ordered,

That Hilary Armstrong be discharged from the Education, Science and Arts Committee and Mr. Dennis Turner be added to the Committee.—*[Mr. Ray Powell.]*

Mr. Roger Cooper

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Lightbown.]*

11.46 pm

Mr. Nicholas Baker (Dorset, North): I am grateful for the opportunity to raise in the House the imprisonment of Roger Cooper in Iran. I shall put to my hon. Friend the Parliamentary Under-Secretary of State the facts of Mr. Cooper's treatment in Iran, the conditions under which he has been detained for some three and a half years or more and the importance of securing his release now, as part of the resumption of diplomatic relations between Britain and Iran that are now under way.

I have known Roger Cooper and his family for over 35 years. He is an unusual, scholarly and detached kind of character, with a deep knowledge of Persian history, literature and culture, who, after 20 years of working in Iran, has become an expert on Iranian affairs. His somewhat academic turn of mind befits the nephew of Robert Graves the poet and a member of a highly intelligent, cultivated and independent family. He has worked in Iran in a number of capacities for more than 20 years, principally as a teacher, translator and latterly consultant on Iranian affairs. He is not a business man, or a wheeler dealer. He has a deep sympathy with Iran and Iranian people, and possesses the ability to make friends with people in all walks of life, whether they be shepherds in the Iranian mountains, his gaolers in Even prison in Tehran or members of the academic fraternity.

Roger Cooper was married to an Iranian for some years, is a excellent linguist and speaks fluent Farsi and other Iranian dialects. He is that rare individual whom the Iranian Government can be pardoned for failing to understand—an Englishman who is deeply attached to Iran but not an uncritical friend.

He was certainly criticial of the Shah's regime. In an article in the *Sunday Times* on 12 November 1978, he drew attention to the defects of the Shah's regime. He described the Moslem clergy as people who

"more altruistically realised that the wave of western-style progress was not good for the country's soul".

In the same article, he described the Shah's style of government as high-handed. He pointed out that the Shah had allowed himself to be

"puffed-up to almost divine status",

and had become so isolated from his people that he could no longer understand their aspirations or sense their dissatisfaction. He pointed out the

"heavy cost in terms of human rights"

of Iran's then internationally vaunted political stability and described the activities of SAVAK—the state security organisation which by then had grown into a reputedly ubiquitous secret police, with a network of paid voluntary informers that

"make frank political conversation impossible".

As one who visited Iran in those days myself, I can vouch for the correctness of Roger Cooper's observations.

In the same article, he described the demand for Islamic Government and called for the return of Ayatollah Khomeini and the moving experience of the supporting demonstration in Tehran. He criticised the failure of the Shah's Government to co-ordinate relief for the victims of the earthquake that reduced the city of Tabas to rubble

[Mr. Nicholas Baker]

and actually put these complaints personally direct to the Shah. That was typical of his honesty and independence, given that he was addressing an absolute monarch.

At the time of his arrest, Mr. Cooper was working as a consultant for McDermott International, the offshore oil services group, and had come to Tehran in July 1985 to help the company to secure a contract that had been put out to international tender and for which a variety of other Western companies were bidding. He entered Iran with a legally valid visa and was apparently arrested on a technicality. After the process of the tender forced him to stay on beyond the original expiry date of the visa, he had applied for a renewal and was told that he could stay in Iran while the application was being processed. Foreigners frequently overstayed the expiry date of their visas for this reason.

In wartime Tehran he was suspect because of his exceptional knowledge of the Farsi language and also because he had lived in Iran under the Shah and had done paid translation work for the Shah's Government. He was in fact one of the few westerners to criticise the Shah's régime in public for civil rights abuses, such as the torture and detention without trial of students. His respect for Iranian clergy and criticism of the Shah and the armed forces that propped up his régime are on record.

Roger Cooper was arrested on 7 December 1985 and is now in his fourth year of detention in Even prison, Tehran, where he has undergone countless interrogations. Although he has been called a spy by Iranian newspapers and some politicians, there is no evidence of this. No specific charges have been made, and while a number of apparently genuine spies have been caught and tried in Iran during the last few years, there has been no serious suggestion that Mr. Cooper could be a spy. No one who knows him regards such a suggestion with anything but derision.

Today is the 1,139th day of Roger Cooper's captivity. In a recent letter that he was allowed to write to his family —who of course are desperately anxious about his condition—he said:

"The worst part is not having any idea what is in store for me or having any family or personal news for almost six months."

In another letter, he said:

"One day merges imperceptibly into the next. There is no sign of when, or even if, I will be released, and I think the uncertainty is beginning to affect me."

Neither the British Government nor his family have ever been notified of the reasons for his arrest, or of any specific charges. He has not had access to a lawyer and was prevented from making written protest against procedural irregularities under the Iranian constitution. Although an appeal has been lodged to the supreme judicial council of Iran for a judicial review of his case, the court has apparently taken no steps to hear the appeal or to investigate the matter. In three years he has been allowed only six visits. He has many friends in Tehran who would have liked to visit him but who have been refused access.

Most letters to and from Roger Cooper do not reach their destination. At least 20 letters written to him by his only daughter have not been delivered. Although once allowed to telephone, he has not yet had the opportunity of speaking by telephone to his mother, who is aged 94 and who, like all his family, is increasingly concerned about his position. He has received good medical attention in prison and sufficient food, but erratic opportunities for exercise. Recently he has been moved into a larger room and is in contact with other foreign prisoners, with a limited opportunity to take exercise.

In summary, the treatment of Roger Cooper accords with the provisions of neither the Iranian constitution, nor the Vienna convention nor the United Nations covenants. I urge my hon. Friend to press the Iranian Government on this. I detect some present improvement on these matters, which I welcome, but Mr. Cooper's detention is a serious bar to the improvement in relations between our two countries which we all wish to see.

The memorandum agreed between Britain and Iran in November last and signed by the two Governments provides a basis for the resumption of full diplomatic relations between the countries. I welcome that. I, like many who have visited Iran, value the long-standing relationship between the Iranian and British peoples.

I understand that the memorandum provides that relations between the countries shall be conducted on the basis of reciprocity. Both countries have an interest in the restoration of normal diplomatic relations. It is ironic in some ways that Roger Cooper—who, as I have said, must be one of the most knowledgeable Britons about Iran and its people—should be detained in this way.

In his letter from prison of June 1988 to the United Kingdom parliamentary mission to Iran, he spelled out in great detail measures necessary to improve the long-term relationship between the two countries. Despite his three and half years in prison, he is completely and passionately devoted to the cause of restoring relations between our two countries.

It is not enough for my hon. Friend in his negotiations with the Iranian Government to express the hope that improved relations will bring about the release of Roger Cooper. It must be made clear to the Iranian Government that there can be no normal relations between the countries while an innocent British subject is detained in this way. Seen from one angle, Mr. Cooper could be regarded as a hostage. I do not advocate, and I am not advocating tonight, a deal over any hostage—against which the Prime Minister has, rightly, set the face of her Government—but I suggest that a step-by-step resumption of diplomatic relations necessarily involves the release of an innocent prisoner. I urge my hon. Friend to put the position straight to the Iranian Government.

In the 10 steps involved in improving relations, which include the building up of the Iranian embassy in London, the issue of visas to Iranians to visit London and continued progress under the November memorandum, the release of Roger Cooper is an essential part of the process. It is not something which may or may not happen later. We cannot allow Mr. Cooper to be forgotten. Both countries want to develop trade between them for the benefit of the British and Iranian peoples, but I expect my hon. Friend to make it clear that this process will be frozen unless, as part of it, Roger Cooper is released.

This debate is not an attempt by me—nor do I advocate such on the part of her Majesty's Government—to interfere with Iranian internal affairs. The 10th anniversary of the Iranian revolution is at hand, and this is an admirable moment for the kind of gesture of confidence in improving relations between the two countries which we have come to expect from the Iranian

Government. They have already released a Mr. Nicola. Now is the occasion for a further step in improving relations between our two countries.

Roger Cooper is passionately keen on an improvement in relations between Iran and Britain. It is more than ironic that his own individual liberty should have been curtailed so dramatically for the last three and a half years. It makes it even more important that his individual liberty should be restored at the earliest possible moment and that he should be released. I am sure that my hon. Friend will make every effort to that end. Both I and Roger Cooper's patient and suffering family look forward with expectation to the reply that the Minister will give tonight.

11.58 pm

The Parliamentary Under-Secretary of State for Foreign and Commonwealth Affairs (Mr. Tim Eggar): I listened with interest, considerable emotion and close attention to the remarks of my hon. Friend the Member for Dorset, North (Mr. Baker). I recall hearing, at the end of 1985 —I believe it was in fact new year's eve 1986—that, as we expected, Roger Cooper had been arrested. That for me was the beginning of what I believe is an association with Roger which has lasted for almost the whole period that I have been the Minister at the Foreign Office with responsibility for Britons abroad.

I want to begin by saying how sorry I am that there is any need for us to have this debate tonight. Roger Cooper simply should not be in gaol in Iran more than three years after his arrest. However, I welcome the initiative of my hon. Friend the Member for Dorset, North in raising Roger's case and I want to take this opportunity to set out the efforts that we have made to release Roger and restate our determination to maintain pressure on the Iranian Government.

As my hon. Friend has said, Roger Cooper, a journalist with long experience and intimate knowledge of Iran, was arrested on 7 December 1985. It does indeed appear, as my hon. Friend said, that his original entry visa to Iran had expired by 7 December but he had been given to understand that he might stay for longer. Contrary to the Vienna convention on consular relations the British interests section of the Swedish embassy was not informed of Roger's arrest. But our diplomats in Tehran had noted his absence within the British community and made inquiries of the Iranian Ministry of Foreign Affairs on 11 December 1985. The Ministry was unable to give us any information on Roger's whereabouts. As I have already said, on new year's eve 1985, we learnt from the Iranian Ministry of Foreign Affairs that Roger Cooper's future now lay with the revolutionary courts. The Foreign Ministry stated that it could no longer intervene in what it described as this judicial process.

Once Roger's detention had been confirmed we made repeated representations for consular access to him in prison. I have from time to time had to emphasise from the Dispatch Box the very real limitations on the level of assistance which our consular representatives abroad can offer British citizens in trouble. However, access for consular authorities to prisoners abroad is a fundamental right under the terms of the Vienna convention on consular relations. Iran is a signatory to that convention, as are we, but the Iranian Foreign Ministry told us only that the question of access to Roger Cooper was no longer within its gift. That attitude and approach was not and is not acceptable from a country which is a signatory to the Vienna convention. My hon. Friend is absolutely right to stress the fact that Roger's detention contravenes the Vienna convention on consular relations.

Since the start of Roger's detention we have pressed repeatedly for access to him and for the Iranian authorities to fulfil the terms of their international obligations. But it was not until August 1986 that our consul was granted a sight of Roger, and then only a sight through a glass screen. Since that viewing, if that is the way to describe it, and until August last year, British officials were only permitted to visit Roger on one occasion. His brother Paul has been allowed to visit him on a number of occasions. I would like to say at this point how marvellous Roger's family have been. We have been in close and regular contact with them. They have shown great resilience, fortitude and fine judgment throughout.

Since Roger's arrest his case has been discussed at every meeting between British and Iranian officials. Only last week in Paris, my hon. Friend the Minister of State raised the matter with the Iranian Foreign Minister, Dr. Velayati.

A number of factors have hindered our efforts over past years. There are those in Iran who seem to believe that they have something to gain from holding Roger Cooper hostage. They have drawn spurious parallels between his case and those of Iranian prisoners in the United Kingdom. We have made it quite clear, as my hon. Friend would have expected, that there is no question of bargaining over Roger's release. In any case, we can accept no comparison between the detention of Roger Cooper in Iran without cause and the imprisonment, after due trial and conviction, of Iranian citizens in the United Kingdom.

It is also, of course, the case that Roger's detention has spanned a very difficult time in relations between the United Kingdom and Iran. These relations reached an all-time low in 1987 after a series of mutual expulsions and following the violent abduction of and unprovoked assault upon one of our senior diplomats in Tehran. That incident illustrated only too clearly the sad fact that we simply could not rely on Iran for the protection of our diplomats, despite their obligations under the Vienna convention. We thus felt forced to withdraw our diplomatic staff from Tehran.

Diplomatic relations were nonetheless maintained. We have been fortunate to have the excellent services of the Swedish embassy as our protecting power in Iran. We are grateful to the Swedish ambassador and his staff for all they did to help us during our absence from Tehran.

I am happy to say that the last few months have seen some important steps towards normalising our relations with Iran once again. We have always made it clear that if our bilateral and other difficulties could be overcome we should like to work towards better relations with Iran. Iran began in the summer of last year to show signs that she was ready to improve her own contacts with the international community; and to recognise the responsibilities that that involves.

We were heartened by Iran's acceptance of the United Nations resolution 598. The results of a series of exploratory official level contacts led us to conclude that it was right to seek a normalisation of relations. My right hon. and learned Friend the Secretary of State and the Iranian Foreign Minister therefore agreed to the restoration of full diplomatic representations when they met on 30 September last year.

[Mr. Tim Eggar]

In taking that decision, one of the main considerations was our hope and belief that by restoring our representation in Tehran we would be able to speed up the release of Roger Cooper and of Nicolas Nicola. Those British citizens were at the forefront of our minds during the discussions with the Iranians. Their cases were the first issues which our chargé raised when he resumed official contacts with the authorities in Tehran.

I am sure that the House will agree that the release of Nicolas Nicola on 26 December 1988 demonstrates that we were right to take that firm approach. We welcome Nicolas Nicola's release and only regret that it has taken so long. But I can assure my hon. Friend that we will not be satisfied with just this one step forward. The Iranians must take the further step of releasing Roger Cooper. We expect them also to do all in their power to help secure the release of British hostages in the Lebanon.

Our renewed presence in Tehran means, of course, that we can keep in closer touch. The chargé and consul visited Roger Cooper on 28 December. I am pleased to tell my hon. Friend that they found him in generally good health and reasonable spirits. He is not in solitary confinement. He has access to books, television and radio. He has been able to pursue his writing, although I cannot comment at this early stage on the article allegedly written by him which appeared in the Iranian press this week.

But, however reasonable the physical conditions under which he is detained and however often our representatives can see Roger, nothing can compensate for the fact that he continues to be held against his will and with no good cause and against Iran's constitutional and international obligations.

The Iranian authorities know that we see Roger Cooper's case as a test of their readiness to fulfil their obligations and a yardstick of how far they really wish to improve relations with the United Kingdom. We have made it very clear—I say this categorically in response to my hon. Friend—that there can be no substantial improvement in our relationship until Roger is released and until there is positive progress on the situation of the hostages in the Lebanon. We shall continue to insist on this, and we will make sure that the Iranian Government understand that the British public will not stand for less —nor will the Government.

Question put and agreed to.

Adjourned accordingly at eleven minutes past Twelve o'clock.

House of Commons

Thursday 19 January 1989

The House met at half-past Two o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

PRIVATE BUSINESS

BRITISH RAILWAYS (PENALTY FARES) BILL *[Lords]*
Order for Second Reading read.
To be read a Second time on Tuesday 24 January.

CITY OF LONDON (SPITALFIELDS MARKET) BILL *(By Order)*
Order for Third Reading read.
To be read the Third time on Tuesday 24 January at Seven o'clock.

AVON LIGHT RAIL TRANSIT BILL *[Lords] (By Order)*
Order for Second Reading read.
To be read a Second time on Tuesday 24 January at Seven o'clock.

LONDON REGIONAL TRANSPORT (PENALTY FARES) BILL *[Lords] (By Order)*
Order for Second Reading read.
To be read a Second time on Thursday 26 January.

Oral Answers to Questions

AGRICULTURE, FISHERIES AND FOOD

Liquid Milk

1. **Mr. Gregory:** To ask the Minister of State for Agriculture, Fisheries and Food what is the volume and value of liquid milk made available annually to the United Kingdom confectionery industry; and if he will make a statement.

The Parliamentary Secretary to the Ministry of Agriculture, Fisheries and Food (Mr. Donald Thompson): The predominant use of liquid milk bought by the confectionery industry is for the manufacture of chocolate crumb. In 1988 about 228 million litres, worth about £40 million, was supplied for this purpose.

Mr. Gregory I am grateful to my hon. Friend for that answer. Is it not ridiculous that while the confectionery industry would like to use more liquid milk and British farmers would like to supply it, major manufacturers such as Rowntree are prohibited from obtaining the amount that they would like? The manufacturer of great British products such as Kit Kat has had to modify its machinery, at a cost of over £1 million, to take non-liquid milk. Will my hon. Friend look at this again and boost the amount of liquid milk available to the great British confectionery industry?

Mr. Thompson: I appreciate the way in which my hon. Friend works for the great British confectionery industry at Question Time after Question Time. He does a good job. I do not think that the confectionery industry in general suffers from a shortage of liquid milk. The allocation of milk for chocolate crumb takes priority over many other uses, including territorial cheese. However, I am aware of some local problems but it is for the industry to readjust in the new climate of decreasing lakes and mountains.

Mr. Martlew: Does the Minister agree that the Milk Marketing Board is taking advantage of shortages in manufacturing to push up the prices? Is it not a disgrace that Dairy Crest, which is a wholly owned subsidiary of the Milk Marketing Board, is now on the board of the Dairy Trade Federation which negotiates prices with the Milk Marketing Board? Will the Minister stop looking after farmers' interests and start looking after the interests of consumers?

Mr. Thompson: For the whole of agriculture the consumer is paramount because without the consumer nothing happens. The fact that the dairy industry leads in Europe is indicative of the consideration that the dairy trade gives to the consumer and to consumers' interests. Nevertheless, the market is becoming more and more competitive for milk and milk products. That is good, because rather than putting milk and milk products into intervention they should be allowed to find their own level in the market. I do not wish to interfere in normal trade between the various sections of the milk industry.

Mr. Paice: Will my hon. Friend tell the House what percentage of the forthcoming rise in the price of milk will go to the farmer and how much will be absorbed by the trade?

Mr. Thompson: A percentage always goes to the farmer —*[Interruption.]*—and we are under constant pressure from Opposition Members, who are now laughing so gaily, to continue doorstep delivery. Some of the increase must go to pay the man who delivers the milk to our doorstep, often before we go to work.

British Poultry Federation

2. **Mr. Barron:** To ask the Minister of Agriculture, Fisheries and Food when he last met the British Poultry Federation; and what matters were discussed.

The Minister of Agriculture, Fisheries and Food (Mr. MacGregor): My hon. Friends last met representatives of the British Poultry Federation on 23 and 29 November and 18 December 1988, to discuss consumer interests and animal welfare.

Mr. Barron: Has anyone in the Minister's Department explained to the federation, and will the Minister explain to the House, why his Department has refused to accept its statutory responsibility under section 8 of the Food Act 1984 to prosecute egg and poultry producers who have been selling eggs and poultry contaminated with salmonella?

Mr. MacGregor: The action that we have taken also relates to poultry feed plants. Our vets go to look at the situation, particularly where investigations are required, and tell the companies what work is required to put the situation right. They then go back and look at the situation again. In almost every case, the situation has been put right. The important point is whether there is a case and sufficient evidence to carry through a prosecution; so far, we have been advised that there is not.

Mr. Marland: Would my right hon. Friend care to speculate on what would have been the effect on the taxpayer, the consumer and the market, if the rescue package that he so quickly announced after the crisis had not been launched?

Mr. MacGregor: There are later questions on the Order Paper about this. As I shall indicate later, this has been a cost-effective scheme for the taxpayer. The advertisements to indicate the measure of risk involved in relations salmonella in eggs, the chief medical officer's advice, the 15 measures that I am taking to deal with the problem at the production end and the two steps to stabilise the market have all been very much in the consumer's interest. The consumer benefits from continuity of supply and from the removal of the aging eggs. The steps that we took helped to restore stability to the market quickly.

Mr. Canavan: Will the Minister confirm the recent *New Scientist* report that the Government were directly responsible for cutting the number of scientists doing research into salmonella in poultry and eggs? If that report is true, should not more heads roll than that of the former Under-Secretary of State for Health?

Mr. MacGregor: I have not seen that particular report, but if it refers to the research at Bristol, I should point out that that decision was taken by the Agricultural and Food Research Council because it believed that exploitation in the market place was now required. Consultation is now taking place with interested companies to see whether such exploitation can take place.

However, the funds which may not be used to continue that research will be diverted to other microbiological research. It is a question of the priorities set by the AFRC. I have just received the report of a working party that we set up last autumn, following the information given to the Department of Health, to consider what extra research and development might be required on salmonella and I shall consider that immediately.

Miss Emma Nicholson: Will my right hon. Friend educate the House a little further on the knotty question of salmonella by explaining that vegetarians are also at risk because sprouting beans and even watercress are major carriers of salmonella? In that context, the Norwich city council leaflet and advertisement at Christmas, showing a nut roast and saying that nut roasts do not grow salmonella alongside a defrosting turkey——

Mr. Speaker: Order. I am interested in all this, but was it discussed with the British Poultry Federation?

Miss Nicholson: Yes, Mr. Speaker. It is my understanding that the public has been led by the media to believe that salmonella is confined to animal protein products. I should like my right hon. Friend to tell the House that that is not true. Salmonella is part of the food chain and British food producers do their utmost to get rid of it. In that context, British poultry products are among the cleanest, the cheapest and the best protein sources.

Mr. MacGregor: My hon. Friend is absolutely right. For as long as anyone can remember salmonella has been a major problem in food in all countries. It is in the environment and despite all our efforts it is not possible to eradicate it. That is why everyone takes steps—at all points in the production chain and also when cooking food—to minimise the risk of salmonella.

My hon. Friend is right. Salmonella is certainly not confined to eggs. There are 2,000 different strains of salmonella. In the middle of last year we faced evidence which convinced us that there were more cases of food poisoning from one particular strain. When that was identified and linked with eggs, we took action. However, my hon. Friend is right and the same situation applies in other countries.

Mr. Beggs: When the Secretary of State met the British Poultry Federation did he discuss the possibility of stopping the inclusion of recycled poultry offal and protein in feed for the poultry industry? What would be the additional cost to the consumer of a dozen eggs if we removed recycled protein in poultry feed and replaced it with vegetable protein?

Mr. MacGregor: That matter was not discussed at the last meeting, to which I referred earlier. We are considering the matter, but it is important that everyone should understand that any recycled material has to undergo heat treatment and other processes to ensure that salmonella is dealt with. The main problem with salmonella in general, and with the particular strain that

has caused the most recent problem, is that it often arises at subsequent points because salmonella is in the environment.

Mr. Hunter: In the course of his discussions with the British Poultry Federation did my right hon. Friend discuss the federation's egg improvement scheme and what was his reaction to it?

Mr. MacGregor: That scheme was put to me in the middle of December. We considered it and I discussed it informally with one or two federation members. However, I do not believe that the scheme would have been compatible with European Community legislation.

Mr. David Clark: As the Minister has admitted in a parliamentary answer that there is no statutory reason for witholding information, why will he not give the House details of the 21 protein processing plants which were found to be supplying salmonella-contaminated feed to the egg and poultry industry? Surely we have the right to know the guilty parties.

Mr. MacGregor: As the hon. Gentleman knows, I give as much information as I can to the House, to the Select Committee on Agriculture and in many other ways on all these matters. However, in those cases we must observe commercial confidentiality and other matters of that kind in fulfilling our statutory responsibilities where it has been made clear that the identification of plants will not be divulged.

Sausages

Mr. Speller: To ask the Minister of Agriculture, Fisheries and Food if he will set quality and content standards that will allow the traditional British sausage to be exported to the European Community and other countries in Europe which at present prohibit the import of United Kingdom sausages on content, quality or labelling grounds.

The Parliamentary Secretary to the Ministry of Agriculture, Fisheries and Food (Mr. Richard Ryder): The British sausage is a traditional product designed for the home market. It is enjoyed here, and I see no reason why changes should be made to it. I know that the product is enjoyed elsewhere in the EEC, and I hope that the export activities of our sausage manufacturers and retailers will mean that this is increasingly the case.

Mr. Speller: Is my hon. Friend aware that this is Food from Britain year and that the best British meal is the British breakfast? Is he also aware that the British banger is a part of that, but under our current legislation less than one-third of a pork sausage needs to be pork and only 25 per cent. of a beef sausage must be beef? If we are to succeed in Europe, as we should, and as our meat producers wish, we require a standard which makes the word follow the name so that beef is beef and pork is pork, and never the content shall be rubbish.

Mr. Ryder: The Ministry is in regular touch with the trade interests concerned. We have not been informed of any insurmountable difficulties encountered by manufacturers or retailers in marketing the product in the EEC. If any such difficulties are brought to our attention we shall pursue the matter at once with the relevant authorities.

Mr. Haynes: Is the Minister aware that we produce the finest bangers in the world? Is he also aware that when foreigners come here from abroad they like British bangers and mash? It is high time that the Minister made it clear that that is the position so we do not have stupid questions like this one.

Mr. Ryder: If British sausage retailers or manufacturers want to advertise their product on British or European television, the hon. Gentleman is the right man to do that for them, but any such advertisement would need to be watched with the television volume turned down.

Environmentally Sensitive Areas

4. **Mr. Barry Field:** To ask the Minister of Agriculture, Fisheries and Food how many environmentally sensitive areas have now received payments; and what the total estimated expenditure will be for 1988.

Mr. Ryder: There are 10 environmentally sensitive areas in England in which payments will be made in the financial year 1988-89. Those payments are estimated to amount to £8·3 million in total. Figures for the calendar year are not available.

Mr. Field: Does my hon. Friend agree that ESAs have made a valuable contribution to the Government's green policies and demonstrate the Government's care of the countryside? Can my hon. Friend tell the House how many farmers in environmentally sensitive areas who have not claimed ESA money have lost farm improvement grants? What does my hon. Friend intend to do about that when he considers the new conservation grant scheme?

Mr. Ryder: Statistics are not readily available, but outright refusal has been necessary in only a few cases. All agricultural improvement scheme applications in ESAs are examined from environmental viewpoints. Where there appears to be a risk of harm to the environment, farmers are advised how their plans can be modified to be compatible with ESA objectives.

Mr. Andrew F. Bennett: What plans are there to extend the number of ESAs, and what consideration is being given to extending them to those areas that still have restrictions on sheep movements as a result of the Chernobyl fallout?

Mr. Ryder: We shall be reviewing the ESAs in 1991 and 1992 when we shall consider existing boundaries and the possibility of expanding the number of ESAs. On the specific point raised by the hon. Gentleman, we do not foresee any particular changes at present.

Sir Charles Morrison: To assess the benefit or otherwise of ESAs it is clearly important that they should be adequately monitored. Is my hon. Friend sure that enough manpower and money to finance that manpower is being made available for that purpose?

Mr. Ryder: Yes, Sir.

Irish Meat

5. **Mr. Matthew Taylor:** To ask the Minister of Agriculture, Fisheries and Food if he has received any representations concerning the import of Irish meat; and if he will make a statement.

Mr. Donald Thompson: Since my right hon. Friend replied on 22 December to the hon. Gentleman's private notice question on this matter, various hon. Members have put down related written questions which have been answered.

Mr. Taylor: Will the Minister elaborate a little more on the evidence that he has about how contaminated meat came in from Ireland and, in particular, how contaminated meat appears to have been stamped with Irish veterinary inspection stamps as being fit when it was not?

Mr. Thompson: The last correspondence that we had from the Irish Republic was on 12 January when it gave us a full report of its investigations into that particular meat consignment. We are not entirely satisfied with all those explanations and have asked for further details. There were 19 cases of meat that we considered unfit coming from Ireland in 1988 and we have followed up each of those.

Mr Nicholas Bennett: What examination is made of Irish meat that has been trans-shipped across the United Kingdom to a third country? Can my hon. Friend guarantee that no Irish meat so trans-shipped finds its way into the United Kingdom market?

Mr. Thompson: Irish beef that is trans-shipped across the United Kingdom from Ireland to a third country obviously cannot impinge upon public health in Britain. Meat that is shipped into Britain receives a veterinary certificate from the country from which it emanates. The documents are inspected by the port health authority and the local environmental health officers are diligent, as they were in Truro. Companies have their own rigorous inspection because they live by selling meat and if there is any shadow of doubt about the quality of their products they will lose customers. In addition, shop inspectors, environmental health officers and trading standards officers check meat within various retail and wholesale outlets.

Mr. William Ross: Is the Minister aware that Newry is the fourth largest point for the export of food into Great Britain? As Northern Ireland is also a food exporter, very little food from the Republic stays in Northern Ireland and a large part travels on to Scotland, England, and elsewhere and thus passes through the three legal jurisdictions of the United Kingdom, all of which have different food hygiene laws. Will the Minister ensure that the forthcoming food Bill will cover the entire United Kingdom so that the problems currently experienced by enforcement and health officers in Northern Ireland in citing British case law when prosecuting in Northern Ireland will no longer be an inhibiting factor?

Mr. Thompson: The hon. Gentleman makes a good point, and it is one that we are examining in relation to the forthcoming food Bill. Although standards in Northern Ireland, Scotland and England are equally high, it is important that they are easily understood both by traders and by lawyers in each country, and we shall be working towards that in any new legislation.

Mr. Redwood: Is the Minister satisfied with current subsidy arrangements, which appear considerably to favour the Irish in exporting their meat to this country? Is he satisfied also that those subsidy arrangements are well administered?

Mr. Thompson: That is a different question.

Mr. Ron Davies: Is the Minister aware that when his right hon. Friend the Ministry of Agriculture, Fisheries and Food addressed the House on 21 December 1988 he made several factually incorrect statements? Will the hon. Gentleman confirm that his Department does not require systematic inspection of all meat imports, and that only the most cursory and inadequate examination is undertaken by an understaffed and overworked environmental health service under its general obligations? Will the Minister act on the warning given by the Institution of Environmental Health Officers that

"contaminated imports are being sent elsewhere in the United Kingdon"?

Or does he not really care about the interests of consumers?

Mr. Thompson: I care about consumers, and about the excellent work done by environmental health officers in indentifying contaminated meat entering Cornwall and preventing any disease that might have emanated from it. My right hon. Friend said that port health authorities carefully examine all documentation. I agree with the hon. Gentleman that perhaps only 5 or 6 per cent. of the meat coming within a port authority's responsibility is inspected, but consignments carry a veterinary certificate from the country of origin, which is keen to export its meat.

As I said, inspections are undertaken by the port health authority. The particular consignment of meat entering Truro, to which reference has been made, was examined by local environmental health officers in both London and Truro. Companies also have their own inspectors, and environmental health officers are good at inspections in their own districts. I have nothing but good words to say about environmental health officers. I do not accept the hon. Gentleman's suggestion that they are hard-pressed and harassed. They do a good job calmly and efficiently.

Mr. Redwood: On a point of order, Mr. Speaker. Will the Minister be kind enough to send me a written answer——

Mr. Speaker: Order. That is not a point of order. It is a question to the Minister.

River Pollution

6. **Mr. Gareth Wardell:** To ask the Minister of Agriculture, Fisheries and Food what was the number of incidents of river pollution caused by nitrates in the last year.

Mr. Ryder: Information for 1988 is not yet available. In 1987 mineral fertilisers caused 18 incidents.

Mr. Wardell: In view of the Prime Minister's welcome, albeit recent, conversion to the importance of environmental matters, does the Minister agree that it is not enough to prosecute offenders against the environment? Should not his Department do far more to assist agriculture systems that entail a lower reliance on artificial nitrogenous fertilisers?

Mr. Ryder: The hon. Gentleman should be aware that only a small proportion of nitrate pollution comes directly from fertilisers. The Government are acting on that front. Even if nitrate fertilisers were banned today we should still

have nitrate pollution in 40 or 50 years' time, because the worst form of such pollution is connected with the ploughing up of old grassland. In the immediate aftermath of the war, in the 1950s, a large amount of grassland was ploughed up for arable use, and that is what has caused a good deal of the present pollution.

Mr. Lord: Has my hon. Friend seen the results of the research by the Rothamsted research institute? That research clearly shows that the problems caused by nitrates in water can best be improved through sensible modifications to current farming practice. Will my hon. Friend do his best to encourage farmers to put those alterations into operation, and resist demands for hasty or draconian measures that might do much more harm than good?

Mr. Ryder: I have read the Rothamsted report, and the advice that it gives. It is absolutely correct—that nitrogen fertilisers should not be applied in the autumn, that wherever possible the soil should not be left bare during the winter and that winter-sown crops should be sown early in the autumn. If a spring crop is to be sown, a winter catch crop should be grown. That advice should be followed by farmers if the problems to which the hon. Gentleman refers are to be reduced.

Ms. Quin: In view of the concern about nitrates, will the Minister consider making the code of farming practice on nitrates compulsory rather than voluntary? Will he also undertake to increase the amount of money devoted to research on the subject?

Mr. Ryder: We are considering that in the light of the desk studies.

Mr. Gale: When my hon. Friend is very properly considering nitrate levels, will he take into account the fact that it takes 20 years for nitrates spread on the land to filter through to aquifers? Will he take particular account of the fact that areas such as Thanet have very high natural nitrate levels in the soil, and will he make absolutely certain that the farming community does not carry the can for geological factors not under its control?

Mr. Ryder: All those points will be taken into account.

Mr. Alan W. Williams: May I seriously challenge the Minister's earlier explanation about nitrates in water? He said that the problem was to do with grassland. Is it not strange that high nitrate levels in water supplies occur in the very areas where fertiliser usage is at its most intense?

Mr. Ryder: That is correct, but it is also true that those areas are in the parts of Britain where there was the most ploughing up of grassland in the immediate aftermath of the war.

Eggs

7. **Mr. Boswell:** To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the outcome to date of the short-term action to stabilise the egg market announced by him on 19 December.

10. **Mr. Cummings:** To ask the Minister of Agriculture, Fisheries and Food if he will make a statement about the take-up of the payment to egg packers for the destruction of surplus eggs announced on 19 December 1988.

Mr. MacGregor: I am pleased to be able to tell the House that the schemes that I announced on 19 December, together with the Government's advertisements, have made an important contribution to restoring stability and confidence in the egg market, and have achieved their objectives with much lower costs to the taxpayer than the maximum sum for which provision was originally made. Final figures are not yet available, but I hope that the total number of cases of eggs involved will not exceed 300,000 —which is 108 million eggs—and probably fewer than 450,000 hens will be culled under the scheme.

Mr. Boswell: Is not my right hon. Friend to be congratulated, rather than pilloried, on introducing a scheme at very short notice which—at a lower cost to the taxpayer than anticipated, because of the modest take-up —has nevertheless stabilised a catastrophic market to the benefit of both producers and consumers?

Mr. MacGregor: I am grateful to my hon. Friend. I think that some of the comments have missed two points. First, to restore some confidence to the market, it was necessary to be clear that we would be prepared to take what was then estimated to be the total surplus of eggs on the market. It was necessary to devise a bold scheme to give back confidence. Secondly, a crucial element was the prices offered for both eggs and hens. In the case of eggs it was necessary to put a floor in the market, covering only the cost of feedstuffs to producers.

The moment the market picked up, the schemes would no longer be necessary. They were designed to be cost-effective and yet to achieve the objective of bringing back some stability to a market that was in chaos. I believe that that action had a great deal to do with restoring confidence, and that if it had not been taken many small producers would have run into serious difficulties through no fault of their own. Some would undoubtedly have gone bankrupt.

Mr. Cummings: What plans does the Minister have to reduce our dependency on the battery system and to encourage the keeping of smaller flocks of free-range hens in a programme of mixed farming?

Mr. MacGregor: The hon. Gentleman's question relates to salmonella. There is no evidence that there is any difference in the incidence of salmonella in free-range systems compared with battery systems. Therefore, it is misleading to suggest that one should opt for one particular system, believing that that would have an impact on salmonella. There is no doubt that the battery hen system, for which we have strong welfare codes, has made a major contribution to the consumer in terms of the safety and hygiene of eggs and providing sufficient eggs at a cheap price.

Mr. Churchill: What steps is my right hon. Friend taking to ensure the proper quality of the food that is fed to chickens to minimise the possibility of infection? Secondly, what is his Department's advice about the desirability or otherwise of keeping eggs refrigerated until they are sold?

Mr. MacGregor: On the second point, the Chief Medical Officer, the Department of Health and my Department have been giving advice on the matter for some time. We did a test market last autumn and we have been planning a major education campaign on food

hygiene in the kitchen and in catering establishments. We shall be carrying it through very shortly and it will help to reinforce all the efforts that we have made. On the first point in relation to feeding stuffs, my hon. Friend will know that I, my officials and my hon. Friend the Parliamentary Secretary have been preparing and adopting a whole series of measures since we received the first information about this new strain of salmonella and its effect in the summer. Some 15 measures have now been announced or are already in operation. Some of those measures relate to my hon. Friend's question about feeding stuffs. However, I have to add that no matter how high the standards of the feeding stuffs coming out of the plant, there is still the risk of that strain of salmonella getting into the feeding stuffs through the environment, so that problem must also be tackled.

Dr. David Clark: The Minister quite rightly prides himself on his announcement to the House on 19 December, but why since then has he continued to announce major policy changes by his ministry through selected newspapers? Is he afraid to announce his proposals to the House because he knows that under scrutiny his proposals will be found wanting? If that is not the case, will he come to the House later today and make those announcements?

Mr. MacGregor: Several of the announcements which have been repeated in newspapers were made in the House throughout December. There was great public interest in this matter so it was right constantly to explain what we were planning to do. I did not make any new announcements yesterday. It is interesting that information on all the measures that I announced in response to a parliamentary question yesterday was given to the House in a joint memorandum by my Department and the Department of Health to the Select Committee on Agriculture when it started its proceedings. I thought that it was right to answer the question again yesterday, so I gave the same information to the House, although the wording was slightly different. I am endeavouring to give the House all the information as soon as the decisions have been taken.

Mr. John Townend: Does my right hon. Friend agree that when faced with a financial hurricane, a wise man battens down the hatches immediately? Is it fair that he should then be penalised by the Government? An egg producer in my constituency slaughtered 35,000 chickens a few days before the announcement of the compensation scheme, so he will receive nothing. Will my right hon. Friend consider backdating the scheme to the day when the hon. Member for Derbyshire, South (Mrs. Currie) made her original speech?

Mr. MacGregor: No, I do not think it would be right to backdate this scheme. I made that clear on 19 December, and I will give just two reasons why. First, it would be difficult to get all the evidence. Secondly, a lot of the culling that was taking place was of older hens, and some of that happens all the time. I would not think it right to use taxpayers' money for that purpose because the scheme that I introduced on the hen side was designed to deal with the young laying hens which could have had an impact on the surpluses in the months ahead. So I could not backdate the scheme in the way that my hon. Friend suggests.

Ewes

8. **Mr. Rogers:** To ask the Minister of Agriculture, Fisheries and Food what is his estimate of the current size of the breeding ewe flock in England and Wales.

Mr. Donald Thompson: The most recent figure for the number of breeding ewes in England and Wales comes from the June 1988 census. It is 13·407 million ewes.

Mr. Rogers: In the current review of the sheepmeat regime by the Council of Ministers, will Her Majesty's Government resist the abolition of the variable premium? If they fail, as is likely, will they insist on an alternative support system that will safeguard the livelihoods of upland sheep farmers?

Mr. Thompson: There are, as the hon. Gentleman will be aware, complex negotiations ahead. My right hon. Friend will be doing his best to ensure that any future regime enables the industry, including that of Northern Ireland, to prosper and gain full advantage from an excellent structure and its efficiency and expertise.

I apologise to my hon. Friend the Member for Wokingham (Mr. Redwood). His earlier question was broader than the specific answer that I was giving. The answer to his question is that we shall also be discussing these matters in the EEC next week.

Mr. Michael Brown: Does my hon. Friend agree that there is a good opportunity for the rest of Europe to appreciate the size of our ewe and lamb flock and that there are great opportunities for exporting our lamb? May we have an assurance that our industry is exploiting to the full the opportunities for lamb and mutton?

Mr. Thompson: Our sheep and lamb exports are one of the success stories of British farming in the 1980s. Exports have increased by 77 per cent. since 1980 and Welsh lamb has rightfully taken its place as one of the delicacies of continental Europe, especially in Greece.

Dr. Thomas: Proportionately, I probably represent more sheep than any other hon. Member—*[Interruption.]* This is a serious matter. Will the Minister give an assurance to the sheep farmers of the hill areas throughout the United Kingdom that he understands that to them, sheepmeat and the income derived from the EEC sheepmeat regime is a regional policy which must be maintained? What is the present negotiating position of his right hon. Friend on this issue in the Community?

Mr. Thompson: It would be churlish of me to comment on the opening words used by the hon. Gentleman in that supplementary question by saying that that is why he is here. My right hon. Friend is aware of the importance of this industry in Wales and in the uplands of Britain. The hon. Gentleman was not in his place last night for the debate on the beef industry, when much was said about the need to be careful in our negotiations so as to maintain the efficiency and natural advantages that this country has in the sheep and beef industries.

Mr. Geraint Howells: Will the Minister explain why the Government will not pay hill sheep subsidy in full, as they are entitled to do under the EEC rules?

Mr. Thompson: We examine the situation each year. Again, that will be part and parcel of the complex negotiations into which we shall be entering next week.

Milk Marketing Board

9. **Mr. David Evans:** To ask the Minister of Agriculture, Fisheries and Food when he next intends to meet the chairman of the Milk Marketing Board; and what issues he expects will be discussed.

Mr. Donald Thompson: My right hon. Friend the Minister and I have regular contacts with the chairman of the Milk Marketing Board to discuss various issues affecting the dairy industry.

Mr. Evans: Is the Minister satisfied with the quality of milk supplied to the consumer by the dairy industry? Further, what is his view about the marketing opportunities for added value products by the farmer?

Mr. Thompson: In December my hon. Friend announced that we have achieved step 2 status for the cleanliness of our raw milk for use in pasteurised, sterilised and UHT milk and in dairy products of all sorts.

Farm Diversification Scheme

11. **Mr. Moate:** To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the farm diversification scheme.

Mr. Ryder: Some 1,300 applications have been received in the United Kingdom for the farm diversification capital grants that were introduced a year ago, 784 of which have been approved. The non-capital grants for enterprise feasibility studies and marketing costs, which were introduced on 1 August, have attracted 44 applications. This is an encouraging response to the scheme.

Mr. Moate: Does my hon. Friend agree that the scheme is giving new opportunities and initiatives to farmers and growers, but that much depends on a sympathetic response from the planning authorities? Is he satisfied that the planning authorities are ready and willing to respond to the spirit of the scheme? What opportunities exist for farmers and growers to obtain guidance about the planning implications of the scheme?

Mr. Ryder: My hon. Friend is correct. We have just published guidance entitled "Planning Permission and the Farmer", which is available from HMSO bookshops. We hope that it will become a standard work to help farmers overcome the problems to which my hon. Friend referred.

PRIME MINISTER

Engagements

Q1. **Mr. Blunkett:** To ask the Prime Minister if she will list her official engagements for Thursday 19 January.

The Prime Minister (Mrs. Margaret Thatcher): This morning I presided at a meeting of the Cabinet and had meetings with ministerial colleagues and others. In addition to my duties in the House I shall be having further meetings later today, including one with the Premier of Quebec.

Mr. Blunkett: Is the Prime Minister aware of the predatory bid for Bassett Foods, which produces liquorice allsorts in my constituency, and the enormous cost accruing to it and companies in a similar position? It is costing possibly £750,000 merely to fight the bid. Is she aware of the danger for the company, the workforce and the community? Will she consider changing her mind about bringing legislation into line with the protection that exists for competitors in other countries and overcoming the shenanigans that have surrounded the GEC bid by ensuring that any companies bidding for British firms make a substantial deposit with the Department of Trade and Industry, which would be forfeited if the bid were not successful?

The Prime Minister: The hon. Gentleman has made his strong views quite clear. I think that he will be the first to understand that we must operate the law as passed by the House and as it is. A bid must therefore go before the Office of Fair Trading and then to my right hon. Friend the Secretary of State for Trade and Industry. There will be a big Companies Bill before the House, and I am sure that if the hon. Gentleman wishes to table amendments he will do so.

Mr. Holt: I know that my right hon. Friend has taken a keen interest in the activities of Cleveland county council in relation to child sex abuse. Were not the shameful contributions of its Labour members exacerbated this week when the police had to intervene between two councillors who were fighting in county hall? Should we not abolish——

Mr. Speaker: Order. The question must be related to the Prime Minister's responsibilities.

Mr. Holt: I am asking the Prime Minister to give me advice on how to handle this matter. Will the Prime Minister advise me——

Mr. Speaker: Order. The hon. Gentleman cannot ask the Prime Minister how he should handle a constituency case.

Mr. Kinnock: Given the widespread and justifiable concern about food safety, why do the Government still refuse to prosecute companies whose processing plants have been found to be contaminated by salmonella? Why do the Government still persist in making cuts in funding for vital food research, continue to underfund and undervalue the work of environmental health officers and delay updating the regulations to take account of modern conditions and needs?

The Prime Minister: A considerable amount of research is done by the Agricultural and Food Research Council but near-market research is a matter for companies. We shall concentrate on basic research in the Agricultural and Food Research Council. With regard to salmonella and other matters, the answer given yesterday by my right hon. Friend the Minister of Agriculture, Fisheries and Food which received a great deal of publicity, was exhaustive and well-received.

Mr. Kinnock: The statement by the Minister yesterday was welcome although he said 10 minutes ago—as I am sure he will acknowledge—that nothing he announced was new. Sadly, the announcement did not touch on any of the problems raised in my first question. That suggests that the Government are not yet prepared to give proper priority to the interests of the consumer. Why do the Government continue to fail in their essential duties of enforcement, research, local environmental health and modern regulations?

The Prime Minister: I went through the answer given by my right hon. Friend the Minister of Agriculture, Fisheries and Food carefully. He put together the many steps which he has taken since the matter first arose, some of which were taken before the matter received a great deal of publicity. He also put together the steps that he has taken since December. He is concerned about the consumer, as are we all. He has taken steps to introduce codes of practice and, if need be, as he made clear, we shall put them into statutory form.

Sir Ian Lloyd: Does the Prime Minister consider that the erosion of apartheid in South Africa and its eventual abolition—an objective shared by both sides of the House—is likely to be accelerated or delayed by the attempt to use financial blackmail to prevent English Test cricketers going to that country and teaching young blacks—*[Interruption.]*—yes, young blacks and youngsters of all races how to play cricket? In view of the deplorable human rights record of some countries which criticise South Africa, is it not time that the question of the Gleneagles agreement was brought back to the table?

The Prime Minister: We are signatories to the Gleneagles agreement and we have to uphold it. It is a voluntary agreement and it is for people to decide how to operate it. We must carry out our duties under it.

Mr. Ashdown: In view of his past record and comments, will the Prime Minister say what special personal qualities she had in mind when she decided to appoint the noble lord, Lord Chalfont as deputy chairman of the Independent Broadcasting Authority?

The Prime Minister: I am surprised that the right hon. Gentleman should even ask. Lord Chalfont knows a great deal about the subject and that is a great recommendation for him.

Mr. Ian Taylor: In the week that the National Freight Consortium announced its stock exchange plans and underlined the success that employee shareholders have had in the progress of the company, will my right hon. Friend continue the Government's policies of supporting employee share ownership by encouraging employee share ownership schemes? Will she tell the European Commission of the value of employee share ownership as a way of involving employees in their companies and tell it what to do with the rigid, German system of Mitbestimmung?

The Prime Minister: I agree with my hon. Friend that we wish to see wider employee ownership, both of shares in their own companies and in other companies. Our strategy is doing well.

Broxtowe Estate

Q2. **Mr. Allen:** To ask the Prime Minister if she will visit the Broxtowe Residents' Association to discuss its recent ballot on the sale of the Broxtowe estate.

The Prime Minister: No, Sir.

Mr. Allen: The Prime Minister's Office was made aware this morning that one of the families that did not vote in the ballot has been involved in the worst child sex abuse case on our records. It involved 16 children and their parents. Will the Prime Minister take this opportunity to commend the work of Nottinghamshire county council's social services department in this particularly harrowing case? Will she also take the opportunity—*[Interruption.]*

Mr. Speaker: Order. The same rules apply. The question must relate to the Prime Minister's responsibility.

Mr. Allen: Will the Prime Minister take this opportunity to commend the use of the video link to ensure that evidence is given in this case? Will she speak to her colleague the Home Secretary and ensure that money is granted so that proper research can be done into child abuse and to help prevent the generation-to-generation continuation of such harrowing cases?

The Prime Minister: This was a particularly bad case of child abuse, which was reported in the newspapers this morning. It was utterly repugnant. All child abuse cases are repugnant, but this was especially so. When one of the judges heard it, he acknowledged the excellent way in which Nottingham social services department handled this difficult case and he also complimented the foster parents on the way in which they had handled matters. I am very glad to follow that. It was one of the first cases in which video links have been used to enable children to give evidence and we are very pleased that, after recent legislation, it worked extremely well. With regard to research on child sex abuse, the Department of Health has already identified research projects on this matter and has so far allocated £160,000 to those research projects. It intends to commission further research on this in the coming year and it is discussing the research programme with the Home Office.

Engagements

Q3. **Mr. David Shaw:** To ask the Prime Minister if she will list her official engagements for Thursday 19 January.

The Prime Minister: I refer my hon. Friend to the reply that I gave some moments ago.

Mr. Shaw: Has my right hon. Friend seen the good news today that the unemployment figures have come down considerably? *[Interruption.]* Did she have time, when reading this good news, to see the incredible level of employment that we now have? Has she reflected on the fact that that has been achieved because of the great strength in the economy and does she not think that the news should be welcomed by the whole House?

The Prime Minister: Yes. I am grateful to my hon. Friend. Had the news been otherwise, we should have been asked about it constantly by the Opposition. I am glad that unemployment continues to go down. It has gone down for 29 consecutive months. The numbers of—*[Interruption.]*

Mr. Speaker: Order.

The Prime Minister: The numbers of the work force in employment are now at an all-time record and the percentage of the population of working age in work is higher in the United Kingdom than in France, Germany and Italy, and it is higher than the European average. It is a very good set of figures today.

Member's Resignation (Correspondence)

Q4. **Mr. Dalyell:** To ask the Prime Minister what criteria she used in deciding to make public her exchange

of correspondence with the hon. Member for Derbyshire, South (Mrs Currie) on the latter's resignation from the Government.

The Prime Minister: Exchanges of correspondence with resigning Ministers are published when it is considered appropriate.

Mr. Dalyell: How come the hon. Member for Derbyshire, South was treated significantly differently from Sir Leon Brittan? Was it that he was able to negotiate the wording of the resignation letter that he received because of the promise of silence about the Prime Minister's own unmentionable misbehaviour, as reported in column 657 of *Hansard* on 27 January 1986.

The Prime Minister: As usual, the hon. Gentleman is utterly wrong. *[Interruption.]* I totally reject the hon. Gentleman's assertions and I think that it was absolutely right to publish the recent letters on the egg matter.

Engagement

Q5. **Mr. John Townend:** To ask the Prime Minister if she will list her official engagements for Thursday 19 January.

The Prime Minister: I refer my hon. Friend to the reply that I gave some moments ago.

Mr. Townend: Is my hon. Friend aware of the bitterness in the Hull area about the continued closure of the container terminal, which cost £3 million? It is another victim of the national dock labour scheme, which is causing the port of Hull to wither on the vine. When will the Government take pity on the once great port of Hull, abolish the national dock labour scheme and enable Hull to compete on equal terms in a free market with Felixstowe and other North sea ports?

The Prime Minister: I understand how strongly my hon. Friend feels about Hull and that he feels that sometimes ports outside the scheme flourish far better than those inside the scheme. I know how strongly he feels and how strongly a number of my other hon. Friends feel about it. I am sorry that I have to disappoint him, but I have nothing further to add to the statements that I have made previously on this subject.

Mr. Speaker: I understand that the hon. Member for Cynon Valley (Mrs. Clwyd) has lost her voice. I propose to call her question for her and then call the hon. member for Bristol, South (Ms. Primarolo) to read her supplementary.

Q6. **Mrs. Clwyd:** To ask the Prime Minister if she will list her official engagements for Thursday 19 January.

The Prime Minister: I refer the hon. Lady's proxy to the reply that I gave some moments ago.

Ms. Primarolo: This is the reality of job share.

Given the Prime Minister's new-found enthusiasm—[HON. MEMBERS: "Reading."] Given the Prime Minister's new-found enthusiasm for having more women in public life and in the work force generally, may I ask her how she expects that to come about while women's pay still lags as far behind men's as it did 10 years ago and while the Government refuse to fund state nurseries or give financial help to working mothers? Or does the Prime Minister's advice to women simply consist of telling them to follow her example and find themselves a wealthy husband?

The Prime Minister: The hon. Lady's last remark is singularly offensive and, if I may say so, really rather cheap. I would point out that the fact that hon. Members have absolutely equal pay, regardless of whether they are hon. Gentlemans or hon. Ladies, does not increase the number of hon. Ladies in the House.

Business of the House

3.30 pm

Mr. Frank Dobson (Holborn and St. Pancras): Will the Leader of the House tell us the business for next week?

The Lord President of the Council and Leader of the House of Commons (Mr. John Wakeham): The business for next week will be as follows:

MONDAY 23 JANUARY—Timetable motion on the Prevention of Terrorism (Temporary Provisions) Bill.

Third Reading of the Security Service Bill.

Motions on Scottish Housing Support Grant orders. Details will be given in the *Official Report*.

TUESDAY 24 JANUARY—Opposition Day (2nd Allotted Day, 1st half). Until seven o'clock there will be a debate on an Opposition motion entitled "The failure of MAFF to protect the consumer".

Motion on the Access to Personal Files (Social Work) (Scotland) regulations.

The Chairman of Ways and Means has named opposed private business for consideration at seven o'clock.

WEDNESDAY 25 JANUARY—Consideration in Committee of the Official Secrets Bill (1st Day).

Motion on the Monopolies and Mergers (Performance of Functions) Order.

THURSDAY 26 JANUARY—Remaining stages of the Elected Authorities (Northern Ireland) Bill.

FRIDAY 27 JANUARY—Private Members' Bills.

MONDAY 30 JANUARY—Second Reading of the Fair Employment (Northern Ireland) Bill.

[Debate on Monday 23 January:

The Housing Support Grant (Scotland) Order.

The Housing Revenue Account General Fund Contribution Limits (Scotland) Order (SI 1988 No. 2081).]

Mr. Dobson: As my voice is also giving out and as I do not wish to call upon a spokesperson, however effective, I shall be brief.

Can the Leader of the House confirm that there will be a statement in the House on the National Health Service review before the end of the month? Can he tell us when we shall have the opportunity in Government time to debate the Fennell report on the King's Cross fire inquiry, when we shall have an opportunity in Government time to debate the deplorable state of training in this country and when he will get round to setting up a Select Committee on Scottish Affairs?

Mr. Wakeham: I note that the hon. Gentleman managed four questions before his voice gave out. My right hon. and learned Friend the Secretary of State for Health plans to make a statement on the Government review of the National Health Service on Tuesday 31 January. I recognise the hon. Gentleman's concern about the Fennell report and the importance of the subject but I have nothing to add to what I have said to him in previous weeks.

My right hon. Friend the Secretary of State for Employment has heard what the hon. Gentleman has said about training. We have had considerable discussion about that already, but, as he said, not recently. I shall certainly refer the matter to my right hon. Friend to consider what plans we can make.

I do not believe that I can be too hopeful that we shall be able to set up a Select Committee on Scottish Affairs —certainly not in the immediate future. I believe that officially the decision of the House is probably the best place to leave it. Some of the hon. Gentleman's hon. Friends wish to see me about this matter and we shall, therefore, discuss it and see whether there is any way in which we can progress.

Mr. Robert Adley (Christchurch): Does my right hon. Friend agree that those hon. Members who may have had doubts about the Football Spectators Bill should have had those doubts dispelled last night by Mr. Clough's behaviour at Nottingham? Would my right hon. Friend, therefore, consider amending the Bill in another place so that the hooligan elements among football management should themselves be required to carry identity cards? Does he share with me the hope that those who yesterday criticised a Conservative Home Secretary for seeking to uphold the law will not today seek to praise a Socialist football manager who appears to enjoy breaking it?

Mr. Wakeham: I shall not comment in detail on a Bill which is before another House, but I agree with my hon. Friend that it is clearly right for those with responsibility in football to set the right example to others. The Football Association and the police are looking into the incident at last night's match, and I cannot comment further at this stage.

Mr. James Wallace (Orkney and Shetland): Does the Leader of the House propose to have a debate in the near future on the Government's proposals for TV broadcasting?

Will the right hon. Gentleman cast his mind back to last week when there was a discussion about the locum work being carried out in Richmond by the hon. Member for Skipton and Ripon (Mr. Curry)? Will he confirm that that hon. Gentleman has 574,022 constituents to look after in the Euro-seat of Essex, North-East? Knowing how reasonably well occupied my 30,000 constituents can keep me, will the right hon. Gentleman agree to move the writ for Richmond in the near future so as to relieve that hon. Gentleman of the 79,277 constituents whom, apparently, he is temporarily trying to look after in Richmond?

Mr. Wakeham: I am aware of the widespread interest in the broadcasting White Paper. As I told the House last week, I envisage arranging a debate relatively early in February so that the House can express its views on the matters raised by the hon. Gentleman.

I am one of the North-East Essex constituents of my hon. Friend the Member for Skipton and Ripon (Mr. Curry), who the hon. Gentleman suggested is carrying out rather a lot of work. I can confirm that my hon. Friend has a considerable capacity. He is entirely satisfying me and I know many of my neighbours in Essex. He is doing a good job.

Mr. Kenneth Warren (Hastings and Rye): Will my right hon. Friend look at early-day motions 249 and 250?

[That an humble Address be presented to Her Majesty, praying that the Price Marking (Petrol) (Amendment) Order 1988 (S.I., 1988, No. 2226), dated 20th December 1988, a copy of which was laid before this House on 22nd December, be annulled.]

[That this House notes the recommendation of the Trade and Industry Select Committee that petrol prices should

continue to be displayed in gallon as well as litre term on boards visible from the roadside; notes that the Price Marking (Petrol) (Amendment) Order 1988 will remove this requirement with effect from 23rd January; and calls for a debate on the Order.]

They call on the Government to annul an order laid in this House on the day that it rose before Christmas, which calls on the Government to withdraw the pricing of petrol in pence per gallon. Nobody in evidence before the Select Committee, in industry or in the Department of Trade and Industry has asked for this, and there has been no request from the European Economic Community for such action. Will he consider the fact that nearly 180 hon. Members from both sides have now asked the Government to withdraw that order? If it is a requirement that we try to substitute lead-free petrol signs as an attraction on forecourts, there has been no request for such substitution by the industry or by the EEC. I, therefore, ask my right hon. Friend to withdraw this unnecessary order, which is a bureaucratic madness.

Mr. Wakeham: I recognise my hon. Friend's views, which I know are shared by a number of other hon. Members. However, the question of a debate is probably best left for discussion through the usual channels. I certainly take note of what my hon. Friend has said.

Mr. James Lamond (Oldham, Central and Royton): A much-delayed agreement was recently reached in the Vienna CSCE talks, after our delegation, along with 34 other nations, had spent more than two years in negotiations. This agreement opens the door to far-reaching conventional disarmament talks between NATO and the Warsaw pact, as well as giving considerable hope for the improvement of human rights throughout Europe and northern America. It was important enough for the Foreign Secretary personally to take part in that ceremony. Surely, therefore, we should have a statement from him about it next week.

Mr. Wakeham: I am not sure whether the House will have a statement next week, but I shall refer the matter to my right hon. and learned Friend to discover whether he thinks one is necessary.

Dr. Keith Hampson (Leeds, North-West): May I endorse the request of my hon. Friend the Member for Hastings and Rye (Mr. Warren) in respect of early-day motion 250? If we remove the requirement to price petrol in gallons, the transparency of competition for motorists travelling along roads is weakened. What the Government propose is contrary to their usual philosophy, and it is important to have a debate on that.

Mr. Wakeham: I recognise the strength of feeling. The amending order recognises that 95 per cent. of all petrol sales are now measured in litres. A dual policy will still be required on the forecourt, and garages will not be prevented from continuing to display gallon equivalent prices at the roadside boards voluntarily. I shall refer the matter to my right hon. Friend, as I said.

Mr. Eric S. Heffer (Liverpool, Walton): May I again draw the right hon. Gentleman's attention to early-day motion 241?

[That this House is deeply concerned and disturbed by the increase of accidents in the building and construction industry, leading to an increase in deaths and serious injuries; believes that this is partly due to the increase in self-employment, namely lump labour and to some construction companies, in order to increase profits, ignoring the Health and Safety legislation; welcomes the efforts of workers and trades unions in the industry to halt the increasing numbers of deaths and injuries; fully supports the present campaign by workers and unions and other interested bodies to improve the situation; and further believes that there should be more factory inspectors appointed and that the legislation should be improved so that stronger action can be taken against those employers who ignore the legislation and thereby put the lives of the workforce at risk.]

It concerns safety in the building and construction industry and has been signed by 239 hon. Members, including all the leaders of opposition parties, excluding —until now—the leader of the SLD. I am sure I shall get him, too.

Is it not time we had a debate on this subject? There is a strong feeling that we must do something more positive than the Government are doing. Of course, the Opposition could well follow this up and have a debate in their own time—they probably will—but should not the Government agree to a debate, given that more than one third of the House have now said that action should be taken on the vital issue of the safety of workers in the construction industry?

Mr. Wakeham: As I said last week, the Government are concerned about health and safety in the construction industry. That is clearly reflected in the support given to the Health and Safety Executive. I recognise that this is an important subject about which the hon. Gentleman feels strongly. I cannot promise an early debate, but I shall certainly keep the point in mind.

Mr. William Cash (Stafford): My right hon. Friend has been in correspondence with me recently about the beef hormone regulation. Will he be good enough to assure the House that he will ensure there is a debate on this issue before the matter goes for adoption to the Council of Ministers—especially as it is precipitating a trade war that would do immeasurable harm to relations between this country and the European Community and the United States?

Mr. Wakeham: I recognise the importance of this matter and my hon. Friend's knowledge and concern about such matters. I am not in a position to announce a debate today, but I shall bear strongly in mind my hon. Friend's request.

Mr. Alex Salmond (Banff and Buchan): The Leader of the House will be aware of the imminent Nirex recommendations to the Government on three or four sites for nuclear waste disposal. Can he tell us the level and timing of the debate that will be allowed on that matter? Does he understand the amount of resistance there is in Scotland to Nirex naming any Scottish site for nuclear dumping?

Mr. Wakeham: As the hon. Gentleman knows, I am not unaware of some of the issues involved, but we had better wait for the report before deciding how best to proceed.

Mr. Nicholas Bennett (Pembroke): As some hon. Members have announced their intention of moving by-election writs tomorrow morning in an attempt to talk

[Mr. Nicholas Bennett]

out the motion tabled by my hon. Friend the Member for Maidstone (Miss Widdecombe), will my right hon. Friend give careful consideration to my hon. Friend's offer to withdraw her motion tomorrow if the Government will find time during the course of this Parliament to allow the House a vote on the important subject of abortion?

Mr. Wakeham: Which motions are in order tomorrow is not a matter for me, but my hon. Friend will know that I have seen our hon. Friend the Member for Maidstone (Miss Widdecombe). We had what I hope was a friendly and constructive discussion about the problems of her motion and about the underlying issues. I have written to her and, if I catch your eye, Mr. Speaker, I hope to speak in the debate tomorrow, when I shall explain my position in full.

Mr. Seamus Mallon (Newry and Armagh): The Government have tabled a timetable motion that will drastically curtail debate on such an important piece of legislation as the Prevention of Terrorism (Temporary Provisions) Bill. In view of that, will the Leader of the House assure us that during that debate on Monday either the Attorney-General or the Solicitor-General will be present so that we can seek advice about whether their advice and guidance was sought before very dangerous remarks were made about certain members of the legal profession in the North of Ireland during the course of proceedings in Committee?

Mr. Wakeham: Whether those matters are relevant and in order in Monday's debate is not a matter for me. I shall be tabling the timetable motion today and I suggest that the hon. Gentleman tries to catch your eye, Mr. Speaker, so that he can speak in the debate. It has long been widely known that the Bill must be enacted by 21 March if our society is to have adequate weapons with which to fight terrorism, because the current Act expires on that date. Agreements through the usual channels on the best way to discuss the Bill in Committee did not appear capable of being implemented and I am afraid that a timetable motion has been made necessary.

Mr. Tony Marlow (Northampton, North): I wonder if I could support the Labour party in its request for a debate on the subject of Mr. Viraj Mendis which, unaccountably, the right hon. Gentleman the Leader of the Opposition did not lead on today. It would give us an opportunity to demonstrate the attachment of the Labour party to the cause of illegal immigration, its total contempt for justice and fair play in immigration and for the views of the vast majority of the people of this country, and, consequently, to demonstrate its total unsuitability ever to form a Government of this country.

Mr. Wakeham: My hon. Friend makes his point. I thought that many of the things that he would like to see in the debate were clearly made during the discussion on the statement that my right hon. Friend the Home Secretary made yesterday. I cannot promise an early debate on the subject.

Mr. Peter Hardy (Wentworth): Is the Leader of the House aware that in recent months the Prime Minister has made some speeches with a substantial environmental content? In particular, is he aware of the speech that the right hon. Lady made on the happy occasion of the centenary of the RSPB on Monday? Will he please ensure that his colleagues in all relevant Government Departments are made aware of the Prime Minister's support for the safeguarding of the English hedgerow, thereby ensuring that the Hedgerows Bill, which will be before the House on Friday 27 January, receives adequate support?

Mr. Wakeham: There are two parts to the hon. Gentleman's question. In the first part he asked whether my hon. Friends and I are aware of the speeches made by the Prime Minister. It is perhaps a touch naive of the hon. Gentleman to think that we require him to remind us that we should read with interest the many important speeches made by my right hon. Friend. That is a different matter from the Government's attitude to the Bill that he mentioned. The Government's attitude to that will be made clear in the debate.

Mr. Bill Walker (Tayside, North): My right hon. Friend has said that we shall have a debate on Monday on the Scottish housing support grant. My right hon. Friend will be aware that the Scottish media, and especially the Scottish press, carefully follow events in the House. I have here a report from the Glasgow *Evening Times* which says that we have already had that debate. The report tells how the hon. Member for Motherwell, North (Dr. Reid) made a splendid speech in that debate. It seems that the Scottish press, which reports our proceedings very fully and which recently talked about "Absent Andrew" and "Shopper Jim", is now talking about a phantom debate carried out by one member of the "Phantom 49".

Mr. Wakeham: I have had occasion in recent months to read the Scottish press with perhaps more care than I used to, and I formed a great admiration for parts of it. The detailed speech that the hon. Member for Motherwell, North (Dr. Reid) appears to have made in the House in the early hours of the morning and which is set out with such cogency and clearness by Mr. Hernon is a tribute to the hon. Gentleman's foresight rather than an indication of the hours that he keeps in the House.

Mr. Stan Crowther (Rotherham): Does the Leader of the House realise that the answer he gave to his hon. Friend the Member for Hastings and Rye (Mr. Warren) about consultation through the usual channels is rather pointless, given that the order to which the Select Committee on Trade and Industry objects and wishes to see annulled comes into effect on 23 January, unless the House decides to vote in favour of annulment? Does he appreciate that the vast majority of motorists in this country still think in terms of gallons, not litres, when pricing petrol and that this order will be most unpopular? Will he therefore consider, even now, allowing the matter to be debated in the House before it is too late?

Mr. Wakeham: Since the hon. Gentleman has been in the House he has shown himself to be someone who cares deeply about the traditions and practices of the House. I am surprised that he dismisses with such contempt my suggestion that I have discussions through the usual channels.

Mr. Michael Brown (Brigg and Cleethorpes): Further to the question put by the hon. Member for Banff and Buchan (Mr. Salmond), will my right hon. Friend confirm

that the Nirex report is now at the Department of the Environment? Will he tell the House when our right hon. Friend the Secretary of State for the Environment will make an announcement? Will he request the Secretary of State for the Environment to ensure that all those hon. Members with a clear constituency interest are given notice as to when that statement will be made?

Mr. Wakeham: I cannot confirm any of the points that my hon. Friend asked me, but I have noted his request and I shall refer the matter to our right hon. Friend.

Mrs. Gwyneth Dunwoody (Crewe and Nantwich): Has the Leader of the House noted the severe custodial sentence imposed on the mother who attacked the man who raped her five-year-old? Has he also seen the early-day motion in my name and those of other hon. Members? Will he ask his right hon. Friend the Home Secretary to discuss in the House the sentencing policy that allows such people as drunk drivers to kill someone on the road and receive a suspended sentence, while those who protect their five-year-olds are immediately incarcerated?

Mr. Wakeham: As the hon. Lady well knows, sentencing is entirely a matter for the courts, which operate independently. I understand that the woman in question is to appeal against her sentence and, therefore, the case remains sub judice.

Mr. Tim Devlin (Stockton, South): In view of the possible likelihood of a further Representation of the People Bill coming before the House, will my right hon. Friend consider whether that should be a limited or a much wider Bill so that those of us who know of specific abuses at polling stations throughout the country can add new provisions to it?

Mr. Wakeham: Any legislation that is brought before the House is carefully considered by the Minster responsible and I have no doubt that, if that eventuality comes about, my right hon. Friend will take note of my hon. Friend's comments.

Mr. John Hughes (Coventry, North-East): May I draw the attention of the Leader of the House to early-day motion 258 which deals with the Office of Fair Trading report on funeral costs which are a very sensitive issue. Will the right hon. Gentleman provide some time for a debate?

[That this House notes the report published by the Office of Fair Trading on funeral costs; is concerned at the grossly insensitive service provided by some undertakers; notes that three quarters of funeral directors have broken their code, as funeral costs escalate beyond reason giving rise to concern at the effect on the public, especially the elderly; and therefore proposes that the Select Committee on Trade and Industry should conduct an urgent inquiry into this important matter.]

Mr. Wakeham: The report of the Director-General of Fair Trading addresses a number of recommendations to the industry aimed at improving the price information given to customers by funeral directors. He will be discussing those with the National Association of Funeral Directors. It is better to let that matter proceed, and the question of a debate could be considered later.

Mr. Richard Holt (Langbaurgh): My right hon. Friend will know that I have frequently asked for a debate on the Butler-Sloss report. That was one of the most important and expensive legal inquiries that we have had in this country. Until last weekend even, constituents have come to me complaining about the activities of the social services department of Cleveland county council. It is time that the Government brought this vexed issue on to the Floor of the House so that every hon. Member could have the opportunity to contribute to the debate.

Mr. Wakeham: I know that my hon. Friend feels strongly about this and he is right to keep pressing me, but, from my position, I am also right to say that I find it difficult to find time for such a debate in the near future. However, he will know that legislation before another place covers many of those issues. It will eventually come before this House and he will then have an opportunity to make many of the points that he so badly wishes to make.

Mr. Doug Hoyle (Warrington, North): Will the Leader of the House look once more at early-day motions 249 and 250 on petrol retailing? I want to stress the all-party support for those motions. When the right hon. Gentleman replied earlier he said that the question of displaying gallons was a matter for petrol stations and the right was not being taken from them. At the moment they must display in gallons and the House and the Select Committee on Trade and Industry is worried about that point. I welcome the fact that the right hon. Gentleman has promised us that he will have discussions about this and I hope that they result in a debate being held in this House.

Mr. Wakeham: I take note of the hon. Gentleman's comments and the fact that he has added his weight to the request. I will certainly engage in discussions.

Mr. Patrick McLoughlin (Derbyshire, West): My right hon. Friend often refers to the usual channels. Can he tell us whether there has been a change in procedure through the usual channels and not through the House? Is the new procedure that from now on the shadow Leader of the House will ask business questions not the Leader of the Opposition?

Mr. Wakeham: That is a matter for the Opposition. They must decide how to do it. I am happy to see the shadow Leader of the House having a go, while his voice lasts. I am equally happy to answer the Leader of the Opposition. It is not a matter that I spend a great deal of time worrying about.

Ms. Diane Abbott (Hackney, North and Stoke Newington): Has the Leader of the House had an opportunity to consider early-day motion 286 on social security office closures in my name and the names of all London Labour Members?

[That this House deplores the proposal to close 21 social security offices in the Greater London area without adequate arrangements to ensure that service to claimants can be maintained or improved; notes that the proposals depend on computer networks between London and the centres processing claims and on hardware and software that has not yet been developed; further notes with concern the potential hardship to claimants and the stress on Department of Social Security staff in London if there is any failure in the computerisation programme; believes that the crisis in the Department of Social Security in London has been largely due to inadequate resourcing and that this has put great

[Ms. Diane Abbott]

pressure on Department of Social Security staff and has been one of the main reasons for high staff turnover; registers its strongest opposition to the proposal to cut 1,200 jobs from Department of Social Security offices in Greater London at a time when staff will have to deal with the same number of claimants; calls upon the Government to recognise that the problems with service delivery in London require additional Department of Social Security staffing levels to improve face to face contact and particularly home visits and interpreting services; and further calls upon the Secretary of State to reconsider the entire proposal and timetable and at the very least to implement the computerisation programme before deciding whether moving work out of London is in the best interests of the service and the claimants.]

Under the proposal 21 social security offices in London will be closed. That will affect millions of the poorest Londoners. In my constituency the Finsbury Park social security office will close and that will affect thousands of my constituents. I am sure that the right hon. Gentleman will agree that it is absurd to claim that it is more efficient to process forms in Glasgow than in London. Will he give time at the earliest possible opportunity for a debate on the matter?

Mr. Wakeham: I am afraid that I cannot agree with the hon. Lady. As my right hon. Friend the Secretary of State for Social Security has said, his Department is in the business of service. Sadly, in spite of their dedication, DSS staff have not been able to maintain acceptable standards in London. By moving all the work out of London that does not need to be done there, that work will be done by a more stable work force and that will allow the DSS to provide a better and more efficient service. I would have thought that the hon. Lady would welcome that instead of disapproving of it.

Mr. Max Madden (Bradford, West): Will the Leader of the House arrange for an urgent statement to be made by the Home Secretary before noon tomorrow about the intentions of the Home Office over Mr. Viraj Mendis? It is to be hoped that his deportation to Sri Lanka is to be deferred to allow urgent discussions to find a safe refuge for him in a third country to be successfully completed. Will the Leader of the House also give a firm commitment that, if an application for a judicial review is granted, Mr Mendis will not be deported? My confidence in the ability of the Home Office to assess the risk of persecution facing people seeking political asylum was completely shattered last December when someone for whom I had been seeking political asylum in this country was persuaded to return voluntarily to Pakistan on assurances from the Minister of State, Home Office that he need have no fear of persecution. That man was arrested and imprisoned on his arrival. The comment from the Minister of State's officials when told about that was, "Oh, dear."

Mr. Wakeham: I certainly cannot confirm what the hon. Gentleman said in the last part of his question. With regard to the main thrust of his question, I have nothing to add to what my right hon. Friend the Home Secretary said yesterday.

Mr. David Winnick (Walsall, North): May I first commiserate with the Leader of the House after the report in today's *Evening Standard* which says that he is likely to be sacked, like all his predecessors since 1979. His is a high-risk job and I sympathise with him.

Can we have a debate in the very near future on the Register of Members' Interests so that Opposition Members can discuss the very extensive business interests and consultancies of Conservative Members? That is a matter of legitimate public concern. Has the Leader of the House seen the full list in today's copy of *The Guardian?*

Mr. Wakeham: The Register of Members' Interests is a welcome addition to what happens in the House. It is right that we should have it and I see no need for an early debate on the subject.

Mr. Tony Banks (Newham, North-West): In view of the Prime Minister's belated discovery of green issues, may we have a wide-ranging debate on environmental matters, because there is obviously great concern on both sides of the House and it would give us the opportunity to test whether the Green Goddess's conversion is real rather than illusory.

Mr. Wakeham: I have a suspicion that the interest of my right hon. Friend the Prime Minister in these matters goes back longer than that of the hon. Gentleman, but that is another matter. Her views are probably wiser and better thought-out than the hon. Gentleman's, however sincere he might be. The prelude to his question was not the best way to obtain an early debate on this subject. Nevertheless, it is an important matter and I shall bear his suggestion in mind.

Mr. John McFall (Dumbarton): A few moments ago the Leader of the House spoke about reading the Scottish press with interest, so no doubt he has read a major story in the Scottish press about the discharge of radioactive coolant from nuclear submarines in the Forth and Clyde, admitted by a former United States submarine commander. That has been going on for many years and my constituents and all hon. Members on the Clyde are worried about it. Will the Leader of the House seek an opportunity for a debate on that and related environmental subjects, which are supposed to comprise the Government's concern for green issues?

Mr. Wakeham: The Government are satisfied with United States' practice in United Kingdom waters which has been governed by written arrangements since 1958 and has always remained within established national and international standards on the release of radioactivity.

Mr. D. N. Campbell-Savours (Workington): If the evidence given by my hon. Friend the Member for Bradford, West (Mr. Madden) today had been given yesterday during the statement on Viraj Mendis the debate on that statement would have been of a very different nature.

May we have a debate on the affairs of Kent, because more and more people there write to me drawing attention to the outrageous way that they have been treated by the Government? They object to cuts in the National Health Service and the privatisation of its provisions and to the Government's failure to deal with the roads problems. May we have a debate on Kent so that Labour Members can talk about that important part of the country, which has no Labour representation in Parliament?

Mr. Wakeham: I am not surprised that it has no Labour representation if that is a sample of the goods that are on offer. I prefer to listen to the views of my hon. Friends who represent Kent so splendidly in the House rather than to the hon. Gentleman.

Personal Statement

Mr. Tim Devlin (Stockton, South): On a point of order, Mr. Speaker. Yesterday in the House during questions to the Chancelior of the Duchy of Lancaster I commented on the conduct of the hon. Member for Middlesbrough (Mr. Bell). That appears at column 321. I now know that the allegation that I made in the House yesterday was based on untrue information and was untrue in substance. I wish to withdraw the remarks relating to the hon. Gentleman and to apologise unreservedly to him for them.

Mr. Stuart Bell (Middlesbrough): Further to that point of order, Mr. Speaker. I acknowledge the graceful withdrawal made by the hon. Member for Stockton, South (Mr. Devlin), which is in the best traditions of the House.

Mr. Speaker: I entirely agree.

Points of Order

Mr. Alan Williams (Swansea, West): On a point of order, Mr. Speaker. May we have established for the official record that the case referred to of the mother who took certain action after the raping of her child is not sub judice, as the Leader of the House told us in what I think was a slip of the tongue. It would be sub judice only if the appeal had been registered, and I do not think that it has. I am sure that the Leader of the House would not want unnecessarily or unfairly to curtail discussion of that matter in the House.

The Lord President of the Council and Leader of the House of Commons (Mr. John Wakeham): I only reported what was advised to me. I did not intend to curtail discussion; I simply felt that since an appeal is pending, even if it has not already been lodged, it would be unwise of me to express any views on the matter.

Mr. Tim Smith (Beaconsfield): On a point of order, Mr. Speaker. May I raise two matters arising out of supplementary questions to the Prime Minister? The first relates to the extent to which it is legitimate to ask the Prime Minister in the House about local authority matters. Local authorities are the creations of statute. The Department of the Environment is responsible for their supervision and my hon. Friend the Member for Langbaurgh (Mr. Holt) had hoped to complete his supplementary question by suggesting to the Prime Minister that she should abolish Cleveland county council. Surely that is a matter for which she has responsibility.

Mr. David Winnick (Walsall, North): She should abolish?

Mr. Smith: That she should suggest to Parliament that it should be abolished.

My second point relates to the supplementary question that was asked by the hon. Member for Nottingham, North (Mr. Allen). When Conservative Members were protesting about the terms of his question, I think that you, Mr. Speaker, thought that they felt that he, too, should be subject to your strictures on the question about local authorities. In fact, his supplementary question bore no relation to the question on the Order Paper and that was the point of concern.

Mr. Speaker: I hope that hon. Members, particularly those who have been here for some time, will endeavour to get their questions to the Prime Minister in order. I shall look carefully at *Hansard* because it is difficult in the hurly-burly of debate to take account of everything, but I think that the hon. Member for Langbaurgh (Mr. Holt) said that he was seeking the Prime Minister's guidance in dealing with a constituency problem, which is a different matter from an issue for which she has responsibility. However, I shall look at the matter carefully. The House well knows that at Question Time Members must direct questions to Ministers, and to the Prime Minister, on matters within their responsibilities.

On the second point, Question No. 2 on the Order Paper tabled by the hon. Member for Nottingham, North (Mr. Allen) was a definitive one. I did not hear anything out of order and I was listening carefully.

Mr. Richard Holt (Langbaurgh): Further to that point of order, Mr. Speaker. However experienced one is, there are only two ways to approach a question to a Minister —either by asking the question and then substantiating it, or substantiating the question and then putting it. If one takes the latter course, and one is faced with the baying of the mindless morons on the Opposition Benches and with your intervention, Mr. Speaker, it makes matters difficult. It may well be that I did not finish my question as I would have liked to have done. If I had not been interrupted, I might have been able to put my question to the Prime Minister in my own manner.

Mr. Speaker: If the hon. Gentleman gets another opportuniy, as I hope that he will during the course of the Session, I suggest that he puts his question first and follows with the rationale.

Mr. William Ross (Londonderry, East): On a completely different point of order, Mr. Speaker. I have been a Member of the House for 15 years but I have never before seen the procedure followed during Prime Minister's questions today when, because the hon. Member for Cynon Valley (Mrs. Clwyd) had lost her voice, you, Mr. Speaker, allowed the hon. Member for Bristol, South (Ms. Primarolo) to put her question for her, which had to be read because the hon. Lady did not know precisely what the hon. Member for Cynon Valley wanted to say. When was that procedure last followed and in what circumstances would you allow that to happen in future?

Mr. Speaker: I happened to know that the hon. Lady had lost her voice. Since her question was reached, it seemed chivalrous that she should have the opportunity to ask another hon. Member to read it for her. I have no knowledge of any precedent. I hope that it will not happen too often, but that seemed to be the right thing to do today.

Mr. Stuart Bell (Middlesbrough): Further to that point of order, Mr. Speaker. In order to assist you, I can tell you that the last time that an hon. Member lost his voice and another hon. Member was allowed to read what he wanted to say was in the case of the hon. Member for Stockton, North (Mr. Cook).

Mr. Tony Banks (Newham, North-West): I should like to know what happens when the Prime Minister loses her voice.

Further to an earlier point of order, Mr. Speaker. It is fair to record, since my hon. Friend the Member for Nottingham, North (Mr. Allen) is not in his place, that he courteously gave notice of his question to the Prime Minister's Office. Conservative Members should know that.

Mr. Speaker: I do not know about that, but I do know that he had a definitive question on the Order Paper and it seemed to me that his supplementary question was relevant to it. Let us move on to the debate on local government finance.

Rate Support Grant

4.9 pm

The Minister for Local Government (Mr. John Gummer): I beg to move,

That the Rate Support Grant Report (England) 1989-90 (House of Commons Paper No. 75), a copy of which was laid before this House on 19th December, be approved.

I understand that it will be convenient to discuss also the four related motions on the Order Paper:

That the Rate Support Grant Supplementary Report (England) 1989-90 (House of Commons Paper No. 14), a copy of which was laid before this House on 19th December, be approved.

That the Rate Support Grant Supplementary Report (England) (No. 2) 1987-88 (House of Commons Paper No. 13), a copy of which was laid before this House on 19th December, be approved.

That the Rate Support Grant Supplementary Report (England) (No. 4) 1986-87 (House of Commons Paper No. 12), a copy of which was laid before this House on 19th December, be approved.

That the Rate Support Grant Supplementary Report (England) (No. 4) 1985-86 (House of Commons Paper No. 11), a copy of which was laid before this House on 19th December, be approved.

In December, following consultation, I announced to the House decisions on next year's rate support grant settlement and on the outstanding supplementary reports for the remaining years of the present system. Right hon. and hon. Members will therefore be familiar with the contents of those reports. It was suggested that I should say that, but I am not sure that it is true, although this year we have tried to give as much detail as possible to those wanting it. We have also tried to produce the reports in a comprehensible form, though I admit that the present system is not easy to follow.

I remind the House that next year aggregate Exchequer grant, which is central Government's contribution to local expenditure, will be £13,575 million. When using percentages, it is important to make clear what the underlying figures are. The increase in Exchequer grant is 9 per cent. more than the amount of grant to be paid to authorities this year, representing a cash increase of £1,100 million. The amount of local authority expenditure in the Government's spending plans increased by 8·6 per cent., which is £2,300 million above the level previously planned for this year. That will allow local authorities to increase their current expenditure broadly in line with the gross domestic product deflator.

Those decisions on grant and expenditure together provide a generous settlement for local government. If local authorities spend in line with the Government's spending plans, next year's average rate increases will be about 2 per cent. or 5p in the pound. Even if authorities increase spending by 2 per cent. in real terms, rates need only rise by about the rate of inflation. I hope that local authorities will not increase expenditure but if they do——

Mr. Tony Banks (Newham, North-West): Will the right hon. Gentleman give way?

Mr. Gummer: I have hardly started, but I will give way to the hon. Gentleman shortly.

If local authorities keep their rates down, they will be able to spend more because they will make a number of the savings that have already been identified. That will be to the benefit of their ratepayers.

Mr. Harry Greenway (Ealing, North) *rose*——

Mr. Gummer: I give way to my hon. Friend.

Mr. Greenway: I apologise for intervening so early in my right hon. Friend's speech, but I hope that it will take account of the direction of spending in the London borough of Ealing. Is he aware that that Labour-controlled borough is proposing a 35 per cent. increase in rates this year, having increased them by 65 per cent. only two years ago? At the same time, the borough intends to reduce important services such as refuse collection and street cleaning, while increasing staff in the gay and lesbian unit, and so on. Is my right hon. Friend aware of my constituents' extreme rage and suffering as a result of that disgraceful situation?

Mr. Gummer: Despite what my hon. Friend says about the London borough of Ealing—and I live in it—it may be better to live there than in Fulham and Hammersmith, as the hon. Member for Hammersmith (Mr. Soley) does. When the cost of having a Labour council in Ealing was a mere 72 per cent. rates rise, Hammersmith ratepayers suffered a 126 per cent. increase in one year. From the outset, we are in the business of telling local councils that they can keep their spending down. Ealing did so when it was rate-capped, and it does not need to increase spending now.

Mr. Clive Soley (Hammersmith): The Minister is off to a bad start, and I shall deal shortly with some of the sillier examples he and the hon. Member for Ealing, North (Mr. Greenway) gave. As I know that we disagree on the basics, I put to the Minister the views of an independent expert, writing in the *Local Government Chronicle*. With regard to the 2 per cent. figure for average rate increases to which the Minister refers, the independent expert comments:

"Such an outcome is most unlikely. First, to achieve this rate rise figure, authorities would have to keep year-on-year cost increases to just over 3 per cent. Second, authorities are certain to rate up in 1989-90 to build up their reserves for the first year of community charge."

If that is an independent expert's view, what makes the Minister think that he is right?

Mr. Gummer: What argument can there be for building up reserves for the first year of the community charge? If that is the independence of the independent expert, it suggests that his independence is in one direction. It is not true that such reserves will be necessary. The community charge will lay the burden of rates on all the people instead of some of them. The 40 per cent. of people living in above average rated property and having below average incomes will be relieved of the unfair rate burden. The hon. Gentleman makes a very bad point. If it is typical of the points that he will be making in his speech, we look forward to it with considerable interest.

The Rate Support Grants Act 1988, which the House passed last November, will ensure that the full amount of grants of £13,575 million will be paid out. The independent expert to whom the hon. Gentleman refers may like to remember that. All the grant will be paid out, and nothing will be left over because of overspending authorities. During our debates on the Rate Support Grants Bill, several hon. Members expressed disappointment that local authorities would no longer receive additional grant for any shortfall on their expenditure. But when the Act is viewed alongside the very generous settlement being debated today—under which the grant in London, for example, is increased by 11 per cent.—it must be seen as

[Mr. Gummer]

fair and reasonable. If Ealing proposes a rates increase of 35 per cent. when the London grant is rising by 11 per cent., some of us living in shire counties—where the grant increase is much less and where rates will not increase by anything like the level that Ealing proposes—may consider applying the word "incompetence" to Ealing council.

To those who argue that local authorities need to spend more, I say that there is plenty of scope for savings, which could be used either to benefit ratepayers or to allow a modest expansion in the provision of services. The Audit Commission, which certainly is an independent body, has identified short-term savings of about £500 million annually which can be achieved now. A large number of areas where savings can be made have been identified, and I shall refer to them later.

The Local Government Act 1988 introduced competition into a number of local authority services. Substantial savings can be made by opening up a number of services to competition. Suffolk county council will not mind my saying that it did not think that introducing competition would be satisfactory. It felt that its system of running services was very good, as indeed it was. Nevertheless, Suffolk has discovered that competition and the ability to make wider choices provide an extra spur and it now expects the new arrangement to work extremely well. I say that of an authority that was not among those falling over themselves to accept the rationale of going out to tender. When services are subject to competition, savings of up to 20 per cent. have been achieved. The services subject to competition currently cost authorities £2,500 million to £3,000 million annually, so there are potential savings to be made of several hundered million pounds per year. Ratepayers will expect local authorities to take advantage of those opportunities as soon as possible.

Inevitably, the system and the settlement do not please everyone, although I am surprised that Opposition Members are among those not pleased. It is galling for a well-run authority to see a neighbouring high-spending and wasteful authority receive more grant. It is perfectly possible for people living in an authority to have high needs, even when the council is badly run. That is a real issue, and it must be faced. The Government have a responsibility to measure the needs not only of local authority tenants but also of the generality of ratepayers and others living in the authority's area. It is very often found that councils serving people having considerable needs may not be using the money they have as efficiently as they could. It is galling for a neighbouring authority, whose needs may be less but whose efficiency may be considerably greater, to find that its efficiency is not receiving the recognition that it should, because the needs of a neighbouring council must be met.

Mr. David Blunkett (Sheffield, Brightside): Under the clawback system, it was the so-called "overspenders" who lost grant, which was redistributed to authorities that "underspent" and followed Government guidelines. That is the opposite of the case that the Minister makes. Far from money going to high-spending authorities, all that will happen—and I welcome this—is that the absurd penalty system will disappear and the block grant will work, at least for the coming year, as a block grant.

Mr. Gummer: I am sure that the hon. Gentleman brings considerable knowledge to the subject, but on this occasion he is wrong for two reasons. First, the present redistribution system means that people living in areas of high rateable value, even if they are poor, subsidise those living in areas of low rateable value even though those people may be rich. Poor people living in Solihull, for instance, subsidise rich people who happen to live in a neighbouring area, irrespective of their means.

Mr. Blunkett *rose*——

Mr. Gummer: The hon. Gentleman must allow me to finish my answer to his point.

Secondly, the amount of grant being offered to authorities is at present based on a complicated formula. Needs are an important part of that formula; in future they will be the only part. Authorities are given the opportunity to receive the grant that they need, but some authorities such as Camden refuse Government grant because they overspend when savings could so easily be made. Southwark is another example—it does not even both to collect its rents, and 30 per cent of its annual rent and rates roll is outstanding. We cannot ask for even more money to be poured into an authority like that.

Mr. David Howell (Guildford): My right hon. Friend made an excellent point when he said that it was galling for efficient authorities to find their grant being taken away. Is he aware that that feeling reaches a peak in my district authority, Guildford, where no grant at all is being provided this year although it is massively below GREA and its rates have risen at one fifth of the inflation rate over the past eight years?

I realise that this is a whimsical system with colossally wide variations in distribution, but is it really necessary to provide no grant at all for a borough that has performed so well? Will my right hon. Friend ensure that the new arrangements will remedy the vast spread of distribution and unfairness that results from the present system?

Mr. Gummer: I am glad that my right hon. Friend has raised that. Only yesterday I saw a delegation from the county which contains Guildford, and we examined exactly those points. My right hon. Friend's constituents should be told that the new system is designed to provide grant where the need lies and to stop the subsidising of some people by others unconnected with their needs, regardless of their ability to pay. Under the new system Guildford will at least be involved in a sensible relationship with other authorities and will receive grant according to its needs and its ability to raise income. Its grant will not be diverted by a system that is clearly unfair, and very hard on those who happen to be poor but live in an area with generally high rateable values.

I wish to place it on record that sensibly run local authorities are the norm in local government. I have been very impressed by the way in which the majority of local government officers run their affairs, and by their independence of mind. Local government is so often characterised by incompetent authorities which are caricatures of what a properly run authority should be.

An example of a well-run authority is Solihull, which gets on with the job of providing good local services and meeting the needs of its ratepayers. It finds that because its local resources—that is, the total of rateable values in the area—are rising faster than its needs, it actually receives

less grant. The same is true of a number of other authorities such as Eastleigh, Harborough, and Tonbridge and Malling. Because their local ability to raise income continues to rise faster than the average they receive less grant, however efficient they are.

I understand the sense of frustration felt by such authorities. The present system treats areas like Solihull unfairly, because it requires them to subsidise other parts of the country with low rateable values. That unfairness will come to an end when the community charge system is brought in. Then all the taxpayers will subsidise those in need, rather than just people who happen to live in an area with high rateable values.

I must admit to the hon. Member for Hammersmith that before I became Minister for Local Government I used to take press accounts of some of the sillier antics of certain local authorities with a considerable pinch of salt. I thought that they made good stories, but I did not believe in the context. But the more that I have observed such authorities since I started doing this job, the more I fear that what happens in some of them is understated rather than overstated. I am not talking about the activities on the extremist fringe, although we all enjoy such party political arguments; I am talking about the sheer incompetence of some authorities. That incompetence often means not only that the people are inconvenienced, but that they are put at risk. The weakest and most vulnerable people need local authority services more than anyone else.

Mr. Patrick McLoughlin (Derbyshire, West): Does my right hon. Friend acknowledge that such authorities exist outside the London boroughs? It is wrong to believe that such incompetence is restricted to London. Some shire councils in counties such as Derbyshire are well on the way to being equally loony in some of their practices.

Mr. Gummer: My hon. Friend must have been reading my mind. I was going to take Derbyshire—which is not far from his home—as an example. I did not intend to refer to Mr. Bookbinder's statement that Derbyshire would have enough money to provide £20 million for any buy-out of BREL, although that is an interesting comment on the council's ability. I was going to say that in October-November last year Derbyshire issued a leaflet inviting ratepayers' views about libraries entitled "Do You Want a Tax on Knowledge?"

It would be possible for me to criticise that document on the ground that what it says is untrue. I could also criticise it on the ground that it contains tendentious party political statements paid for by the ratepayer. I prefer, however, to base my criticism on incompetence. The document set out to suggest to the people of Derbyshire that they could write in and explain to the local council how to answer the Government's discussion paper on libraries, but the closing date for consultation was 31 July —three months before Derbyshire's leaflet was published. That shows once again that Derbyshire is not only on the fringes of sense, but is unable to use the money that it receives from ratepayers effectively. It is not surprising that it has such a high rate poundage.

Just before Christmas I announced that we had redetermined expenditure levels for certain rate-limited authorities. In doing so, we set a number of conditions related to certain aspects of their expenditure and financial management. I felt it right to try to bring back into the argument not the party politics of extremism versus moderation, but the sensible argument about competence versus incompetence. In Southwark rent and rate arrears total £53 million—£318 per adult in the borough. That approaches 30 per cent. of the borough's rent and rates roll. Clearly, that must be reduced, but it can be reduced only if the authority sets an example and is competent to do so. When we hear that the London borough of Brent does not even know who its tenants are, it is not surprising that it does not collect their rents. In Lambeth, I understand that a councillor who is vice-chairman of the housing committee and a member of the panel which reviews rent arrears has arrears of about £2,000 dating back several years. How can she expect people to pay their rent if she does not do so herself? How could officers in the London borough of Brent expect to be supported by the elected councillors if those councillors, including the leader of the council, were in considerable rent arrears?

Mr. Tony Banks *rose*——

Mr. Blunkett: That is trivial.

Mr. Gummer: The hon. Gentleman must not tell me that it is trivial that someone who is elected to represent a borough should owe that borough rates and rent yet ask other people to pay. If that is trivial, it is a curious triviality.

Mr. Soley: The Minister is getting such a response from the Opposition because his comments are not worthy of a journalist from *The Sun*. The Minister is picking out one individual about whom he knows very little. I could do the same with Conservative councillors. Conservative councillors in Sheffield are trying to persuade people to sell estates to companies in which they have an interest. There are many such examples. I am not in the business of knocking councillors who, whether they are Labour, Tory, Liberal or anything else, generally do a damned good job for this country at no great cost to the community. It is about time that the Minister had the courage to stand up for local government instead of attacking it, undermining it and demoralising it.

Mr. Gummer: I will condemn unreservedly any occurrence such as that mentioned by the hon. Gentleman. Will he condemn the leaders and members of local councils who do not pay their rents? I give him the chance to answer that.

Mr. Soley: My answer is quite simply no—because, like the Minister, I do not know the facts. When I know the facts I will decide on my moral position. The Minister must not ask me or any other hon. Member to judge people before there has been a fair tribunal. The Government are very fond of saying that the rule of law should apply, so we should let it apply. Let us make sure that a person is guilty before we condemn him.

Mr. Gummer: I invited the hon. Gentleman to condemn a councillor who does not pay his rent and who is in considerable rent arrears over long periods of time. I invited him to do that, not to judge any individual case. The hon. Gentleman refused to do so. I have condemned any situation in which a councillor uses his position to forward his own personal interests. I do so unreservedly. I note that the hon. Gentleman does not do the same.

Mr. Soley: The word "wilful" is missing from the Minister's comments. I would condemn a wilful intention to avoid paying rent. Let us suppose that the person concerned had suffered severe illness which had affected his functioning. I have no idea whether that explanation would apply to the Minister's example, but if that were the case, would he condemn such a person?

Mr. Gummer: We have a most generous system of helping people with their rents if they cannot pay them. The case I mentioned involved someone who has claimed very large sums of money, amounting to £28,000. I challenged the hon. Gentleman to condemn a situation in which those who sought to lead the community were not examples to that community. If he will not do that, I fear for the future of local government.

Mr. Tony Banks *rose*——

Mr. Eric S. Heffer (Liverpool, Walton): Will the Minister condemn the leader of Westminster city council for her conduct in relation to the cemeteries which was an absolute disgrace? Will he condemn her and her comrades? I am not supporting the individual the Minister mentioned because I do not know much about that person, but I know what the leader of Westminster city council did because I am a Westminster ratepayer. Will the right hon. Gentleman condemn her?

Mr. Gummer: I am already on record as wholly supporting the comments which were made by the local government ombudsman in that case. The matter has been fully investigated and I fully support the independent judicial body.

The hon. Member for Hammersmith, in the stance that he has adopted today, has supported one Labour council against another. The Labour council in Salford has rent arrears of about 5 per cent. of their rent roll because it sets an example and collects the rent. That means that they are able to make sure that people who pay their rent are not put at a disadvantage by people who do not pay their rent. I commend such local councils. The hon. Gentleman asked me to stand up for local councils. I have done so ever since I took on my present job. I began my speech by saying that local councils such as Lambeth and Brent are not characteristic of local authorities. They are extreme examples, but they spend a great deal of taxpayers' money and fail to produce the services that the weakest and poorest in their community most need.

Mr. Soley *rose*——

Mr. Tony Banks *rose*——

Mr. Gummer: I give way to the hon. Member for Newham, North-West (Mr. Banks) who has tried three times to intervene.

Mr. Banks: Perhaps the Minister could return to the rate support grant instead of indulging in an unseemly tirade against alleged debtors. If we were to talk in those terms, we might wish to chuck into the arena the names of some Members of Parliament who are not particularly prompt at paying their debts. I would not want to do that, and I am sure that the Minister would not want me to do that. As for the level of rent arrears in inner city areas, the Minister must understand that the population movement in many inner city boroughs makes it a complex and bewildering task to keep track of the various tenants. Secondly, does the Minister accept that since the £600 million cut in housing benefit there has been an average 37 per cent. increase in rent arrears in all local authorities in London and outside? The Minister must address that point.

Mr. Gummer: I would accept what the hon. Gentleman said if it were not the case that local authorities seem able to collect rent in Salford but not in Brent. Why is it so much more difficult in Lambeth than in Wandsworth? When we compare like with like, it is clear that it is not more difficult.

I must make it clear to the hon. Member for Sheffield, Brightside (Mr. Blunkett), for whom I have a great deal of respect, that this is not a trivial matter because a councillor who does not believe in the system cannot support his officers in seeking to collect the rents. Those Labour-controlled authorities which believe in the collection of rents and set an example find that their officers are able to achieve what is, as the hon. Member for Newham, North-West said, a difficult task. However, if councils such as Brent do not keep a list of tenants, it is very difficult indeed.

Mr. Soley: The Minister is leading the debate into a discussion about which local authority and which councillor is worst. A number of Conservative-controlled local authorities are guilty of, to put it mildly, some pretty gross errors of judgment. My hon. Friend the Member for Newham, North-West (Mr. Banks) is right in saying that it is only a matter of time before we start dragging up the individual behaviour of Members of Parliament. If we do that, we shall start undermining democracy in this country. It would be useful if the Minister, who I understand has strong connections with the Church, would bear in mind that it is not a good idea to condemn people in that way as it prejudges and undermines the very democracy in which most of us believe.

Mr. Gummer: I am concerned about the situation in some of our big cities where people who need help do not receive it because others do not pay their way. I am suggesting that it is not easy to ask people to pay their rents if the individuals doing the asking do not pay their rents. That does not seem unreasonable. [HON. MEMBERS: "What about tax evasion?"] I condemn tax evasion as well. However, the hon. Member for Hammersmith does not condemn such behaviour. I fear that that is dangerous.

Several Hon. Members *rose*——

Mr. Gummer: I must get on, but I have promised to allow the hon. Member for Sheffield, Brightside (Mr. Blunkett) to intervene.

Mr. Blunkett: I accept that the Minister has made a very useful political knock-about point, and I place it on record that all Opposition Members would want people to set an example and to pay their way, whether that involves tax or rent. However, does the Minister accept that regardless of a moral or political judgment the amount of rent not collected because of the accountancy system being used does not affect the rents of other tenants, nor does it affect the rate account, so it does not affect this debate one iota?

Mr. Gummer: The hon. Gentleman is not correct. If a local authority thinks that it will get a large sum in rents and does not get it, it does not have that money to spend

on other services. Further, the fact that it does not get that money but keeps the figure in the accounts as though it will distorts not only the accounts but the authority's ability to gain grant. So the local authority finds itself in a less proper position to deal with the problems.

Mr. Paul Boateng (Brent, South) *rose*——

Mr. Gummer: I have already given way a great deal. The hon. Gentleman has not been in his place for the whole of the debate. I hope that he will find an opportunity to speak.

The least that local people should expect from their local authority is that it should be competently managed. When the local government and housing Bill is introduced, the House will see that we are concerned to strengthen the role of local government officers. I am determined to give local government officers the considerable independence that they should have and support them in every way because we owe a great deal to them. We need to encourage and develop their undoubted professionalism and reduce the polictical interference which leads to incompetence.

How much rates will rise next year will depend on how much local authorities choose to spend. As I said, if they budget sensibly in line with the realistic spending provisions which we have made available, rates on average —I emphasise that it is on average—need rise by only about 2 per cent., substantially less than the GDP deflator.

The subject of rates is a touchy issue for the Opposition Front Bench. That is why they tried—unsuccessfully I believe—to pre-empt this debate by asking a carefully contrived parliamentary question about percentage rate increases. I pointed out earlier that when looking at percentages one must also consider the underlying figures.

The hon. Member for Copeland (Dr. Cunningham) is not at present in his place but he will not object to my referring to a statement that he made recently in which he drew attention to rate increases by percentage. I was interested to note that my council of Suffolk Coastal did rather badly on that figure, and as I often have arguments with that council I thought that I should look into the matter.

The hon. Member for Copeland talked about percentages without talking about the total rate poundage. That led me to take another look at the figures. I then discovered that, on that basis, Suffolk Coastal was 46th among shire districts, as opposed to second in terms of rates in the pound. I also discovered that the hon. Member for Copeland did not draw attention to the fact that the five shire districts with the highest rate poundages are all Labour controlled and that there are no Conservative authorities in the top 25. So again we find that an attempt to pre-empt the figures by a little selective choice has failed.

Mr. Soley: Selective choice?

Mr. Gummer: Yes, and I remind the hon. Gentleman that he is known in his constituency as "126 per cent. Soley." His constituents remember the past. That is what the local council did for him and I will not let him forget that.

Mr. Soley: I was re-elected.

Mr. Gummer: Yes, but the hon. Gentleman's neighbour in Battersea lost his seat and a Conservative win was recorded.

It is not surprising that the county with the highest rate poundage is our old friend Derbyshire, with 297·5p. Of the 10 counties with the highest rate poundages, none is Conservative controlled. Nationally, the picture is the same. Rate poundages in Labour areas are on average 35 to 50 per cent. higher than in Conservative areas. That is the position despite the unfair system which taxes people living in high rateable value areas to support those in low rateable value areas. That is why I said recently that if we had had the community charge the cost of living in a Labour area would on average be £100 per person per year.

In addition to the RSG report for 1989-90, we are today considering four supplementary reports for the years 1985-86 to 1988-89. Supplementary reports are one feature of this system that we are looking forward to getting rid of because they go on and on and we are still trying to unweave things going back years. That is why we believe that the new system is necessary. The system on which we have built year by year under Labour and Conservative Administrations was designed for a wholly different circumstance. The new system will be a considerable improvement on the present arrangements in a number of its key features. I intend to ensure that so far as possible in local government finance the new system is comprehensible, not just to the cognoscenti and the councillors but to the ordinary people who pay the bills.

Much of the disquiet about previous rate support grant settlements has stemmed from the fact that the system is virtually impossible to explain in simple terms. That has been the case for as long as most hon. Members can recall. I remember it in operation under Labour and Conservative Administrations. It is difficult to encourage local accountability and to draw a clear link between local spending decisions and local taxation when the linkage is vastly complicated by resource equalisation, a penalty system, inexplicable changes in GREs and the many other facets of the present arrangements.

Few people will be unhappy to see the end of the present rate support grant system. Rates will become a thing of the past. Few will regret the passing of rates, except perhaps those Labour Members who would like to retain rates based on capital values and then to add to it a system of local income tax—*[Interruption.]* The hon. Member for Hammersmith had better see what the result of such a system would be for his constituents. I hope that he will ask a few questions on that subject, because I can give him a few answers. It would mean two taxes in place of one.

A major advantage of the new system is that grant will in future be influenced only by a local authority's need to spend. This underlines clearly the Government's commitment to provide grant to meet real local needs. The criterion will be to each according to his needs. Just as with the community charge, the rebate system is designed to ask from each according to his ability.

Mr. Michael Carttiss (Great Yarmouth): One is treading on dangerous ground when taking up points that my right hon. Friend has been making about next year. In terms of what he said about the whole system being much fairer, may I ask him to re-examine the question of leaving out of needs assessment for next year's revenue support grant the cost of coastal protection and of being a holiday resort? That will adversely affect my constituency according to figures now available to us.

Mr. Gummer: In terms of deciding need, the Government are at present discussing that measurement with the various associations. No doubt my hon. Friend will bring to the notice of the association concerned the points that he wishes to be considered. We must remember that the various associations have differing views, even among people of the same political persuasion, because there are different pressures in different parts of the country. We must get the best balance between those pressures. That is what I am seeking to do and what the discussions are now about. I cannot tell my hon. Friend how that will come out because those discussions will have serious effects on the decisions that are made. But at the conclusion of them I shall be happy to discuss with my hon. Friend how matters affect his constituency of Great Yarmouth.

The grant will now depend not on a whole series of factors, nor indeed on a curious arrangement involving rateable values and comparative rateable values. It will depend on the needs of the local area. One of the great difficulties of the present system, which I find hard to explain, is why an area which is expanding in terms both of population and of business may end up getting less grant, although its needs have increased. It must be more sensible to have a system based on need.

I accept the point made by the hon. Member for Brightside, who makes such points with great care, that it depends on how one measures need. But one does not solve the problem by saying that because someone will have to decide what the need is we should not try at all. We are seeking a simple and clear way of doing it, and we are discussing with those most concerned—the local authorities—how best to achieve that.

The most important advantage of the new system, with the exception of the needs grant, is the community charge, which will spread the cost of paying for local services more widely and fairly. It will give voters a direct financial interest in the decisions of their councils. That is for the future, but for next year we have provided a generous settlement and I commend the reports to the House.

4.49 pm

Mr. Clive Soley (Hammersmith): We have just heard a squalid and disgraceful attack on local democracy, regardless of whether it be controlled by the Labour party, the Conservative party, or the Social and Liberal Democratic party.

We are supposed to be debating the last rate support grant under the old system. In future, we shall have a debate on revenue support grant. The move from one to the other is a move from disaster to catastrophe. The Government admit that the present system is bad, and they are right. It was designed and built by them and they have administered it. It is inefficiient, unfair and must go. They have replaced the old system with an inefficent and grossly unfair one. We must remember that the poll tax will be two taxes—if the business tax is taken into account—and will be unpopular and unfair.

Mr. McLoughlin: What is the alternative?

Mr. Soley: The alternative is much fairer. Almost every other western democracy uses models similar to those that we are proposing. Our proposals have been recommended by people who know, believe in and love local government. We are riding on the crest of a wave on that issue and only time will tell. People know that the poll tax is grossly unfair and that it will hit hard many on low incomes.

The Minister spoke of the needy being hurt. How can he justify the fact that under the poll tax two pensioners living in a flat will be paying more than a millionaire living in a mansion? As Conservative Members know, there is no justification.

Whenever we have these debates—and, sadly, many other debates—we must bear in mind that Government statistics should carry a health warning, preferably from the late but not much lamented former Parliamentary Under-Secretary of State for Health, the hon. Member for Derbyshire, South (Mrs. Currie). For many years, the Minister and his predecessors have thrown out misleading rate support grant figures. The Minister made something of misleading information being put out by local authorities, which he claimed was political. The Minister for Housing, Environment and Countryside has refused my challenge to submit the Government's leaflet—tens of thousands of which were put out by them at the taxpayers' expense and is known to be grossly misleading and highly political—to the independent judgment of the National Consumers Council, which is chaired by a former Conservative Member of Parliament, or the Institute of Housing, which I will accept as independent bodies. That is one of a number of issues that the Government are pedlling as information, but which are political propaganda. They are doing so at the taxpayers' expense, but when a council tries to put out information it is jumped on by the Government, who prevent it from doing so. That is the worst form of authoritarian centralism.

Mr. Jacques Arnold (Gravesham): The hon. Gentleman is talking about misleading information, but is it not relevant to mention the 9 million people who will be covered by community charge rebates? Is it not highly likely that the poor pensioners to whom the hon. Gentleman is referring will be covered by those rebates?

Mr. Soley: Much will depend on their circumstances, but nobody is suggesting that the rates of a millionaire will be increased. Taxation is normally progressive. The reason why everyone dislikes the poll tax is that for the first time this country wil have a tax that is not progressive.

Mr. McLoughlin: I ask the hon. Gentleman a simple question that was acknowledged by the hon. Member for Copeland (Dr. Cunningham). Does he believe that the present rating system reflects the ability to pay?

Mr. Soley: No, of course it does not, because the Government have consistently cut rate support grant, which has driven up rates. The rating system was never truly progressive, but it was much fairer and rates were more equitably distributed before the Government began slashing rate support grant.

Mr. Eric S. Heffer (Liverpool, Walton): My wife and I will pay less under the poll tax then we pay at present, but poor constituents of mine will pay more than me. What is just about that? I am prepared to pay more rates than I do at present, as long as poor people get a fair deal, but they will not.

Mr. Soley: My hon. Friend is right, but one must also take into account the quality of service.

The Government present themselves as the party that cuts taxes, but that is not so. The most recent figures show that the taxation burden of a man on average wages with two children increased from 35·1 per cent. of gross earnings in 1978-79—the last year of office of the Labour Government—to 37·3 per cent. this year.

Although the Government have cut income tax—especially for those who are highly paid—rates, national insurance, VAT and indirect taxes have increased dramatically. The tax burden of the average man with two children has increased by about 2 per cent. Affluent people have had a dramatic cut in their tax base, which gives the lie to the Minister's protestations that he is concerned about the effects of rates on low-income people.

There is no evidence that any Minister is concerned about what happens to people on low incomes. If they were, they would not have voted against the uprating of child benefit. If they were, they would not have given massive tax handouts to the rich. I notice an unpleasant or embarrassed silence among Conservative Members. This subject is the Achilles' heel of the Conservative party, because in the long run no society can claim to be just, equitable and fair if it hands out to the rich when at the same time—for the first time in my memory—men, women and children are begging in the streets and sleeping rough. How can anyone who advances a Christian morality, as does the Minister, justify that? How can he speak of condemning people yet do nothing about the problem? It has led people to comment that London is beginning to look like a third world city.

Mr. Harry Greenway: The hon. Gentleman is putting his heart on his sleeve. We all care about disadvantaged people. Perhaps he would like to note that many of my pensioner constituents, and those who are disabled, are having to go without food to pay the rates that have been levied by Labour-controlled Ealing council, which wilfully wastes that money.

Mr. Soley: The hon. Gentleman is wrong to say that it wilfully wastes money. His constituents, who neighbour mine and are not radically different, are going without food because housing benefit has been cut eight times, because social security has been cut, and because the cuts are funded on a midnight army of low-paid people who are paying about 7 per cent. more tax.

The Government whom the hon. Gentleman chooses to support have cut the rate support grant and when a Labour administration took over from a Tory one in Ealing and Hammersmith and Fulham and tried to improve services, it also took over a rate rise which was in the pipeline. In Hammersmith and Fulham that rise was about 30 per cent. and would have taken place even if a Conservative administration had been elected, which of course it was not.

Mr. Boateng: Does the hon. Member for Ealing, North (Mr. Greenway) accept that in some respects the problem is worse here than in a so-called third world country? At least in a third world country there is an extended family system that is capable of nurturing and caring for those who are disadvantaged by virtue of age or ill-health. The poll tax discriminates against the extended family and will make it more difficult for people who want to look after their young, unemployed sons or daughters or elderly relatives.

In his speech—I regret that I did not hear it all because I was in Committee on the Water Bill—the Minister was less than fair to my borough of Brent in its attempts to collect overdue rents. He will recognise that the borough has only recently introduced a new system of rent collection that uses external agents who seek to step up the rate of rent-collection. They are taking efficient steps to match the concerns he has mentioned. His colleagues in the Department of the Environment praised Brent housing department for its innovation.

Mr. Soley: My hon. Friend the Member for Brent, South (Mr. Boateng) is right. Brent council is seeking to do something about its problems. It would help local authorities if the Government showed confidence in them, regardless of their political complexion, and helped them when they ran into problems, instead of trying to trip them up and put the boot in. They act like political bovver boys who destroy, undermine and devalue local democracy, whether in the form of councillors or council officers. Why are so many council officers, not just councillors, demoralised about their role? Why is it becoming increasingly difficult to get members of any party to stand for local authorities? Is it not because the Government are taking away their powers, circumscribing their activities and taking from the local electorate that which, in the past, both Conservative and Labour Governments have felt was its proper job?

I was talking about the way in which the Government manipulated the statistics. The most important fact to bear in mind during debates on the rate support grant is that there was a massive cut in it. I am sure that the Minister will not deny that the cut took place between 1980 and 1988. It was the Government's policy. The Conservative party's 1979 election manifesto said that a Conservative Government would cut public expenditure in order to transfer the money saved into tax rebates and thus regenerate the economy. That did not happen. North sea oil was used to finance the economy in the south while the plug was pulled on manufacturing industry in the north. One can continue selling the family silver for as long as one likes, but when it has all been sold, people must be asked to pay.

Rate support grant as a percentage of relevant expenditure—the aggregate Exchequer grant—has fallen from 46·2 per cent. in 1988-89 to 43·3 per cent. in 1989-90. In 1979-80, the last year of the Labour Government, it was 61 per cent. The Government's philosophy on public expenditure has been to say to local authorities, "Do not do as we do, but as we tell you." They made local authorities cut their expenditure and, at the same time, particularly in the early 1980s the Government increased public expenditure. It was increasing, not just in real terms but in percentage terms, because the Government were financing mass unemployment from a sinking industrial base.

Mr. Irvine Patnick (Sheffield, Hallam): The Department of the Environment's circular 88/75, called, "Local Authority Expenditure 1976-77—Forward Planning", says:

> "The Secretary of State for the Environment said in reply to a Parliamentary question on 5th August, 'there will have to be a standstill next year'."

That was a Labour Minister speaking to the House.

Mr. Soley: There is no problem about that. The hon. Member for Sheffield, Hallam (Mr. Patnick) is trying to skate around his party's philosophy—broadcast loud and clear in the 1979 election—to cut public expenditure. The Government failed to do so but they forced local authorities to cut and do what they could not. The Labour Government tried to bring about a standstill in public expenditure when they did not have the benefit of North sea oil. The hon. Gentleman failed to take into account the fact that since 1980, as North sea oil has come ashore, combined with the selling of the state silver—as the late Harold Macmillan described it—the Government have channelled large sums into the south of Britain at the expense of the north and have allowed manufacturing industry to collapse.

If one examines the regional distribution of wealth through the European Commission, the tragedy for this country is that the south, one of its most prosperous regions, is still well behind many of the regions in Europe. The poorer regions in the United Kingdom are way behind the European average. That is a measure of how far the Government have misused our oil wealth.

The cumulative loss, in real terms, of the rate support grant from 1981-82 and 1988-89 is £27·7 billion. If the hon. Member for Hallam and the Government had stuck to the Labour Government's policy, even accepting that there was a standstill at that time, local authorities would have had an additional £27 billion to spend. Of the 20 local authorities that levied the sharpest rate rises in the 1980s —the Minister tried to dodge round the parliamentary question tabled by my hon. Friend the Member for Copeland (Dr. Cunningham) who, sadly, cannot be here —half were in Tory-controlled areas. Six of those which levied the sharpest rate rises were Labour authorities, two are hung councils run by Labour. Eight of them are run by Tories or Tories plus independents and four are run by the SLD, the SDP or hung—what we might call also-rans. At the other end of the scale, 21 councils have cut the rate, of which nine are Labour, and only one was rate-capped.

Evidence of the unfairness of the Government's cuts on local authorities is shown by the figures behind the percentages, and the percentages. They show that there is no link between rate rises and increased spending. That is why the council of the hon. Member for Ealing, North (Mr. Greenway) is in difficulty. The reason for the figures is the irrational grant system devised, developed and enhanced by this Government. They are also due to the individual needs and different procedures in local authority areas.

The Minister's constituency of Suffolk, Coastal has shown the second largest rate rise over seven years, 218 per cent. Spending has increased by only 132 per cent. So his local authority has been clobbered by its own Government. If I was a ratepayer in the Suffolk, Coastal constituency I would be asking questions not only about coastal defence, which the Minister is right to do, but about why on earth I was voting for a Tory Minister who was cheerfully increasing the rate burden on his constituents while public expenditure was being cut.

Mr. Gummer: Will the hon. Member for Hammersmith (Mr. Soley) explain what he would say to my constituents when they find out that they are 46th among districts in the poundage they pay, and that those who pay the most come under Labour councils? We are changing the system to get rid of the very thing he has been complaining about. We are changing the system and he is not supporting it.

Mr. Soley: The Minister cannot wriggle out of it like that. The question for ratepayers in his area is why it is that their rates have risen far more than spending. Fundamentally, the reason—as everyone knows—is the rate support grant cuts made by this Government. There may be other reasons of needs and procedures for all local authorities, but the central reason is the RSG. The Minister cannot explain that to his constituents and he will have no way of softening the burden for them, although he will try, because the Government have tried, through this rate support grant, to bridge the gap between rates and the poll tax. They were embarrassed by the figures that were put out by the Labour party which showed how severe the poll tax would be. To try to soften the blow, the Government have spent rather more this year than in previous years—not much more, but a bit more. If they are to survive the argument politically, they must make the rates and the poll tax more in line than they would have been had the figures been left as they were in the previous year. At the same time, they try to put the blame for increasing the poll tax on to local authorities.

I give the Government full credit—if that is the word —for their incredible skill at deception, which I consider to be immoral. This Government, more than any other that I have experienced, have managed to blame other people for matters for which they are responsible. They do that whether they are talking about law and order, homelessness, rates or taxes. It is always somebody else's fault—usually the fault of someone who is in a weaker position than the Government. That shows the moral bankruptcy of this Government.

As a result of the £22·7 billion cut, in real terms, local authorities of all complexions have had to cope with a devastating and unpredictable financial regime. I cannot emphasise that enough. The Conservative party tells us that it is the party of efficiency in business. What efficient business would try to plan expenditure on the basis that it often did not know how much it would receive from a regular grant-making body—often until a few weeks before the grant was made? Yet that is what the Government have imposed on local authorities, whether they are Labour, Tory, Liberal or whatever. It is gross to put local authorities in that position.

The introduction of the poll tax imposes additional financial burdens this year. I have two questions for the Minister on that, if I may have his attention, or perhaps the Parliamentary Under-Secretary will answer them in her winding-up speech. First, will there be an increase in the Government contribution if the poll tax preparation costs are higher than forecast? I have asked that question because the basis on which the Government have calculated those costs is considerably lower than that being forecast now, as the Government seem to be acknowledging. If that turns out to be the case, local authorities will have to find that money and Mr. Rentaquote, the hon. Member for Ealing, North, will stand up in the House and talk about wicked local authorities. However, those local authorities will have had to put up rates to pay for the administration of a poll tax that almost all local authorities think is unfair and irrational. Will the Minister tell us whether, if the costs are higher than forecast, the Government will fund those increased costs?

Secondly, I want to ask the Minister, or the Parliamentary Under-Secretary, about inflation. He used a figure of 2 per cent. and I told him what the independent view was. I shall now give my view. The rate support grant that we are discussing today is based on 4 per cent. inflation in 1989-90. Does anybody believe that inflation will be only 4 per cent. in 1989-90? Does the Chancellor of the Exchequer believe that? No, he says that there will be a bleep—[HON. MEMBERS: "A blip."] The blip will push inflation up to at least 6 per cent. and most observers of the economy believe that inflation will be at least 7 per cent. and, possibly, even 8 per cent.

Mr. John Battle (Leeds, West): My hon. Friend may be aware that in the Electricity Bill, which is in Committee at present, the Government have estimated that inflation will be 8 per cent.

Mr. Soley: I am grateful to my hon. Friend, who is a member of the Committee, for keeping us informed of the latest moves in the Chancellor's ever-moving strategy. Let us assume that inflation will be 7 or 8 per cent. I want to know—either now or at the end of the debate—whether, if inflation turns out to be 7 or 8 per cent., the Government will uprate the present rate support grant to meet that. The Minister can simply answer yes or no. It the Government do not do that, every local authority—whether Labour, Tory or Liberal—will know who to blame. There is no doubt that inflation will increase the rate burden on people. If the Minister is so desperately concerned—as he tried to tell us he was—about the effect of rate increases on the people and if his prediction of 2 per cent. is wildly wrong—as we all know it will be because of inflation, if nothing else—will his concern extend to telling the Secretary of State that he must uprate the rate support grant to take account of the full costs of inflation? If he does not do so, let him never come to the House again and tell us that he is concerned about the poor ratepayers who have to pick up the bill when it comes through their letter boxes. Those bills will have risen because of his Government's behaviour.

The 2 per cent. mark is well below what is expected, so the costs will hit people in their pockets. But it will also hit people in their services. The Government have suddenly discovered nursery education. They want good nursery education because the Prime Minister has suddenly discovered that it is popular. The top 24 providers of education in nursery schools for three and four-year-olds are all Labour authorities. On the other hand, the bottom 19 are all Tory authorities—or Social and Liberal Democratic authorities in a couple of cases. Yet the Government have said that nursery education is a good thing and they have apparently discovered that we are light years behind the rest of western Europe in the provision of nursery education. The Government have said nothing, but they must have discovered that Labour local authorities are doing the most for nursery education. What did the Government do to some of those authorities? They rate-capped them. So much for the concern about nursery education. If the Government had any concern about nursery education, they would not be talking about setting up committees to consider it and to make recommendations. They would do what the Labour party did in office and what Governments in Europe have been doing for far longer than us. They would allow local authorities—which are properly elected, democratic local authorities—to spend their money on nursery education.

We know that children who receive nursery education do better at school, in their social behaviour, in training for skills and in employment-seeking and functioning. But the Government did not care about that. They were quite happy to rate-cap local authorities that provided good nursery education. It was not their kids, was it? Those authorities could be clobbered. I see that the Minister has again sunk his chin into his shirt—which is, perhaps, the best place to keep it. He has done so to avoid not only the Government's embarrassment over their lack of support for the poor, but to avoid putting their money where their mouth is on education.

Mr. Jacques Arnold: The hon. Gentleman would give us comparative figures if he were to put back in them the voluntary playgroups that are provided inside county council education premises in and near primary schools.

Mr. Soley: Who provided the premises and the heating but the ratepayer? Who tells us over and over again that nursery education must be well funded? The Government tell us. The hon. Gentleman said that nursery education must be provided on a voluntary basis. Why does he not tell the Prime Minister? She says she wants to put money into nursery education. Let us not talk about voluntary efforts. I admire the voluntary contribution, but nobody in his right mind—certainly nobody on the other side of the English channel, from where so much of our competition will come in the future—believes for one moment that the voluntary sector can provide all nursery education. It is a pretty desperate state of affairs if the hon. Gentleman has to fall back on that to defend his party.

Mr. Derek Fatchett (Leeds, Central): My hon. Friend may be interested to know that it is not just the Labour local authorities that make up the top 24 in the league table that have an impressive record on nursery education. In the period 1975-80, under the last Labour Government, the pace of nursery provision—both in nursery schools and in rising-fives places in primary schools—was much quicker and sharper than at any time in the lifetime of this Government.

Mr. Richard Caborn (Sheffield, Central) *rose*——

Mr. Soley: I shall give way for the last time, to my hon. Friend the Member for Sheffield, Central (Mr. Caborn).

Mr. Caborn: Do not the Government realise that the removal of the community programme has been one of the major factors contributing to cuts in nursery education —particularly for the under-fives and in the inner cities? That has had a devastating effect. Although the local authorities have provided buildings, heating and so on, the real service has come through the community programme and a considerable number of places are now to go as a result of the Government's attitude to it.

Mr. Soley: I am grateful to my hon. Friend for reminding me of that point, which had momentarily escaped me. We know that that is having a dramatic effect.

The Under-Secretary of State will know that her own area, West Sussex, is bottom of the league in providing nursery education. [HON. MEMBERS: "Surrey, South-West!"] I do not mind being wrong about the Minister's constituency; that is not the problem. West

[Mr. Soley]

Sussex, the neighbouring area to it, is bottom of the league. In the south one does not have to look far to find some pretty bad Conservative local authorities. For example, in Horsham an empty council house was given over for use as an office by none other than the Horsham Conservative party. The authority had to provide the local Conservative party with an alternative office because of redevelopment —that was quite right—but it did not have to give it an empty council house at a time when there are homeless people in the streets. We should not merely condemn such authorities. We should ensure that they make good use of their properties to house the homeless.

It seems that the Minister wants to pick on individual local authorities, but it would be far better if instead the Government addressed themselves to the drastic decline in the provision of low-cost accommodation for rent or sale, particularly in the south. For many people, there is no alternative to that, which is why men, women and children have to sleep in the streets—not just in London but now in many of our towns and villages. That is what is so wicked. If the Government are so concerned about these things, why do they not put more money into housing, education and care in the community? We have heard all this talk about the closure of long-stay psychiatric hospitals and support in the community, but where will that support come from if the councils cannot provide it?

Some years ago the Government embarked on a profoundly dangerous course. They have not only damaged the morale and confidence of council workers and councillors, who do their job voluntarily; they have increased centralised control in Britain. The Minister should bear in mind the development of local authorities in Europe. After the disaster of world war 2 one of the first acts of the countries that had experienced dictatorship was to devolve powers to local authorities. They made sure that local electors could decide who was doing a good job. They did not rely on papers like *The Sun* or *The Evening Standard* or on Ministers to say that such and such an authority was of the loony Left or the loony Right and should be got rid of. They left it to the electors to decide. I would rather do the same, even in Horsham and West Sussex. I would not say that we should undermine those councils or chuck them out. That is up to the local electorate to decide.

When Franco went, the first thing that the newly elected democratic Government did in Spain was to devolve power to local authorities, because they knew that pluralism is essential to democracy, and pluralism means good local government. One cannot have good local government unless one encourages people to stand for office, supports them when they do so, and ensures that they have genuine powers to use. If we move towards some form of united Europe, Ministers will not like it if Brussels starts treating them as they are treating local authorities. Perhaps that is why some of them are getting increasingly worried about the prospect, although that has wider implications. If, like the Opposition, the Government believe in local democracy, let them fund it properly and allow it to get on with the job, and allow the local electorate to decide whether that job is being done properly.

5.26 pm

Sir David Price (Eastleigh): I shall resist the temptation to try to answer in detail a number of questions asked by the hon. Member for Hammersmith (Mr. Soley). I would take the House back a long way to the days of the royal commissions. I remember pointing out then that discussing the reform of local government in terms of geography and function without discussing taxation and finance was like putting on Hamlet without the Prince of Denmark. The failure to do that has haunted us ever since and we are at last beginning painfully to address ourselves to it.

A new element with which I am closely involved is loosely called care in the community—the hon. Member for Hammersmith touched on it briefly—and I await with great interest the Government's response to the Griffiths report and look forward to hearing how the Government intend to handle care in the community, and, above all, to finance it. I think that the good Sir Roy Griffiths dodged all the main issues, and wrote a rather general injunction to those who went along with his organisational proposition that he who wills the end must will the means. That was nice shorthand but it does not help the House by telling us how we ought to finance care in the community.

Having made that general point, I do not apologise for coming right down to the particular. It is a good idea to see how those complicated matters work in the particular. It will not surprise the House that in this case the particular is the borough of Eastleigh. We are very unhappy at the manner we are being treated by my right hon. Friend the Secretary of State in his proposed rate support grant settlement for 1989-90. Under that settlement, we in Eastleigh are to suffer a loss of more than 36 per cent. We appear to have been selected by my right hon. Friend for particularly harsh treatment.

If we look at how our neighbours in the other districts of Hampshire have been treated—equity is not unimportant in these matters—we find that a number have been given a percentage increase, while the vast majority are to suffer only a modest reduction. Portsmouth is to get an increase of 6·66 per cent., Gosport an increase of 6·25 per cent. and Havant an increase of 5·71 per cent. Southampton is to get an increase of 5·48 per cent., and I can hardly complain about that as I also represent part of Southampton. My right hon. Friend gets brownie points for that. In East Hampshire and Hart, there is no change, and no authority is to suffer a reduction of more than just over 8 per cent.—in the case of Test Valley—yet Eastleigh is to suffer a reduction of 36·27 per cent.

Naturally, we have taken up the matter with my right hon. Friend, and he can congratulate his civil servants on producing a reply that would do justice to any episode of "Yes, Minister". That letter alone would justify at least two programmes. In an idle moment, if my right hon. Friend has one, he will be good for two programmes.

My right hon. Friend described the adverse treatment which is selected for Eastleigh in his letter thus:

> "The reason for Eastleigh's particular position is that its rateable value is increasing faster than the average, while our assessment of its need to spend shows an increase only in line with the average, so that each year your authority receives more from the rates, even without increasing the rate poundage".

If we compare Eastleigh with our neighbours in the Test valley, we find broad comparability, both of population and of rateable value. Our populations differ by the

enormous amount of 0·5 per cent. When we look at the rateable value, the difference between us just makes 2 per cent. On that basis, how can a difference between a reduction of about 8 per cent. and one of more than 36 per cent. be justified? I could show even more of an inequity with Winchester, where the reduction is only 3·26 per cent. I hope that I have made my point; I will not labour it any further.

Eastleigh borough council also tells me:

"Whilst it is true that our rateable values have increased, the resultant increase in rate income is only some £120,000, compared with our grant loss of £162,000. That acknowledged loss of £162,000 is a comparison with the revised grant settlement for the current year. Compared with the original settlement, the loss is over £200,000."

As we all know, the mathematics of the rate support grant is byzantine in the extreme. Nevertheless, I had hoped that the basic "Axioms" of Euclid could be accepted and applied by the statisticians in my right hon. Friend's Department. Perhaps I am wrong and it was the augurer to the Department rather than the statistician who produced the RSG. No doubt a mythical wyvern was disembowelled in Marsham street to see which way its liver went; hence, Eastleigh got hammered. Hon. Members will recall the "Axioms" of Euclid, which stated:

"Things equal to the same thing, are equal.
If equals are added to equals, the sums are equal.
If equals are subtracted from equals, the remainders are equal.
Things which coincide with one another are equal to one another."

On the basis of Euclid, I suggest that Eastleigh should receive the same treatment as the Test Valley borough council and the city of Winchester.

We must now revise the "Axioms" of Euclid and at the end of each axiom write:

"Things equal to the same thing are equal, except in the case of Eastleigh"

and so down through the axioms—always excepting Eastleigh.

Doubtless the Department prefers a different branch of mathematics—more up to date than Euclid—which is the mathematics of topology. I do not know how familiar right hon. and hon. Members are with the mathematics of topology, but it is described as the mathematics of distortion. We presented these distortions—this topological argument—to my right hon. Friend and gave him an opportunity to restore some equity into his proposals for Eastleigh. He will know that there is another branch of mathematics called network analysis in which it is possible to find one's way out of a maze by use of an especially complex set of equations. I am told that it is even more complicated than the maze itself, which again would do justice to the mathematics of the rate support grant. However, he scorned our advances. He said in his letter:

"We decided that we should not amend the settlement in a way which would give Eastleigh more grant."

Therefore, he had his chance. That was not pure determinism but an act of free will, which I know my right hon. Friend practises and believes in.

I have not dwelt on the needs and expenditure side of the equation, because that would be to try to describe that which is inexplicable. I invite hon. Members to look, for instance, at appendix 2 to annex J, entitled "Definitions of GRE Indicators". As an example, let us look at C9, which states:

"Residents—effects of area's social conditions."

That is an object with which we would all agree. Need should include social background and the problems in inner cities. We read in the appendix:

"The resident population of the area multiplied by the sum expressed to two decimal places, of the factors below:"

Ten factors are then listed. I shall give the House the relish of those factors. The first one is a constant of minus 41·82. I ask the House, why minus 41·82? Why not 40? Why not 39? Why not 50? Why this curious accuracy of 41·82? Obviously, some statistician has made the elegant point that it is not 41·0 but 41·82. I must confess that the reason for that escapes me.

We come to (b), which is interesting:

"indicator B3a(i) divided by population (A1), multiplied by 0·21233a".

I will give the top prize for topology to anyone who can tell me the basis upon which that has been worked out.

Mr. Gummer: Could I claim my hon. Friend's prize? So impossible to explain is it that we have kicked the entire thing over. We shall not do it again on this system. He is entirely right—it is absolutely unacceptable.

Sir David Price: That is well established. On the subject of local government, I am sure that the House can now understand why those wise city fathers of Florence at the end of the 13th century passed laws against—I translate from Italian—the then "upstart" decimal numerals. They were needed to protect honest citizens from the easy changes which forgers of bank drafts could ring on the numbers 0, 6 and 9. I would just say "é sempre vero".

The GRE formulae remind me of the Schleswig-Holstein situation, which taxed the diplomats and politicians of Europe through the 19th century. It was said that it was so complex that there were only three people who knew the answer to the question—the first was dead, the second had gone mad and the third had forgotten the answer. I have a feeling that that is what has happened over GRE and its remarkably complex rate support grant formula.

My right hon. Friend, in intervening, has saved me from quoting his letter, where he declared complete dissatisfaction with the rate support grant system, which I share with him. He says that that is the reason why the Government will be abolishing it and replacing it with a needs grant in future years. When that happy day comes, my right hon. Friend will have my enthusiastic support. However, for the present settlement he cannot in conscience expect my acquiescence in this harsh treatment that he is meting out uniquely to Eastleigh in Hampshire. An especially masochistic twist of that treatment is that Eastleigh loses grant because of the way in which the safety net operates. I say: some safety net!

5.38 pm

Mr. Matthew Taylor (Truro): I found the speech of the hon. Member for Eastleigh (Sir D. Price) most entertaining, but I hope he will forgive me if I do not respond to the points he made about Eastleigh but make a rather broader speech. I hope, too, that he will find that what I have to say will in some measure support the case he so eloquently made to the Minister.

The first problem is that the Government have grossly inadequately estimated the amount that local authorities should spend. I hope that the hon. Member for Eastleigh will agree that that is the starting point; I hope the

[Mr. Matthew Taylor]

Minister can be convinced of it as well. Time and again, three reasons have been put to the Minister why this is so. He may feel that he has answered them, but few others do.

First, the Government's expenditure estimates are under-estimates. According to their own officials' figures, as set out by the grant working group—the expenditure steering group of local and central government—the Government have undercut local authorities by £400 million. So even on Government officials' estimates, the sum has been reduced. This same working group anticipates a sum of £180 million, which the Association of County Councils believes will no longer be met.

As we have already heard, the forecast of inflation at 4 per cent. in the expenditure provision for 1989-90 is inaccurate. In July, the Secretary of State for the Environment could say that the increase of 4·7 per cent. was above the expected rate of inflation. The Chancellor wants to take mortgage interest rates out of his calculation of inflation. He should look around the corner at the Secretary of State for the Environment, who appears to have done that already—and more! If the increased provision for poll tax costs of £110 million is removed—that in itself is inadequate—the increase is only 4·3 per cent. Although the rate of inflation was 4·8 per cent. in July, it has dramatically increased since, and now stands at 6·4 per cent. The forecasts are that it will continue to rise.

I raised this matter during the brief debate on the Rate Support Grants Act 1988. I asked the Government then to introduce some flexibility to cater for rising inflation. Now I ask the Minister again to do that.

Secondly, and in addition to this small rise, the Government have imposed pay increases higher than 4 per cent. on local authorities. They have asked the board to investigate the possibility of an increase of 5·1 per cent. for teachers. There are rumours that more will be needed to ensure adequate recruitment. That is all very well—I believe that teachers deserve these rises and I am sure the Minister does, too—but if central Government imposed these increases, why will they not fund them? Why are local authorities to be penalised for Government decisions?

These are not the only wage increases above 4 per cent. Local authorities will not be able to tell their workers that at a time of inflation of more than 6 per cent. they should get only 4 per cent. Local authorities are expected to pick up the tab, when the person who claims to be responsible for tackling inflation and for economic miracles—the Chancellor—has messed up and let inflation go over the odds. That is the Government's, not local authorities', responsibility.

Finally, it was assumed that local authorities which controlled education would be able to make savings by closing down schools because of falling rolls. But the Government's opting-out provision has effectively put a semi-permanent moratorium on local authorities closing down schools, because that provision does not allow them to close down schools that try to opt out. Almost by definition, schools trying to opt out are the ones facing closure. So the savings written into the rate support grant cannot be realised by local authorities, or at least not in the coming year——

Mr. Fatchett: I agree with what the hon. Gentleman said about surplus places and the dangers of the opt-out provisions, but why do his Liberal colleagues in Liverpool campaign for schools to opt out of the local education authority?

Mr. Taylor: I will certainly not tell our councillors in Liverpool or anywhere else what to do. I am sure they know Liverpool better than I do—I hope the hon. Gentleman at least accepts that—but I am sure of this: there are good reasons on occasions for closing down schools, and, on others, for resisting closure——

Mr. McLoughlin: Will the hon. Gentleman give way?

Mr. Tony Banks: Give him a chance: he is too busy wriggling out of my hon. Friend's question.

Mr. Taylor: I do not know about Liverpool, but one of the problems in my area is how to maintain adequate provision for small village and local schools when the Government will not allow the necessary cash to be spent. That forces the choice between maintaining them with less than adequate facilities for the sake of the local community, and combining them at the cost of local roots and connections. Each case must be judged on its own merits——

Mr. McLoughlin: The hon. Gentleman said that he did not know all the circumstances in Liverpool, and of course we accept that. He then said there might be good reasons for schools to opt out. Why then did he vote against the Education Reform Act 1988, which allows them to do so?

Mr. Taylor: That is easily answered. The hon. Gentleman misheard me: I said there could be good reasons for closing schools, not for opting out.

Mr. Gummer: It may be difficult to ask the hon. Gentleman a specific question about Liverpool, whose particular problems we do not know. However, can he answer a general question about county councils that used to be Conservative-controlled but which, for the past four years, have been dominated by the Liberals or the SLD? Why, of those eight authorities, have seven become higher rate demanders, moving up towards the top of the rate league? Is it part of SLD policy to increase rates disproportionately compared with other authorities, all of which suffer the disadvantages that the hon. Gentleman has mentioned? That has nothing to do with the Government; it is a matter of comparison.

Mr. Taylor: There are two answers to that—[HON. MEMBERS: "Yes and No."] Average rate rises in councils run by us and in those in which we are the leading group have been lower than rises in Conservative and Labour-controlled authorities.

Secondly, I offer an example from Cornwall of why more money is being spent. Again, it concerns schools. In the past, so little was spent on capital expenditure for schools—on maintaining and rebuilding them—that 70 or 80 schools still have outside toilets. There are schools with leaking roofs, schools that have to close classrooms in high winds for fear that they will be blown down, and schools in which books and teaching provision are inadequate. Some schools have been kept open only by dint of sharing music teachers, and so on.

Therefore, before we led these councils, they had ducked spending and not invested as they should have. Now we have to increase investment. Even after all that,

we are not in a position to meet the targets that the Government want for schools—they will not allow us to spend enough to do that.

Mr. Gummer: I wonder whether that explanation would stand up in Cambridgeshire, which has, under different authorities, had a good reputation for education. When it was controlled by the Conservatives, it was 34th in the list. Since the Liberals became dominant, it has moved up to 25th. The same applies to Essex, Hertfordshire, Oxfordshire, Somerset, Wiltshire and Devon. That seems a little beyond an accident. It seems that when people chose to be dominated by the Liberals, their rates are consistently pushed up out of proportion. Quite rightly, the hon. Gentleman has not commented on any one council. Is that on the directions of SLD headquarters? Is that the policy of the SLD or is it the accidental conjunction of many local SLD councillors always coming to the same conclusion that they ought to increase rates?

Mr. Taylor: The one consistent point in the Minister's intervention was contained in the examples of councils that he gave the House, because the previous Conservative administrations were not providing an adequate level of service, and we have been moving in the right direction by increasing services. He mentioned Cambridge. I think he would accept that under us it has pioneered many educational changes and the Government have followed us. One such change is in local financial control.

Mr. Deputy Speaker (Mr. Harold Walker): Order. Hon. Members should not pass between the Chair and the Member who is addressing the House.

Mr. Taylor: Perhaps I should return to the essence of my speech.

Mr. Fatchett *rose*——

Mr. Deputy Speaker: Order. The hon. Gentleman is not giving way.

Mr. Taylor: Thank you, Mr. Deputy Speaker. Far be it from me to try to get round you even for the sake of hon. Members sitting behind me.

A relevant part of these figures is that the aggregate Exchequer grant has fallen from 46·2 per cent. in 1988-89 to 43·3 per cent. in 1989-90. That cut is partly as a result of the transfer of the funding of polytechnics. However, even after that adjustment, central Government support to ratepayers continues to decrease from the 1979-80 level of 61 per cent. That is another reason for many of the higher-than-inflation rate increases that the Minister likes to mention.

According to local authority representatives on the joint local authorities-central Government expenditure groups, the Government expenditure provision is inadequate by about £1 billion, and that figure is merely to maintain current levels of service, not to improve them. Sadly, as a result local authorities will be forced to increase rates and the Minister will attack them for doing so. The truth is that the responsibility for such rises falls directly on the Minister.

Earlier, I spoke about the costs of introducing the poll tax and said that, by sleight of hand, the 4·8 per cent. increase that local authorities are meant to get included direct provision for the introduction of the poll tax. Since the commencement of that implementation, it has become clear that insufficient finance has been set aside for it. I understand that, in Scotland, £18 million was granted for the introduction of the poll tax, and that costs are now running at about £28 million.

Many councils will have to increase their levels of new technology to meet the poll tax requirements. Birmingham estimates that the hardware will cost £4 million and that the community charge will cost £15 million a year to collect compared with the present figure of £6 million for the collection of rates.

Another example is Harborough district council in Leicestershire. In 1989, its rate support grant was cut by 40 per cent. The Government have contributed £71,000 to setting up a poll tax department, but the council thinks that it will cost an extra £262,000. One of our councils, Adur, has been severely penalised by the arbitrary system of the rate support grant. The leader of that council wrote to the Secretary of State on 10 January. He said:

"Grant for 1989-90 is now set at £59,000 compared with £95,000 for 1988-89. Your promise that Poll Tax implementation costs would be met through the BSG system does not seem to apply to this Council despite a specific grant of £60,000 for 1989-90. The costs of implementation which are likely to easily exceed a quarter of a million pounds will very regrettably have to be passed on to the ratepayer. Could I remind you that in 1983-84 my Council received approximately one million pounds in Block Grants and if any form of fairness were to prevail, then this Council is owed at least five million pounds since that time?"

That shows the inequality in the grant system because Adur council's neighbours, Hove and Worthing—councils of a different political complexion—are to receive grants of £8·131 million and £3·874 million respectively for next year. Adur spends £81 per head, while Hove spends £99, and the figure for Worthing is £77. In effect, £12 million is dished out to Adur's neighbours while Adur is forced to increase its rates to maintain the current level of services. The point that was correctly made by the hon. Member for Eastleigh applies equally in this case. He said that the Government have not acted to help some councils through a difficult time that has arisen because of the Government's policies.

I shall now deal with the supplementary reports for 1985-86 to 1988-89. The announcement on 6 July 1988 to freeze grant entitlements for the years 1985-86 to 1988-89 demonstrates the arbitrary nature of the procedure. I do not want to say any more than that, because I have spoken about this matter before. I plead with the Minister to reconsider. He should set the figures from the time that those councils were asked to report, and not from a time a few weeks before, which none of them could have anticipated.

We should also look at the question of block grants versus specific grants. The Minister has said that bad councils are a rare exception, a caricature rather than characteristic. However, time after time the Government have consistently moved from block grant to specific grant. They are saying that they do not trust local government or councillors. That means that they do not trust local people to make decisions affecting their own areas. Whatever the specific grant may be for—perhaps for introducing the poll tax—it should be given to the local authority, which should be allowed to set its priorities. Local people should be allowed to say what they want to see, and things should not be imposed on them. The Government will not do that because they do not believe

[Mr. Taylor]

in local government but merely in local administration which, given the current restraints that are in force, could be carried out as well by civil servants as by councils.

5.57 pm

Sir George Young (Ealing, Acton): I am sure that all hon. Members would wish to congratulate my hon. Friend the Member for Eastleigh (Sir D. Price) on his speech which made local government both interesting and funny. If it is any consolation to him, Eastleigh's loss of grant is Ealing's gain. Against the background of a generous settlement, the decision by the council to increase by 35 per cent. its domestic rates is almost inexplicable. I shall return to that.

The rate support grant settlement is generous. When my right hon. Friend the Minister started his speech there were just three Opposition Members in the House, so the Benches were hardly seething with indignation about the lack of generosity by the Government. I should like to quote from the article that the hon. Member for Hammersmith (Mr. Soley) prayed in aid when he sought to portray this settlement as unreasonable. It is a quote from an article by Tony Travers in the *Local Government Chronicle* of 13 January. It says:

"The Government has, both in terms of expenditure and grant, ended the 1980s in a far more generous mood than it started."

Talking about inflation, Mr. Travers says:

"If authorities budget for 7% inflation, with no change in balances, average rate increases would be closer to 6%-7%."

That is a long way adrift of the 35 per cent. that my constituents are facing on the assumptions put forward by Mr. Travers. I hope that the hon. Member for Hammersmith will not try to defend the rate rise in Ealing.

Mr. Bernie Grant (Tottenham) *rose*——

Sir George Young: I shall develop my argument a little and then I shall give way.

For two reasons it is important to have a fair settlement. First, it enables central Government to look local government squarely in the eye and say, "We have provided a realistic settlement in the interests of sensible rate increases. Will you now please play your part?" Of course such a posture is less credible if the settlement is ungenerous or unrealistic.

Secondly, I hope that this settlement marks the beginning of a better relationship between local government and central Government. Pressure has been put on that relationship during the past ten years. The responsibility rests mainly on a small number of local authorities which broke through unilaterally the conventions that had governed local government for many decades. As with the trade union movement, there is now an outbreak of realism and a new mood within local government. Central Government can now respond to that new mood and try to build bridges. The appointment of both my right hon. Friend the Minister of State and my hon. Friend the Under-Secretary of State has been warmly welcomed within local government and I hope that that marks the beginning of an improvement in relationships with local government generally.

May I now turn to the specific position of Ealing and quote from the article to which I referred earlier in which Tony Travers said:

"A significant shift of grant from the counties to London, particularly to the non central inner boroughs, will be seen in 1989-90. This pattern is a repeat of earlier years."

Ealing is a non-inner London borough. In 1989-90, Ealing will receive £72·9 million of block grant, an increase of £8 million or 11 per cent. over 1987-88, after taking account of the adjustment for polytechnics. The GREA increases for Ealing are 9·7 per cent., so a greater proportion of local needs will be met in grant next year than in the current year. Ealing is also receiving an extra £2·8 million from the supplementary reports.

Against that background, it has been reliably estimated that Ealing needs only increase its local rate by about 3 per cent. next year, following a reduction of almost 25 per cent. this year as a result of rate capping. That is why my constituents are astonished at the initial decision of the policy committee to increase the rates by 35 per cent. Two years ago, Ealing won the cup for the highest rate increase, 66 per cent. There are slight differences according to the basis that one takes, but, at that time, it was generally recognised that Ealing had the largest rate increase in the country. Its attempt to win the trophy for a second year running was rightly frustrated by the Government's decision to rate-cap it and rescue my constituents. This year, we have a 25 per cent. reduction. It has now crept under the rate-capping wire and has started the rate-making season this year with a figure of 35 per cent. which remains to be confirmed at the council meeting.

The creative accountant has run out of work to do. The accounts in Ealing are as creative as a sandcastle built on the edge of an incoming tide. If we consider the figures for the current year, we see that expenditure was buoyed up by £14 million from balances and £17 million from what are called "Funds" of uncertain pedigree. Even with that, Ealing has overspent by £7 million which means that it approaches next year £38 million short. It was warned last year by the director of finance that it had adopted a high-risk strategy, but it paid no attention.

One might have expected that, with a high level of spending, we would enjoy good services in Ealing. In the light of what was said in the consultation paper on rate support grant settlement, I want to ask my right hon. Friend whether he is satisfied that the Government money that we are voting tonight is securing a good level of services. Paragraph 13 of that document states:

"The Secretary of State considers that these control totals are sufficient for the level of service and efficiency which he considers is appropriate in respect of each service."

One important duty of local authorities is building control to ensure public safety in the construction of new buildings. Building control is self-financing. The fees that one pays to have one's building inspected cover the cost. My constituent, Mr. Morton, of 13 Arlington Road, wants to do some work to his house. He sent off a cheque and asked for building regulation approval and a surveyor to come round. He received a letter from the chief building surveyor, dated 12 December, which stated:

"Due to staff shortage"—

there are now 1,500 more staff than there were when the Tories left office—

"the Council's Building Surveyors are unable to inspect your work."

What is Mr. Morton to do? He cannot run the risk of doing work in breach of the regulations when he has been warned by the council. The chief building surveyor went on to say:

"In the event of a specific contravention being brought to my notice, appropriate action would be taken."

The council is not carrying out its obligations so far as building regulations are concerned and is in effect telling people that they cannot build an extension to their homes.

Mr. Soley: I understand the hon. Gentleman taking the opportunity to knock Ealing council. He is from a different political party and is entitled to do so. However, he should give a fair analysis of the situation. I am glad that he recognises that the decision about rate increases has not yet been made. More importantly, he is now talking about the local authority using money efficiently. He knows that the Government have not answered the question about the use of bed and breakfast accommodation in Ealing and about allowing housing associations to use it profitably for one year. I understand that he supported the decision of Ealing council to try to do a deal with the private sector to provide extra housing. That deal was cancelled by the Government. Let us have both sides of the picture.

Sir George Young: I note that the hon. Gentleman did not seek to defend the action of Ealing council in not carrying out its obligations under building control regulations. I am being asked tonight to vote for rate support grant to fund services in Ealing that are not being provided.

Mr. Gummer: The real issue in Ealing is the competent use of money; it is not a party political issue. If Ealing has this money, why cannot it provide the services that other authorities with less money are able to provide? Is some of that money being used for things which are not necessary and which the ratepayers in Ealing do not wish to fund, particularly if it means that they have to forgo ordinary services? There are few who would wish to fund an investigation into the deprivation of Irish women in Ealing. Most would prefer to see that the building control surveyors did their job.

Sir George Young: My right hon. Friend is right. The Labour party does itself no credit by seeking to defend the indefensible with regard to incompetent Labour authorities. It would do far better if it said, "It is no part of our manifesto to stand behind authorities like Ealing. We wish to see them perform slightly better."

One way in which the council could have saved money is by not writing to my constituent Mrs. Miller. She is a pensioner who does not enjoy good health. She received a final notice and a summons for her rates last November, but she was convinced that she did not owe the money. None the less, she was frightened and borrowed the money and paid. I made some inquiries and, on 13 January, the director of finance wrote to Mrs. Miller. He said:

"You were initially sent a Final Notice and Summons as the Housing Benefit Department made an error in their calculation of rebate which they have subsequently rectified. This means that you are now in credit by £129·04 which will be refunded to you as soon as possible. I apologise for the inconvenience caused in this matter."

Mrs. Miller had a miserable Christmas.

The council is not replying to letters as efficiently as my right hon. Friend no doubt wants. I wrote about Ms. Wright, of 26 Carisbrooke court. I received an answer dated 10 January which stated:

"I apologize for the delay in replying to your enquiry regarding Ms. Wright's application for transfer."

I wrote on 9 September.

The local authority has responsibility for housing benefit. Last year, we introduced transitional help for people who missed out on housing benefit. One of my constituents, Mrs Keating, of 48 Cheriton close, applied to the unit in Glasgow for help; nothing happened. I have here a letter from my hon. Friend the Under-Secretary of State for Social Security, dated 13 January, which states:

"The Transitional Payment Unit received Mrs. Keating's application on 9 August and on 11 August sent an enquiry form to Ealing District Council requesting Housing Benefit details pre and post April 1988. To date the form has not been returned but to avoid further delay the Unit obtained the relevant information by telephone and calculated Mrs. Keating's entitlement."

Mr. Dennis Turner (Wolverhampton, South-East): The hon. Gentleman does his case great harm by quoting these examples when he knows very well that the Government are responsible for the situation. The amendments to the social security legislation in April last year caused untold problems for local government in trying to deal with the backlog of applications. If there are delays, the fault rests fairly and squarely with the Government who made the changes. We urged the Government to face up to the situation in the Social Security Act 1986, but they did not do so and were forced to introduce wholesale amendments in April. It is the Government's fault.

Sir George Young: I have some respect for the hon. Gentleman. However, I hope that he is not defending the action of the London borough of Ealing in not replying to requests from a Department which wants to help a constituent who has had trouble finding rent. We are voting Ealing money tonight to carry out services. It is not carrying out those services and it should be doing that.

The planning department is meant to respond to applications for planning permission within 13 weeks. On 8 December 1988 my hon. Friend the Parliamentary Under-Secretary of State for the Environment published a league table of London boroughs which processed planning applications within 13 weeks. The Labour-controlled borough of Barking and Dagenham processed 90 per cent. within 13 weeks. Good luck to it. Bromley did even better and processed 92 per cent. However, Ealing is right at the bottom of the table. It processed only 9 per cent. of planning applications within the statutory period.

Many of my constituents are trying to buy their homes from the London borough of Ealing. Mrs. Tobin of 92 St. Dunstan's avenue applied to purchase her home last February. Her property was valued in April, but she still has not been told its value. Many of my constituents have found the same problem and cannot buy their homes within the statutory period under legislation passed by this House.

Ealing is taking Mr. William Smith to court. He is 95 years old and house-bound. Everyone has tried to stop Ealing doing that, including Mr. Smith's homehelp, a chief superintendent of police and myself. However, he is still being taken to court although he is completely incapable of leaving the house.

Refuse collection in Ealing over Christmas was an absolute disaster. *The Leader* on 13 January reported:

"Town hall staff were flooded with angry calls when dustmen took a 10-day holiday over Christmas and New Year.

Council officers apologised for the mess outside homes caused by uncollected black sacks and promised to sort out the backlog."

[Sir George Young]

When the Tories left office in Ealing I understand there were about 88 families in bed-and-breakfast accommodation. There are now 1,223. Part of the reason for the increase is Ealing's more generous approach to applications for homelessness. To its credit, it has changed its policy and made it slightly tighter. However, that increased figure poses real problems in terms of planning as more hostels receive planning permission within the borough. Expenditure on bed and breakfast could be reduced sharply if the large number of voids in my constituency were filled.

By citing those examples today, I want to try to explain why people in my constituency are not receiving the service to which they are entitled. I hope that Opposition Members would not defend the level of services in Ealing. I am being asked to vote this evening for another £9 million of taxpayers' money. Obviously my constituents and I would like an assurance that if that increase in money is approved this evening, we will get better services than we have received so far.

Two years ago there was a 66 per cent. rate increase in Ealing. That caused damage within the borough. Employers were less able to invest or pay wage increases because of the higher rates. People had less money to spend in the shops because they had higher rates to pay. People who were thinking of moving to the borough changed their minds. That damage was contained for two reasons. First, at roughly the same time as the rate increase the Budget reduced taxes and to some extent counterbalanced the higher local taxes. Secondly, the Government intervened very promptly in July and announced that for the following year Ealing would be rate capped. People then realised that their problem would be relatively short-lived and they could see some light at the end of the tunnel.

When my hon. Friend the Minister replies, will she tell us what is the timescale for announcements about rate capping or poll tax capping for next year? What are the criteria likely to be? Can my constituents expect some help from the Government so that when the Labour-controlled council—as I fear Labour will still control the council in a year's time—fixes the rates, we will not be exposed to yet another rate increase like this year's and some help will be forthcoming from the Government? When my hon. Friend the Minister replies, I hope that she can shine that ray of hope on my constituents.

6.14 pm

Mr. John Battle (Leeds, West): When the hon. Member for Ealing, Acton (Sir G. Young) opened his remarks, he referred to the Minister's bridge-building task. I support the hon. Gentleman's call for the Minister to adopt a constructive approach to local government.

When I listened to the Minister for Local Government today I got the impression that he is fixed in the oppositional mode in the way that he challenged the policies of the Social and Liberal Democrats and the Labour party. He still seems to be fighting the last general election, if not the one before that.

In his introduction the Minister referred to sensibly run local government as the norm for local authorities. However, his comments seemed to be in the context of a tirade based on the bad practices of some authorities, but aimed generally at all local government. He had a tone of malice in his voice which developed into a regular rant against local government. When the Parliamentary Under-Secretary of State replies I urge her to assure us that, instead of continuing their assault on local government, the Government are really interested in solidly supporting it.

Although the Minister said that sensibly run local government is the norm for local authorities, after this rate support grant settlement, what will happen to the sensibly run local authorities which constitute the norm? There might be some surprises. For example, Leeds has never been rate-capped and the Minister might call it a model of a sensibly run local authority. At this point I would like to pay a brief tribute to the council's retired leader, Councillor George Mudie, who led the city council for the past 10 years. His grasp of local government arithmetic was second to none. I wish his successor, Councillor Jon Trickett, well and congratulate him on reaching that post. However, he is up against it because the Government are stacking the odds against that sensibly run city council.

Deficit financing is an issue which has come before this House within the past 12 months since I have been a Member of this House. By making prudent provision for those proposals, Leeds was caught by the retrospective rules for the financial year 1984-85. Due to a minor technicality in the earmarking of reserves for the financial year 1985-86, the council was again caught by the retrospective rules in that year. All the council did was to transfer £7 million from the general fund to a specific fund. If we consider the transfer of higher education funding, it is clear that within the settlement the grant has been reduced by the full amount of expenditure on the polytechnic in Leeds although Leeds had only received 41 per cent. of that amount in grant.

The figures show clearly that Leeds fares badly in comparison with other local authorities in west Yorkshire and elsewhere. Despite repeated representations to the Department of Education and Science about the unfairness of that matter, the ratepayers of Leeds are being penalised to the tune of £4 million. Reference has been made to metropolitan districts whose spending is equal to or below grant-related expenditure in 1988-89. Solihull was referred to and its spending is 96 per cent. of GREA. Leeds is equal to GREA. In other words, it spends at the Government guidelines. Obviously the council has well interpreted all the tables which the hon. Member for Eastleigh (Sir D. Price) referred us to earlier. It has matched up to the figures it is expected to reach. However, its grant has been reduced from 43 per cent. in 1987-88 to 41 per cent. in 1988-89. In other words, its grant will fall by £7·3 million in 1988-89 even though its rates are the lowest in west Yorkshire.

There must be a deeper strategy behind the Government's policy. It seems that the Government are deliberately forcing up the rates in Leeds because they cannot offer or sell their poll tax proposals as a palliative to high rates because the poll tax will be higher than the rates. In order to disguise the fact that the poll tax will massively increase people's bills, the Government are deliberately forcing up rates. That is a strategy to cushion the introduction of the poll tax. The present cost of living in Leeds under a Labour-controlled authority is much lower than it will be once the poll tax is introduced. Even

the Conservative councillors of Leeds know that and are relieved that there will be no local elections this year in which that view can be challenged.

The Prime Minister took an incredibly backward stance in an interview last year in the *Financial Times*, entitled "Vision 2000". She referred to the great Victorian merchants as models for local authorities. Her vision of local government is that it should go back to the days of the local burghers—centrally selected, power personalities who run local authorities and businesses, who will simply host one dinner a year at which they sit down and share out the tenders for the services that are left, such as sweeping the city streets.

But the Prime Minister's strategy is more vicious than simply handing local authorities over to the burghers and rubbing out locally elected members. The strategy seems to imply an appalling twist for the poor who live in inner cities throughout Britain. If, as the Minister for Local Government says, local taxation depends upon spending according to local needs, local authorities will not be able to compare their circumstances with their neighbours—something to which the hon. Member for Eastleigh referred—because each local authority will have to stand on its own feet, independent of neighbours and the Government. We shall not be able to make real comparisons.

Those areas in which the poor are concentrated will not be able to raise the revenue to support the services that their people need. Are we saying that, because people do not have sufficient income or a part in the booming economy which is so often talked of, they do not deserve basic services such as street cleaning, education for their children and housing? I hope that the Government are not pushing us down that road. It is still worth reflecting upon the fact that 2·5 million people are unemployed and there are high rates of unemployment in many northern towns and cities and in some areas of London. When the Government decide how to change the system and assess local needs, those facts need to be taken into account.

My area has a low-wage economy. Wage rates in west Yorkshire are lower than elsewhere. It is well known that 9·4 million people—40 per cent. of the working population—are on low wages. Conservative Members often suggest that the average wage of £254 per week is a national minimum. I remind them that those on low wages earn well below half that average wage. Therefore, their circumstances need supporting with local services.

Behind the myth of average computation, whether it be of wages or rates, the Government are hiding a policy that reduces local government's ability to respond. I urge the Government not to hide behind the myth of the national average. If they do, the poor will be penalised because local authorities will not be able to raise the revenue for the services that are required.

When local authorities are left to their own resources, local elections will be about whether the people are prepared to finance and support the poor in their areas. "Will you subsidise the poor?" is a question that we can see now appearing on election leaflets. That is a particularly divisive and invidious question which could arise in some areas. I hope that that is not a direction in which the Government are going.

I hope that the Minister can assure us that the Government are not taking the poor in our inner cities out of the national budget so that they no longer figure in the national budget and pushing them back on the local authority, forcing them back on the local parish as seemed to be the suggestion in the interview with the Prime Minister to which I referred earlier. I hope that the local authorities will not be left to sort out whether the poor receive services.

The Government have already laid down in legislation that everybody, regardless of their income or means, must pay at least 20 per cent. of the poll tax. That will hit families on low incomes, pensions and low wages particularly hard. I hope that we are not heading back in the direction of parish relief and ghetto politics.

I seem to recall that on election night the Prime Minister said about the inner cities, "We must get them next time." That hardly came over as a friendly overture. It did not seem to be a statement about rebuilding local communities and local economies. It seemed to be more about mugging local government. The Minister's tone this evening seems to reflect the Prime Minister's real intentions—if she does not like something she will abolish and replace it. That is a far remove from local democracy.

I am sure that the Minister is aware of what Lord Salisbury said in defence of the introduction of local government, because the Widdecombe report on local government sets out why local government was introduced in the first place. Lord Salisbury emphasised that we need strong local government, supported and defended as an essential check to central power. It should be supported in the House publicly by the Minister.

6.27 pm

Mr. Michael Carttiss (Great Yarmouth): I am sure that the hon. Member for Leeds, West (Mr. Battle) will forgive me if I do not follow him down the path towards parish relief and ghetto politics. Equally, I shall not follow my hon. Friend the Member for Ealing, Acton (Sir G. Young) in the interesting details that he has given of one local authority which clearly does not administer its affairs in the interests of the people that it is supposed to serve.

Although my right hon. Friend the Minister for Local Government in his robust opening of the debate talked about good local authorities being the norm, much of what the Government say and do about local authorities tends to lead to the suspicion that they regard the Ealings, Brents and Derbyshires as much more common than they really are. Therefore, I welcome my right hon. Friend's assurance that he knows that the vast majority of councils operate effectively and with good intent.

My right hon. Friend said that the rate support system is not easy to follow. My hon. Friend the Member for Eastleigh (Sir D. Price), in his elegant and witty contribution, surely knocked the last nail in the coffin of the rate support grant.

Unfortunately, right hon. and hon. Friends who have successively occupied the Government Front Bench in the five years that I have been a Member have similarly asserted that the rate support system is unfair and incomprehensible, but it has taken a long time to arrive at a new arrangement. I do not share my right hon. Friend's confidence that next year's revenue support grant will prove to be a much better system. As the interchange between the two Front Benches has indicated, it will still be necessary to identify needs and to measure them.

In my intervention, I drew attention to the current lack of provision in the revenue support grant for meeting the problems of authorities in seaside resorts that have a

[Mr. Michael Carttiss]

coastal protection responsibility. It is no use my right hon. Friend saying that that is a matter for the local authority associations to overcome. I acknowledge that there needs to be greater awareness of the problem. As a member representing a seaside resort, it is a matter of concern to me that the Association of District Councils does not have on its committee examining the new system anyone from a seaside resort. However, I take the point made by my right hon. Friend, in his determination to ensure that all such matters will be carefully examined when the time comes.

When I first spoke in the rates support grants debate five years ago, I drew attention to the system's unfair application to Norfolk county council and its budget. I have been drawing attention to unfairnesses ever since. I have served on delegations to the Department of the Environment, together with other hon. Members and with East Anglia local authority leaders, in trying to secure recognition of the problems of East Anglia's rural shire counties.

Even when I was a county councillor, and my right hon. Friend the Member for Henley (Mr. Heseltine) occupied the hot seat at the Department of the Environment, I was assured that everything would work out eventually. We are hearing the same story from the Government Front Bench today. I look forward to the fresh new approach that my hon. Friend the Under-Secretary of State for the Environment will undoubtedly bring to her Department, and to receiving from her the reassurance I have received before—but I hope that, this time, it will mean something.

The fact that individual authorities' block grant entitlement is no longer linked to expenditure, and that therefore, like every other authority, Norfolk will not lose £1 for every £1 it spends above the Government's figure, is welcome. However, the spending assumptions underlying this year's RSG are inadequate, and give rise to unrealistic expectations about rate increases. It is one thing to appear to penalise low-spending authorities, but it is another to keep ramming down their throats that if they do not keep their rate rises down to an average of 2 per cent., and certainly below 5 per cent., they are in some way guilty of mismanagement and of failing to adopt proper measures, such as competitive tendering.

As loyal Tories, we can put up with some of the Department of the Environment's current aberrations under my right hon. Friends, but when we are told, having been offered an inadequate rate support grant, that we should keep our rates down to an average of 2 per cent., that is really galling, and I can tell my right hon. and hon. Friends that it goes down very badly.

Nationally, total local government expenditure provision of £27,669 million is only 3·2 per cent. above local authority budgets for 1988-89. My right hon. Friend wrote to Norfolk county council on 9 January, and I know that he has written to others in a similar vein. In his letter he comments:

> "I know Norfolk has a good record as a low spending authority, and I am sure ratepayers appreciate their rates being held down. If Norfolk spends in line with the settlement provision the county precept need rise by no more than about 5 per cent."

The hon. Member for Truro (Mr. Taylor) pointed out that the Government's figure does not take into account various other matters. I refer, for example, to the settlement for council manual workers of about 5 or 6 per cent. The hon. Member for Truro pointed out also that my right hon. Friend the Secretary of State for Education and Science intimated to the teachers' pay advisory committee that it ought to work to a figure of 5·1 per cent. Teachers' salaries represent a significant proportion of county council expenditure. There is also an argument about what inflation will prove to be.

When my right hon. Friend the Minister for Local Government wrote to Norfolk county council saying it should not need to increase rates by more than 5 per cent., he failed to take account of one further factor. My hon. Friend the Under-Secretary of State for the Environment will be familiar with the case of Cakebread v. Severn-Trent water authority which, on appeal, changed the rating of sewage works. That affected many local authorities, and its impact on Norfolk county council was to add £2 million to this year's budget—a 1 per cent. increase in the precept without any changes being made in the level of service. My right hon. Friend totally ignores such considerations when he says that average rate increases should not exceed 5 per cent. in Norfolk.

If Norfolk county council is to observe a 5 per cent. limit, it will have to cut back on services. When I was its deputy leader, my colleagues and I were widely and, on reflection, perhaps justifiably, criticised for being parsimonious. That may be why the SDP made such advances in the elections four years ago—which, despite the rate support grant settlement, we shall soon reverse.

Mr. Matthew Taylor: I shall not dispute with the hon. Gentleman the election's outcome, because the electorate will decide that in May. However, I agree with him about the difficulties encountered by councils that have been sensible and low spending over a long period. I raised with the Minister the question of Cornwall's education spending, which was held down because that is what Cornwall was told to do. However, now that Cornwall needs to invest in capital and other expenditure, it is not permitted to do so, and is attacked for increasing rates to cover the extra costs.

Mr. Carttiss: I take the hon. Gentleman's point. Norfolk county council, with a precept for 1988-89 of 190·9 pence, is the lowest rated authority in England, other than Hereford and Worcestershire. We heard earlier that Derbyshire's precept is 297·5p. Only one other English county has a precept lower than Norfolk's figure of 190·9p, yet my right hon. Friend, in writing to Norfolk county council, tells it to keep its rate rise to below 5 per cent. That just is not realistic.

Grant entitlements are no longer linked to expenditure and that is welcomed, but we now have the famous "relevant spending" figure. The Government have said what they think a county council's relevant expenditure should be, and the figure for Norfolk is £300 million—£34 million below the old grant-related expenditure.

I wish to make two general points, applicable to all local government, about an issue mentioned by the hon. Member for Leeds, West with particular reference to Leeds. Instead of reducing relevant expenditure by the cost of advanced further education, which has now been transferred from local government expenditure, the Secretary of State has reduced the block grant by the gross cost.

That has two major implications. First, overall rate poundages will be unaffected by the transfer; ratepayers,

however, will still, in effect, be funding AFE, despite having no responsibility for that expenditure. So much for local accountability, by which my right hon. Friend the Secretary of State has set such store, particularly when arguing for the community charge as a replacement for the rating system. Local authority associations have rightly argued that ratepayers should see the financial benefits of the transfer of services away from local authority responsibility.

The second implication of the transfer of AFE is this. Some education authorities receive no block grant at all. I am open to correction, but I believe that—besides ILEA—that is true of Hertfordshire, Oxfordshire and Surrey, the county of my hon. Friend the Under-Secretary. That means that, to extract from local government generally the full cost of AFE, £91 million must be taken from local education authorities that receive block grant—which again hits Norfolk.

There has been a further 1 per cent. fall in the county council's share of grant while, ironically, they are contributing £166 million towards safety nets to limit the loss of grant to others. That figure represents 4·7p of Norfolk county council's precept. Again, the proportion of rate support grant taken up by specific and supplementary grants has increased. Not only do such grants, based solely on expenditure, disadvantage prudent authorities, but as they reduce the amount of block grant available for distribution, authorities' choice of priorities is further restricted.

There are four new grants for 1989-90. Specific and supplementary grants now represent 29·4 per cent. of the total Government RSG, compared with 25·9 per cent. of the total in 1988-89. In 1981-82 the proportion of RSG covered by specific and supplementary grant was 13·3 per cent.

The burden of my complaint on behalf of Norfolk ratepayers is that—as has already been recognised many times—the system is not only capricious, but positively works against prudent authorities such as Eastleigh which just happen to be under Conservative control. My hon. Friend the Member for Ealing, Acton pointed out that Opposition Members were not seething: that is because they have not done too badly out of the system.

Of course my right hon. Friend is quite impartial about whom he penalises. Perhaps one of the worst-hit authorities in Norfolk is represented by my right hon. Friend the Minister of Agriculture, Fisheries and Food. South Norfolk district council has suffered far more than any other Norfolk authority. I mention that not on behalf of my right hon. Friend or the constituents whom he has represented so effectively and efficiently for so many years, but to illustrate the way in which low-spending authorities are penalised by the system. The neighbouring authority—high-spending, overwhelmingly Socialist-controlled Norwich city council—benefits, but South Norfolk district council's grant has gone down by £134,000, or 13·5 per cent. In other Norfolk districts the RSG has produced results ranging from gains of nearly 16 per cent. to losses of about 7·5 per cent.

In the period from 1985-86 to 1989-90, Norwich's RSG gain has been some 18 per cent.; South Norfolk's loss in the same period has been some 30 per cent. Broadland, represented by my hon. Friend the Member for Norwich, North (Mr. Thompson) and my hon. Friend the Member for Mid-Norfolk (Mr. Ryder)—Parliamentary Secretary to the Ministry of Agriculture, Fisheries and Food—has had a cut: it will receive £993,000 in grant this year, and my hon. Friends have both expressed concern about that. As the two constituencies were once part of the Great Yarmouth constituency, I too know something about them.

My right hon. Friend the Minister for Local Government told the Broadland authority that, although its settlement was not as good as it might have been—he acknowledged that it was disappointing—

> "The 1989-90 settlement concentrates on provision for key services such as police. This benefits counties rather than districts."

Let us hope that Norfolk county council's request for 50 extra policemen will receive a better reception at the Home Office than it has received before, given that—apart from the Thames Valley—it has the lowest number of police officers per thousand members of the population.

The Minister went on:

> "In addition, there have been substantial increases in local authorities' assessed need to spend. Grant is distributed on the basis of common principles and this change benefits areas with higher assessed needs, such as Norwich, to a greater extent than those with lower needs."

That is fair enough. My right hon. Friend the Minister believes that the settlement does not deliberately favour high-spending authorities. He says that block grant is distributed on the basis of needs, and high-spending authorities may nevertheless have high needs. I recognise the validity of his point. However, low-spending, rural shire counties also have needs.

The notion that only those who live in major urban conurbations have needs that the Government must recognise and that there is no such thing as rural deprivation can be believed only in Whitehall. It takes a long time to get through to Whitehall. I am surprised that my right hon. Friend the Minister for Local Government has not recognised that. Although he represents a fairly wealthy part of Suffolk, he must know that some rural areas have different needs but still demand Government and local authority attention. Although higher-spending authorities, which often turn out to be Labour-controlled, have higher needs that the Government rightly recognise, those needs should not be met at the expense of lower-spending rural authorities.

I have raised matters referring to a number of districts with which I am not directly involved to illustrate the continued unfair application of the system and to strike the note that I remain to be convinced that next year I shall be able to make a different speech from the one I have just made.

Finally, in my constituency of Great Yarmouth, the Conservative party kept the borough council rate at the same level for five years. The reward for the effective management of local affairs by the Conservatives was that in 1987-88 the rate support grant for the current year was cut by 12·13 per cent. I do not expect my right hon. Friend to defend the fact that in 1987-88 a Conservative administration received a cut of 12·13 per cent. Not surprisingly, last May the Conservatives lost control of the council. This year my right hon. Friend the Secretary of State, in the 1989-90 settlement, rewarded them with a 16 per cent. increase in rate support grant. I am grateful to the Government for finally recognising the needs of Great Yarmouth to the extent of increasing the RSG from last year's figure of £2,635 million to £3,059 million for 1989-90. As it has taken a local election and a change of control to bring about that result, I wonder what message

[Mr. Carttiss]

my right hon. Friend wants to give the constituents whom I represent. If we win back control in a year's time, will there be a cut in our rate support grant?

I am most grateful to my right hon. Friend for increasing the borough council RSG this year, regardless of what party is in power, because it helps the ratepayers. Unfortunately, although the borough rate is 25p in the pound, the county rate is 190p in the pound. The second lowest-spending county council needs greater support within the RSG settlement than my right hon. Friend has been able to deliver.

6.56 pm

Mr. Tony Banks (Newham, North-West): I enjoyed the speech of the hon. Member for Great Yarmouth (Mr. Carttiss) in which he defended his local authority. I was glad to hear a Conservative Member defending a local authority that is not controlled by his own party. I only wish that a few other Conservative Members were as ready to defend their Labour-controlled local authorities as the hon. Gentleman has just done. I have heard the hon. Gentleman speak on this subject before. Once again he has underlined the lunacies of Government policy on local authority finance.

Before I talk about the rate support grant settlement as it affects London boroughs, I must say something directly to the Minister. Frankly, I much regretted his personal attack on an elected Lambeth councillor concerning rent arrears. I do not know who that councillor is, and I do not particularly wish to hear the details. The attack was snide and vulgar and it was not fitting for a Minister of the Crown to make such an attack from the Dispatch Box. It is difficult enough being an elected local councillor these days whichever party one represents, but to have one's personal affairs dragged through the House of Commons serves no purpose whatsoever other than to lower the Minister in the eyes of the House, and certainly in the opinion of the Opposition. We could have mentioned the names of Conservative councillors who, for various reasons, have got themselves into difficulties over loans, rate arrears with their local authorities or far more serious matters involving criminal proceedings. However, we consider ourselves to be honourable, and although we could join in that particular dirty little battle, we do not intend to do so. If the Minister wants to call my bluff with regard to names, I shall be happy to speak to him outside and tell him precisely to whom I am referring. It ill behoves Ministers to question the financial probity of other elected representatives. That is a dangerous game which could involve hon. Members.

Mr. Gummer: I am sure that the hon. Gentleman is perfectly justified and right to condemn any personal attack. I repeat that I sought to suggest that it is important for all local councillors to be concerned with collecting rents. When there are very large rent arrears in a number of London boroughs but there are no large rent arrears in many Labour-controlled councils elsewhere, it seems reasonable to ask why the Opposition were not prepared to support my call for leadership by local councillors in making sure that they did not have rent arrears. I noted that the Opposition refused to say that they were opposed to that situation, but I was happy wholly to condemn any improper behaviour of the sort that the hon. Gentleman outlined. That is the difference between the two sides of the House. I condemn such behaviour by either side, but the Opposition refuse to do that.

Mr. Banks: I do not accept that. In principle, of course we agree with the Minister, but the Minister did not leave the matter in general terms. The Minister was very particular. He all but named a councillor. It would not take a great deal of sleuthing around to work out to whom the Minister was referring. He mentioned the position that that councillor held and the particular local authority. The Minister mentioned a particular case. We cannot go along with personal attacks of that nature, although in broad terms of course we agree that councillors should take the lead and ensure that their own positions are beyond reproach. That should also be true for hon. Members, although we know that some hon. Members fall rather short of those standards. It is wrong to use individual cases.

I do not know the personal circumstances of the councillor to whom the Minister referred, nor I suspect does the Minister. It is quite wrong for one to drag an individual's personal affairs through this place unless one possesses the facts, which I do not, and I am damned sure that the Minister does not either. That is why we object so strongly to the Minister's approach.

As chairman of the London group of Labour Members, I have pushed my local authority, the London borough of Newham, in an endeavour to make sure that it does something about the level of rent arrears. We are as enthusiastic to make sure that the affairs of Labour local authorities are well run as the Minister wants us to be. Indeed, we may be more enthusiastic because we do not want the Minister to have at his disposal cheap debating points on occasions such as this.

The problems of inner London boroughs are like those of no other borough in this country. This is the capital city. That makes it different, and the amount of population turnover is a factor which only hon. Members who represent London constituencies can fully appreciate.

London local authorities achieved in the last financial year a welcome reduction in rent arrears. The Minister knows that and he has acknowledged the fact. But all that work was undone at a stroke when the Government changed the regime on housing benefit. By cutting £650 million from housing benefit, about one million people were taken out of the system. It is not surprising now that the most recent survey by the Association of Municipal Authorities showed that the average increase in rent arrears in council properties had gone up by 37·5 per cent. since April. That is the direct responsibility of the Government because of the change in the housing benefit regime and the requirement that everyone shall pay 20 per cent. of the rate.

We are talking about some of the poorest people in Britain. It is not surprising that the incidence of rent arrears within that population is high, and a little more understanding on the part of Conservative Members and a little less willingness to jump in with two boots would be greatly appreciated on that score.

I come to the rate support grant settlement for 1989-90 as we see it affecting Labour local authorities in London. We believe that the RSG settlement shows that the Government have failed to recognise the pressing demands

facing local authorities in the capital city and the financial constraints and difficulties that they face, some of which I have mentioned.

The Government's apparent objective of stability in the settlement must be constrasted with the increasingly difficult task confonting London local authorities to provide a satisfactory level of service to some of the most deprived communities in the country. I remind the House that the three most deprived local authority areas in England and Wales happen to be the three East End boroughs of Hackney, Newham and Tower Hamlets.

The Association of London Authorities recognises that the settlement is the result of the Government's desire to close down the present discredited rate support grant system. But responsibility for the unfairness and inadequacies of the system must be laid directly at the door of the Government. Through constant change in the basic rules of the system, the use of grant-related expenditure assessments as prescriptive spending levels rather than as a means to distribute grant, spending targets and rate-capping to control in detail local expenditure decisions, and the withdrawal of huge sums of grant, the Government have attempted to thwart the aspirations of democratically elected local councils to provide good quality, responsive services for the communities they serve.

The settlement fails to take any serious account of the particular difficulties facing many local authorities in London. These include, first, the economic and social problems in inner-city areas resulting from deprivation and poverty; secondly, an infrastructure requiring immense sums for rehabilitation and renewal; thirdly, the difficulties of coping with the consequences of legislation such as poll tax implementation, the transfer of education in inner London, privatisation, housing changes and care in the community; fourthly, the difficulties of recruiting and retaining staff; and, fifthly, the inadequate resources of local authorities following cuts in grant and the use of rate-capping.

The 1989-90 settlement is based on current expenditure by local authorities of £29·14 billion. The Association of London Authorities believes that this level of provision is completely inadequate. Although it sounds, and is, a great deal of money, the Government have claimed—I heard the Minister say it—that it represents an increase of 4·8 per cent. on 1988-89 budgets. But the increase allowed is well below the level of inflation in the economy as a whole and the likely rise in local authority costs.

The best indication of the level of spending required in 1988-90 to maintain services comes from the expenditure working groups, which are composed of civil servants and local authority officials. They suggest that expenditure of about £30·2 billion is necessary, though it should be noted that these estimates were based on inflation forecasts calculated in March 1988.

The expenditure provision in the consultation paper implies cuts of 3·5 per cent. compared with the assessment of the expenditure groups. So the basis of the proposed settlement rests on flawed foundations. Again, those local authorities which are not the subject of rate-capping will face difficult choices between rate increases above inflation or cuts in essential local services.

The level of grant for 1989-90 is also completely inadequate. Although no doubt the Government will present the settlement as resulting in an increase in grant in excess of £1 billion, this is due not to any generosity on the part of the Government but to the decision to close down the rate support grant system, which means an end to grant holdback.

The proposed level of grant represents yet a further cut in the proportion of local spending met by grant—from 46·2 per cent. in the 1988-89 settlement to 43·3 per cent. in this settlement. If the grant proportion had remained at the 1988-89 settlement level, the grant total would be about £897 million higher than the Government propose. Comparisons with the levels of grant which applied in 1978-79 show that the shortfall in 1989-90 will be in excess of £5 billion and that the cumulative shortfall is over £28 billion.

If one wants a reason for the increases in rates that led us to rate-capping, one need only consider the amount of clawback that the Government have imposed on rate support rant settlements. That is the key. One does not have to be a philosopher or even understand the nuts and bolts of local authority finance to realise that. If the Government keep taking money away from local government, that imposes more burdens on local ratepayers if the elected local authority wants to sustain, let alone enhance, the level of services to the local community.

That is where the crisis in local government originated. That crisis was engineered by the Government and, as is often the case, they engineer a crisis and later say that they have the solution—and the solution is to impose draconian financial measures on elected local authorities. That is why we are so annoyed, angry, distrustful and disturbed about the way in which the Government still attack and approach local authorities—as though they were the enemies within. It is about time that the House, including Conservative Members—and there are a few of them—stood up and defended the system of elected local authorities in Britain, instead of continually denigrating authorities and treating them as though they were aliens from outer space with no part to play in the democratic system.

A major concern to the ALA and London local authorities is the Government's decision to continue with rate-capping in 1989-90. Again, London authorities will bear the brunt of rate limitation. Of the eight authorities designated for rate limitation next year, all but one are in London. They are Camden, Greenwich, Hackney, Lewisham, Southwark, Tower Hamlets and the Inner London education authority. The concentration of rate limitation on London authorities is a consequence of the inadequacies of grant-related expenditure assessments for London authorities and a continuing failure by the Government to realise the unique problems of the capital city and of the local authorities in that city.

The Minister must recognise that. I appreciate that he is new to the job. Unfortunately, the Government are continually changing the faces of Department of the Environment Ministers at the Dispatch Box. That enables them and Conservative Members generally to continue to blame somebody else, as did the hon. Member for Great Yarmouth. They say, "I appreciate that this is not the responsibility of the new Minister, because it was begun by the Minister who went before."

The Government keep changing them round. They are like ducks at the fairground. We stand there and they keep coming round and no matter how much we pop them down, more keep popping up. They keep changing the names and trying to transfer the blame, but this is a

[Mr. Banks]

collective decision and the present Minister is as responsible for the policies that he has inherited as he will be for the mistakes that he will undoubtedly make.

Mr. Gummer: I thank the hon. Gentleman for allowing me to pop up; no doubt he will attempt to shoot me down. I was previously the hon. Member for Lewisham, West and had considerable respect for the idea that he is advancing. Do features of London authorities give credence to what the hon. Gentleman says? Until I considered the matter carefully I did not understand that the problem with most London authorities is that they are unbelieveably more incompetent than most authorities elsewhere. They must become more competent before the hon. Gentleman's suggestion can be taken more seriously. I beg him to try to encourage his friends to run their affairs more sensibly so that those of us who are on their side can find more money for them. Unless the hon. Gentleman is able to do that, more money will not be given to people who cannot run their show properly.

Mr. Banks: The Minister has missed the point about the unique problems of London. I should like to know how close his association with Lewisham has been over the years. One needs to understand the problems of London, which have become worse. The Government's social and economic problems have exacerbated the problems of inner-city areas. The problems of unemployment, social deprivation and others are concentrated in London as in no other area.

I assure the Minister that Labour Members are devoted to the idea of efficient local government—especially efficient Labour-controlled local government. I say to my colleagues who run London authorities that unless we can show that a Socialist-controlled authority is better at running the affairs of the local community we cannot expect people to vote for us; they will vote for the Tory party. I therefore do not need any lessons or encouragement from the Minister. He must accept that we are doing our best, given the scale of the problems.

Mr. Soley: My hon. Friend is right, but the matter must be put into perspective. The Minister and his hon. Friends were making great play of Ealing council. I have done some checking and discovered that Ealing's rates are lower than some Conservative-controlled authorities, including Harrow, Enfield and Barnet. Perhaps the Government should look more carefully at their own efficiency.

Mr. Gummer: That is because of rate-capping.

Mr. Soley: No, it is not because of rate-capping.

Mr. Banks: We must also consider the level and quality of services being provided. Conservative Members are too willing to accept that efficiency equals running down services to the point where, as a charge on revenue, they almost disappear. One must try to balance the optimum level of efficiency of services with a charge acceptable to ratepayers. To demand high rates for the sake of it is ridiculous, but to say that rates have no relationship to the level of services for which they are supposed to pay misses the central argument. The task of local authorities is to provide efficient services for their communities, compatible with a reasonable charge for rates.

The level of rates is largely determined by Government policy. If the Government keep removing rate support grant—they have taken a cumulative £28 billion of rate support grant from local authorities—it is not surprising that in trying to defend and enhance services, Labour-controlled and some Conservative-controlled local authorities have increased rates. We should speak of not only rate levels but the efficiency of services.

Mr. Gummer: This is an important argument, and it is a matter about which the hon. Gentleman and I care very much. My hon. Friend the Member for Ealing, North (Mr. Greenway) said that, although I have significantly increased Ealing council's grant, it wants to increase its rates more than independent people suggest is necessary. I wax loud about Brent because it is so inefficient and because the people who most need its help suffer. We should be concerned about that problem, which is why I want the hon. Gentleman to persuade Brent to be competent. When it is, it will deserve help from all of us.

Mr. Banks: The Minister will receive as much assistance from me as he requires to make local government in London as efficient as possible. I expect him to give sympathetic consideration to the problems of boroughs such as Brent and Lambeth. The racial mix in those boroughs is different from that in the majority of Conservative Members' constituencies. Until the Government understand that, they will not begin to understand the problems of Brent and Lambeth.

I give the Minister an open invitation. I will go with him to Brent and we will sit down with its officers, elected councillors and Labour party local government spokesmen—*[Interruption]* I am happy to go with my hon. Friend the Member for Hammersmith (Mr. Soley). We shall try to forge a partnership that recognises the problems of Brent and, so far as is possible, the constraints of Government policy to see how we can make progress. We have constantly said that we are prepared to sit down even with the devil—the Secretary of State for the Environment—provided that he will approach the problems of local authorities in London constructively and in a conciliatory fashion and not attack them, as the Minister did in his speech. Conservative Members attack local authorities in London as though they were put there by an alien civilisation. We object to that and it is the reason for much confrontation in local government in London.

There have been many Environment Ministers, but we at the London borough of Newham have always asked whether they would like to come and see how our borough operates. We should be delighted to see the Minister, and we shall listen to him provided he listens to us. That is the prescription for progress in local government.

7.17 pm

Mr. Patrick McLoughlin (Derbyshire, West): It is always interesting to follow the hon. Member for Newham, North-West (Mr. Banks). I thought that he was on shaky ground because in one part of his speech he was obviously reading verbatim from a prepared text. Had it not been for interventions, his speech would have been much shorter. He is usually one of the wittier speakers, but the prize for that in this debate should go to my hon. Friend the Member for Eastleigh (Sir D. Price).

When debating rates and rate support levels, the argument tends to be polarised on London boroughs, as though everything happens there and there are no bad councils outside London. I can give numerous stories about percentage increases. One of the funniest letters that I received last year was from a parish councillor who demanded that I call on the Secretary of State to rate-cap the parish council because it was about to increase its rate by 100 per cent. I thought that that was a slight exaggeration. The council intended to increase its rates from 1p to 2p, so I decided not to take the matter any further.

I wish to speak of the Derbyshire Dales district council —which covers the area that I represent—and Derbyshire county council. Last year, the district council and I made representations to my right hon. Friend the Minister about the settlement for Derbyshire Dales district council—and I did so again this year. I am glad to see that in the revised figures we have come off slightly better and that the points made by myself and the district council were eventually taken up by the Minister. We must remember that of the total rate levied in a county the district council levies only a small amount. In Derbyshire, over the past year, the amount has been getting smaller. In 1981-82, the district rate was 11 per cent. of the total rate bill. This year it is 8 per cent. One reason for that is the way in which the county council rate has increased so drastically.

The same is true in another part of my consituency—Amber Valley—which, for the first time, has a Conservative-controlled council. We enjoyed exceptionally good results in this year's local elections in Derbyshire. We won control of Derby city council for the first time in about eight years and we won Amber Valley district council for the first time. That augurs well for the future. I wish to talk about the record of rate rises since the Labour party took control of Derbyshire county council. We should draw some conclusions from this interesting set of figures.

Labour's first rate rise was in 1982-83, with an increase of 25·2 per cent. In 1983-84 it increased the rate by 12·2 per cent. and in 1984·85 it increased by 13·1 per cent. However, in 1985-86 it increased the rate by just 4·8 per cent. Only the most cynical would say that that had anything to do with the fact that the council was standing for election that year. I should not be so cynical as that.

In 1986-87, after the election, the council got back on track and increased the rate by the largest amount ever —25·9 per cent. It increased the rate by 48p to make up for the previous year. In 1987-88 it increased the rate by 12·4 per cent. Last year it increased the rate by 13·5 per cent., which does not sound too bad in the context of Labour authorities. It is not bad if it is 13·5 per cent. of 5p or 6p. However, 13·5 per cent. of 262p means a rate increase for my constituents and all those in Derbyshire of 35·5p in the pound.

Mr. Soley: I wish to help the hon. Member for Derbyshire, West (Mr. McLoughlin) with his argument. During the period of Conservative control in his local authority there was an increase in the rate of 168 per cent. However—this is the interesting point—expenditure rose by only 78 per cent. Does not the hon. Gentleman want to take the Minister to task? His local authority increased expenditure by only 78 per cent. over seven or eight years of both Labour and Conservative control. Yet suddenly he is whacked with this enormous 168 per cent. increase—most of which came from Conservative, not Labour councils—because of his Minister's rate support grant distribution.

Mr. McLoughlin: I am interested in what the hon. Member for Hammersmith (Mr. Soley) has to say. I am surprised that he has come armed with facts about Derbyshire county council. Perhaps he feels vulnerable. I shall deal with the point that he raised.

Since the Labour party has controlled the council—it set its first budget in 1982—we have seen an increase of 186·5p in the rate, that is, 168 per cent. Derbyshire county council is now the highest-rated county in the country, in figures only. Not many people who live in Derbyshire consider the council to be number one. It is important to put that into context. Why have Derbyshire's rates increased by so much? We should look at neighbouring local authorities. I know a little about Staffordshire because I served for some time on Staffordshire county council. The Conservatives on Staffordshire county council want to make a few changes when they win the election in May. In 1981 Staffordshire and Derbyshire were controlled by the Conservatives. Staffordshire has a population of just over 1 million and an area of 271,000 hectares. Derbyshire has a population of 916,000 and an area of 263,000 hectares. They both have cities—Derby and Stoke-on-Trent—so they make good comparisons. They also appear together in the Audit Commission cluster.

In 1981-82 Derbyshire county council's rate was 111p and Staffordshire county council's rate was 112·5p. Staffordshire county council's rate today is 215p, yet Derbyshire county council's rate is a staggering 297p.

Mr. Soley *rose*——

Mr. McLoughlin: I must get on because there is much that I want to say. I am sure that the hon. Gentleman will have a chance to make further points later.

One of the difficulties of the present system is that it is difficult to explain to people how the figures reflect the money in their pocket. For the average house in Derbyshire with a rateable value of £150 the rates would be £446·25. In Staffordshire the rates for a similar house would be £325·50—a difference of £120·75. A house with a rateable value of £200 would have to pay rates of £595 in Derbyshire and £430 in Staffordshire—a difference of £160 or £3 a week. I am a little fed up with the Labour party telling me about the poor, the neglected and those who cannot cope when it continues to support local authorities which levy high rates and have high spending.

Mr. Bernie Grant (Tottenham) *rose*——

Mr. McLoughlin: I must make some progress.

In 1981-82 Derbyshire was 30th out of 39 shire counties in its rate level. Today it is first. It levies the highest rates in the country.

Mr. Grant: Does the hon. Gentleman know the amount of rate support grant withheld from Derbyshire and Staffordshire by the Government? We want to get the figures right.

Mr. McLoughlin: Perhaps my right hon. Friend the Minister will help on that. The Labour party might complain about the way in which local authorities have been treated, but they have all been treated in the same way. If that is not so, perhaps my right hon. Friend the

[Mr. McLoughlin]

Minister will tell me whether a special Act of Parliament has been rushed through without anyone knowing about it. It would probably be called the Rate Support Grant (Derbyshire) Act, but I do not know of such an Act. I have checked with the Library and I understand that Derbyshire county council has been treated in the same way as every other county council in the country. If the hon. Member for Hammersmith is saying that it has been treated unfairly, the same must apply to every other county council.

Mr. Gummer: My hon. Friend is making perfectly reasonable comparisons. He is doing precisely what he has been asked to do. He is being polite about some of the marginally better Labour councils and comparing them with his council, which is one of the worst. He has the disadvantage of seeing all that is bad about Labour councils within his own council. It ill behoves the hon. Member for Tottenham (Mr. Grant) to interrupt my hon. Friend when he is merely comparing Derbyshire with other councils, all of which have been subject to the same system. The difficulty with the present system is that the Government cannot say, "We will do a little better with that council because it is a good council". One cannot make such distinctions. Mr. Bookbinder in Derbyshire runs a thoroughly bad council.

Mr. McLoughlin: I am grateful to my right hon. Friend.

Mr. Bernie Grant *rose*——

Mr. McLoughlin: I have given way enough. The hon. Gentleman has not been in the debate for long.

My right hon. Friend referred in his opening speech to a survey that the county council carried out about libraries. I wanted to look at the county council's record on the library service, so I turned to the public library statistics in the *County Councils Gazette*, which was published last October. It provided several interesting facts. In Derbyshire, it was estimated that there were 1,769,371 books on 1 April 1988. It cost £8,647 per 1,000 people in Derbyshire to administer that service. Staffordshire county council has 2,743,906 books, yet it cost £6,413 per 1,000 people to administer the service. In other words, it cost £2,000 more to administer 30 per cent. fewer books. The hon. Member for Newham, North-West talked about efficiency in local authorities and said that he wanted to see efficiency. Is it efficient that it costs £2,000 more per 1,000 of population to administer 30 per cent. fewer books? That kind of efficiency is lost on me and on my hon. Friends.

Mr. Pat Wall (Bradford, North): Will the hon. Gentleman give way?

Mr. McLoughlin: No, I will not give way. I took my figures, as I have said, from the *County Councils Gazette* in 1988.

I wish to make another comparison. On 7 November, my hon. Friend the Parliamentary Under-Secretary of State answered a question about the number of people employed by county councils. In 1979, Derbyshire employed 35,835 people. In 1988, it employed 44,145 people—an increase of 8,310, so that the hon. Member for Hammersmith can get it right. Why has Derbyshire had the highest increase in staff in the country? I shall be fair and take the example of Durham. Are all Labour councils like Derbyshire county council or have we a special council? I would not mind if Labour Members said that Derbyshire was a one-off. However, in Durham 24,807 people were employed in 1977; in 1988, the figure was 23,927. That shows that even Labour-controlled councils can reduce their staff. I must give them the credit that some of them reduce their staff—unless one happens to be in Derbyshire.

Mr. Soley: Will the hon. Gentleman give way?

Mr. McLoughlin: No, I will not.

I should have thought that I had given an ideal opportunity for a Labour Front Bench spokesman to say that Derbyshire is a bit special and not wholeheartedly supported by the Labour party, but I suppose that that would be difficult. I live in Matlock, in my constituency, and in my local press last week there was an article about a letter from the Leader of the Opposition. He sent greetings and messages to Derbyshire and, in a letter to council leader David Bookbinder, he praised the authority's performance. Councillor Bookbinder went on to say:

"We believe this County Council enjoys an enviable reputation—efficiency has never been greater and our service delivery has never been more effective. We are committed to provide a wide range of quality services to those who need them most and it's nice to know our efforts have been recognised in Westminster."

I do not know about recognising their efforts and I am not sure that there was not an ulterior motive in the right hon. Gentleman's comments.

Derbyshire county council has a bit of a reputation for looking after failed Labour Members of Parliament. I have read recently about the Leader of the Opposition's lunch with John Mortimer. One may read shortly that the right hon. Gentleman is looking for a job. He could look in Derbyshire and perhaps that is why he wrote the letter. It may have been a soft soap insurance policy for the future. At the beginning of last year, Derbyshire county council employed a certain Reg Race, whose only qualification was that he had once been a Labour Member of Parliament and a publicity officer for the National Union of Public Employees. He was appointed not as a publicity officer, but as a chief executive or county clerk of the county council at a salary of about £46,000.

Mr. Tony Banks: I must tell the hon. Gentleman to have a care. Reg Race worked for me when I was chair of the Greater London council. I would not tolerate an inefficient local authority officer working for me. Derbyshire county council had a good bargain in Reg Race and it was foolish to get rid of him.

Mr. McLoughlin: I am extremely grateful to the hon. Gentleman for making that point and I might even believe what he said. Perhaps he wants efficient local authorities and that is why he employed Mr. Race. I do not know what the qualifications of Mr. Race are, but perhaps the hon. Gentleman for Newham, North-West could tell me why Derbyshire county council sacked Mr. Race after nine months. Was it because he was being too efficient? Was it because he was doing what the hon. Member for Newham, North-West wanted? I have no idea, but I also have no idea how much it cost for that nine months' youth training programme to get under way and how much it cost the ratepayers of Derbyshire to get rid of Mr. Race. I do not

know how much subsistence and travel to Derbyshire cost or how much it cost for his travel away from Derbyshire. That information has been singularly lacking from the county council. A mist of secrecy has built up around the whole scenario. Mr. Race came out of a puff of smoke and went in a puff of smoke. He was appointed on 23 December 1987 to take up an appointment on 1 January 1988. I said at the time that that was indecent haste and I was criticised for that. It is fairly quick for somebody to take up such a post in four days. I would not say again that it was indecent haste, but flaming well quick and there are several questions to be answered.

I know that a large number of hon. Members want to speak in the debate, so I shall not go through all the other reasons why we have high rates. However, I shall go through some of the county council's other actions. The council supports nuclear-free zones. That is fair enough and a number of Labour councils do that. But I object —and find it most repugnant—that school notepayer is taken back from schools to the county council to be overprinted with the words:

"Derbyshire supports Nuclear Free Zones."

I know that the parents find it repugnant as well.

The county council recently gave student miners £1,500 for a jaunt to the European Parliament and the European Bank in Luxembourg. It also held a conference to look into the needs of black women, which cost £1,000. Under the libraries' multicultural fund, the council at present spends £50,000 per year on mother tongue printed material and English language books.

Mr. Soley: What is wrong with that?

Mr. McLoughlin: The hon. Gentleman asks whether that is all.

Mr. Soley: No. I asked what was wrong with that.

Mr. McLoughlin: Derbyshire county council approved the spending of £50,000 in July 1988 for a civil rights campaign organised by that famous organisation, the National Council for Civil Liberties. It spends money on political opinion polls and incurred expenses of £3,000 on a readership survey for *Insight*, the county council's magazine. Last year, the council staged its own May day celebrations at a cost of £5,000 and also gave £500 to help the Trades Union Congress to organise a May day event. It set aside £15,000 for a May day event in the American adventure theme park. The chairman of the county council's public protection committee attended a week-long conference in Athens entitled the "Acropolis Appeal for Peace and Life and Civilisation" and described as

"A conference of mayors and delegates from nuclear-free cities and zones."

The councillor's travelling expenses, costs and attendance allowance were all paid.

Then there is the competitive tendering panel. Derbyshire county council set up a special panel to combat the effects of competitive tendering, which in June 1988 voted itself an initial budget of £300,000 to be spent in recruiting staff who specialise in tendering. I can tell the House about the effects of competitive tendering—they are awful. Amber Valley district council has done a wicked thing in Derbyshire—it has saved ratepayers £2 million by competitive tendering. No wonder the county council wants to spend money on the panel.

Derbyshire county council proposes to expand its equal opportunities and race relations department. Prior to that expansion, the department had a staff of 32 and cost £500,000 per year to run. Hon. Members may ask, "What is wrong with equal opportunities?" I do not mind people talking about equal opportunities, but I wish that they would act on what they say. Why is there not one woman committee chairman on Derbyshire county council? It seems that Derbyshire is happy to tell people how to behave but not to follow its own advice. What about the race relations department? I have not been monitoring closely the Labour candidates for the forthcoming county council elections, but I have not heard that any Labour candidate from the ethnic minorities is standing in Chesterfield, Bolsover, High Peak or West Derbyshire. The county council asks everybody else in the county to do a good job while setting a pathetic example itself.

Hon. Members may yawn, but I can tell them that my constituents yawn when they get their rate bills. Under the present system, ratepayers cannot see what council spending means to them. The sooner they can see that more easily, the better. I congratulate my right hon. Friend the Minister for Local Government on his enviable position as the last Minister to introduce a settlement under the present rate support system. Next year we shall have a far better system which will allow representation throughout the county and under which people will pay for the services that they desire. I hope that we in Derbyshire do not have to tolerate the present level of rates for much longer and I hope that we soon have a change in the county council. We shall then show that it is quite possible to reduce the rates while still providing the services that people in the county want.

7.43 pm

Mr. Derek Fatchett (Leeds, Central): Last year I spent many long hours in the Standing Committee on the Education Reform Bill with the hon. Member for Derbyshire, West (Mr. McLoughlin). Thankfully he was then playing what I suspect many would regard as his proper role. He was Parliamentary Private Secretary to the Minister of State and therefore kept silent for the 200 hours. His speech tonight was predictable. I suspect that it is the speech that he has trailed up and down the valleys of Derbyshire in search of a reference in some local newspaper. Sadly, he gave the game away and told us a lot about himself and about the values of the Conservative party. One of the items of expenditure that he criticised was the translation of textbooks into mother tongues. In criticising that, he showed that he had no concern to extend opportunities in education or to improve standards and give passports to life to all our children. His comment told us the truth about the Conservative party.

There is a fundamental characteristic of all our debates on these matters. The hon. Member for Derbyshire, West told us that the system works in the same way for every local authority. It simply does not. That is why the hon. Members for Great Yarmouth (Mr. Carttiss) and for Eastleigh (Sir D. Price) have spoken on behalf of their constituents, saying that the system does not work and that they face an injustice. If the system worked in the same way for every authority, the hon. Friends of the hon. Member for Derbyshire, West would not have made those speeches.

Mr. McLoughlin: Will the hon. Gentleman give way?

Mr. Fatchett: No. The hon. Gentleman made a long speech. That inconsistency is characteristic of the system and the way in which it is worked and I hope that those Conservative Members who have raised their voices against the injustices of the system will join Labour Members in the Lobby.

Another characteristic that is typical of all our debates is the performance of the SLD. That party's spokesman is not with us at present and I do not criticise him for that, but his speech disappointed me and worried me greatly. His behaviour was typical. He said, "Yes, we are in favour of some things, no, we are against others." The essential political word from the SLD is "maybe". They say, "Maybe we believe it, and maybe we do not". I am amazed that the centre parties could ever find it possible to fall out over a principle, as it is impossible to detect a principle in anything that their members say in this place or elsewhere.

I have a soft spot for the hon. Member for Truro (Mr. Taylor). On the day when the hon. Gentleman was elected to the House I was in Truro for the "Newsnight" election special and I remember proudly announcing that it was the best by-election result for the Labour party in the 1983-1987 Parliament although admittedly we started from a very low base. During the election special the BBC allowed a phone-in—with all its usual sense of objectivity. The first call was from a Mrs. Rosie Barnes, housewife, of Greenwich. Even I did not believe that the BBC could be quite that inefficient. Then we had the moment of triumph when the newly elected hon. Member for Greenwich (Mrs. Barnes) came on screen to talk sweet words to the hon. Member for Truro in front of millions of viewers. I am sure that the House will understand how sad I felt when I discovered some 18 months later that they no longer speak to each other—perhaps not over a principle but over a personality.

The rate support grant settlement is bad news for the ratepayers and residents of Leeds, just as it is bad news for ratepayers everywhere. I base that assertion on one simple criterion. The rate support grant settlement is based on an inflation figure that takes no account of the Chancellor's foolishness and irresponsibility. The Chancellor is pushing up inflation, and as he does so, he pushes up rate bills and cuts services. Ratepayers everywhere will want to know the answer to the question posed by my hon. Friend the Member for Hammersmith (Mr. Soley). Will ratepayers have to meet the cost of the foolishness and stupidity of the Chancellor? Will they have to pay more simply because the Department of the Environment has not been able to budget to take account of that? Ratepayers will suffer also, especially in Leeds, because of the nature of the settlement.

Leeds is an authority which could never be criticised for inefficiency or its failure to deliver services. However, that authority—which occasionally has even been praised at the Dispatch Box by Government Ministers—is about to lose in this settlement £7·3 million. What justice is there in that? The Minister will say that part of that loss is due to the nationalisation of Leeds polytechnic. A Tory Government has introduced a measure of nationalisation which will take that institution out of local control. The Minister will know, however, that the loss of Leeds polytechnic does not account for the £7·3 million cut in Leeds' grant. Leeds' record over the years will stand comparison with that of any other authority; yet it is now to be penalised. Leeds' spending has never exceeded Government targets or GRE levels. Leeds' rates are the fifth lowest in the country for a metropolitan district. Leeds' grant percentage, however, has been reduced every year since 1980-81. Leeds has delivered in Government terms, but the Government have reneged on their commitment and promise to the ratepayers and those who want to use the services provided by Leeds city council.

Crucial questions need to be answered by the Minister. For instance, why does Leeds lose nearly £8 million, yet on the same settlement Bradford gains £5 million? I am not criticising that, because I believe money should be spent on the people in Bradford. My hon. Friend the Member for Bradford, North (Mr. Wall) is in the House. I saw recently the results of some of the cruel decisions which have been taken by Bradford Conservative council. It decided to close a unit with a national reputation for special education. That is Conservatism in Bradford. It decided to increase the price of school meals, which means that 9,000 youngsters are missing out on a crucial meal. The Minister may nod and grimace at that thought, but she should talk to those children and to their parents and discover what Conservatism in Bradford is doing to those children.

I do not criticise money going to Bradford, but the Minister must tell me why that money should go to Bradford and Leeds should lose out. In a reply to my hon. Friend the Member for Leeds, West (Mr. Battle), the Minister gave predictions for Leeds' rates. Leeds city council has not been extravagant, inefficient or profligate, but, as a result of this Minister's settlement, the Government are taking money from the ratepayer of Leeds.

My hon. Friend the Member for Leeds, West asked what would happen if the city's council's expenditure for 1989-90 was in line with the GRE predictions. The hon. Lady replied that on that basis the rate increase for Leeds would be 12 per cent. The Government have built into their model a prediction of a 12 per cent. rate increase for Leeds. That increase has nothing to do with Leeds' expenditure, because Leeds has expended at the level calculated by the Government. Why, therefore, a rate increase of 12 per cent.? The simple fact is that the Government are punishing the ratepayers of Leeds. The Minister may reply that Leeds city council could cut its expenditure and therefore stop the rates going up. [HON. MEMBERS: "Why have GRE?"] If hon. Gentlemen would be quiet for a moment, they might find out something about local government. Leeds has never spent above its GRE levels. Why, therefore, should Leeds cut its services in education, housing and social services? I want services in Leeds for my constituents.

I have heard during the debate that this is the last year of the rate support grant settlement. Over the hill, however, will come a new dawn, a new tomorrow and a new utopia called poll tax. That new utopia will not be heralded in with great enthusiasm in Leeds, because people have studied the figures. The city council has produced its figures. In Leeds, 33 wards make up the metropolitan district. On the Chartered Institute of Public Finance and Accountancy figures, in 29 of those wards there will be more losers than gainers. In only four wards will there be gainers, and, not surprisingly, those wards are in the richest and most affluent areas of the city. If I break those figures down to individuals in Leeds, the fact is that 75 per cent. will lose out because of the introduction of the poll tax. There will be no new dawn and no new tomorrow. Leeds has been asked to pay this year and will be asked to pay again and again in subsequent years. There will be no

justice, no equity and no fairness. I ask the Minister for some justice, some fairness and some hope for the Leeds' ratepayers.

I understand that the Minister has agreed to meet an all-party delegation from Leeds. I wish that some of those Conservative Members who represent the city could have joined in this debate and made their voices heard. They are conspicuous by their absence. When that all-party delegation meets the Minister, we want to be in a position to negotiate. We do not want a closed door. We want to be able to put the case for the city and we want some movement from the Government.

Local government is important. It is important to the balance and the control over power in our society. Too much power has gone to the centre. Much more needs to go back to local people so that local people can make their decisions. We cannot do that until we have a change of Government. We cannot do that until we have a system of local government finance that is efficient and fair. We will get no such system from this Government, because they believe in making the burdens on local government and the tax and rate payers much more difficult and onerous. That is why I shall be voting against this settlement.

7.57 pm

Mr. Iain Mills (Meriden): I am in some difficulties tonight and, before making a brief contribution, I should like to ask my hon. Friend the Under-Secretary to advise the Minister of State that Solihull council and I are most grateful for his reasoned, sympathetic and extremely kind attention to our affairs. He not only saw us separately on 26 October, but also saw a delegation which was present in the House earlier. We understand the difficulties facing him.

In thanking him, however, for his reasonableness and for listening to us, we are still adamant—and absolutely adamantine—in our dissatisfaction with the effect of the rate support grant on Solihull council. This is not a matter of personal criticism of Ministers. I have heard tonight much cheap politicking and the blaming of the Conservative Government. Hon. Members should look carefully at the origins of the redistributive effects within this legislation that allows for the rate support grant.—*[Interruption.]* If hon. Members care to listen—of course they may not—it goes back to the days of Sir Winston Churchill. They therefore must not make cheap points.

Mr. Battle: Will the hon. Gentleman give way?

Mr. Mills: No, I shall not give way. I have been asked to be brief, and, quite honestly, other hon. Members have been lengthy. I cannot give way if I am to keep my contribution to 10 minutes.

The redistributive effects go back to the early post-war years.

I am here not to argue with hon. Members but to put the point of view of Solihull council and of my constituents who live in its area. The system has been extremely unfair to those residents. In saying that, I am joined by my hon. Friend the Member for Solihull (Mr. Taylor), my constituency neighbour with whom I work closely. I know that he has worked hard behind the scenes in the same direction as I have to try to persuade the Government to alter the system to benefit our constituents. I have received letters from many people in my constituency—from Conservative branches, from my Conservative political centre, from individuals, from councillors and from the council itself. Some of those councillors travelled today at short notice to be here for the debate, and no doubt the exciting arguments heard in the course of it will sustain them in their journey home by InterCity.

It is unlikely that I can support this measure, and not in the sense that I am a disloyal Conservative—I sometimes think that the Prime Minister should be grateful that she shares my views on so many subjects—but on this matter I must show my loyalty to my constituents and to one of the most successful councils in the country. It is not a bad council; nor is it inefficient or lacking in cost-effectiveness. It is the most efficient and the most supportive of the Conservative Government. It was the first to introduce a city technology college, of which we are proud. The council is innovative, successful, and by its very effectiveness has been caught on the sharp point of the redistributive effect of the rate support grant.

The council has kept rate increases down for a couple of years, and houses, factories and commercial developments have been attracted to the area. Partly as a result of that success, the rate base has increased. The system works in such a way that if a council attracts these good developments, it receives less from the Government.

So its very success is bitter aloes to the council. Its efficiency has generated less money and could result in a rate increase for my constituents and for those of my hon. Friend the Member for Solihull of 17 per cent., 18 per cent. or 20 per cent.—not because of the council, but because it is one of the few—it is perhaps the only one—metropolitan boroughs to receive less from Government, and in real terms, allowing for inflation, the council has lost more millions.

The council has been the leader in implementing a number of education policies. Where houses are built, schools must be built too. A new school costs £330,000, not an inconsiderable sum, and it is not allowed for under the rate support grant. The council has been a leader in implementing social service policies to look after disadvantaged people. It was said earlier that Solihull seemed to be a rich borough. I ask hon. Members who may believe that to remember, when travelling up the M6 between Coventry and Birmingham and passing dozens of high-rise flats, that they are part of Chelmsley Wood council housing estate, which is operated by Solihull council. It comprises 18,000 dwellings in which live many socially deprived people, many elderly people and many single parents—nice people who need expenditure to meet their needs. It is a cause of sadness to me and the council that such expenditure is not reflected in the rate support grant.

More bitter aloes are discovered in the fact that, because people are attracted to leave the cities and move out to villages where they build houses, thereby eroding the green belt—I am afraid that the target is about 2,000 more houses in the Solihull green belt—that in turn creates yet more demands on the council. It is extraordinary that Birmingham should have done so well out of the rate support grant, considering that the outflow from Birmingham and from Coventry, which has also done well, has created part of the problem that we must cope with.

Birmingham has gained magnificently—it is rate-capped. I am sure it will thrill Oppposition Members to know that the only council in the west midlands to lose is

[Mr. Mills]

also the only Conservative-controlled council. To judge from their silence, Opposition Members can apparently understand the passion of my feelings.

In my 10 years in this House I have never voted against a Government measure, but I shall consider doing so this evening. That is sad, but I would not be doing justice to my constituents or to the council that runs their affairs if I did not make a demonstration of the strength of their views.

I have slightly exceeded my time and I conclude by reminding the House that this is not a transient matter. I alone, or with my hon. Friend the Member for Solihull, have led delegations to see three Secretaries of State, three Ministers of State and three Under-Secretaries of State. We have always been promised that the system would be changed. It operates to the disadvantage of Solihull.

I see that my right hon. Friend the Minister for Local Government has returned to the Chamber. I thank him again for his kindness in meeting the council. Our hon. Friend the Under-Secretary will tell him that I have been extremely critical of the system, but my right hon. Friend the Minister's interest in our affairs has never been lacking.

Will the community charge benefit Solihull? Because of the transitional period, which I opposed, it will add £75 to what will eventually be a much more successful system and a fairer charge for the residents of my constituency and of Solihull. It has long been needed.

Had the present system continued, Solihull would have continued to receive less and less benefit and to suffer higher and higher rates for the worst possible reasons. Let us change the system. If, at the last minute, my right hon. Friend the Minister of State could find it in his budget —because of falling school rolls, or the RSG or anything else—to make the system fairer, my constituents and the residents of Solihull would be grateful.

8.8 pm

Mr. Dennis Turner (Wolverhampton, South-East): We should congratulate the hon. Member for Meriden (Mr. Mills) on his robust defence of his local authority, which faces difficulties because of this measure. Even though he considers that other authorities in the west midlands get a fairer distribution of rate support grant, he may be assured that other local authorities, including my own—Wolverhampton—will at this very moment be making painful cuts in their budgets to reach levels of expenditure and of rate increases that will be acceptable to the people of Wolverhampton. We must not under-estimate the difficult decisions that Birmingham, Walsall and Sandwell will have to make.

There is no point in the Minister coming at this eleventh hour to tell us about the end of the rate support grant formula and that, as an hon. Member said, we are moving into the unknown. The move to the poll tax or community charge—whichever we call it—is the wrong way to go from this iniquitous form of rate support grant that we are debating.

It is the Government's fault that we are in these difficulties. They do not date from 1988 or even from 1983-84. They go back to the advent of this Government. We all remember the changes made in 1979, and we remember successive Secretaries of State tampering with the system of rate support grant. They always reduced the level of rate support and at the same time introduced targets and grant-related expenditure assessments, hold-backs and clawbacks. All of us in local government in the early 1980s remember all the legislation passing through the House. Some Conservative Members know that I am speaking the truth when I say that the kind of legislation that we got year after year has brought us to our present position.

The problems that have been brought upon local government—uncertainties and difficulties in planning—are due to the failure of the Government from the outset to tackle local government and to deal with its finances and the planning that is necessary. Such a process would have achieved better services for the people that local government represents.

Three months ago, in a debate on the rate support grant settlement, we said that three crucial matters needed the Government's attention. One was the provision for current expenditure in 1988-89. We said that the expenditure level set by the Government was substantially lower than that which was likely. At that time, the Association of Metropolitan Authorities estimated that the amount required was about £1 billion. We also said that estimates of inflation were far too optimistic, and that has proved to be correct. We said that, even at that stage, pay awards were running at 3 per cent. above the Government's forecast. We asked for interest rates to be reconsidered because of the impact that they would have on local government expenditure in 1988-89 and 1989-90.

The Government's bold and exciting claim of a £1·1 billion, or 9 per cent., increase for 1989-90 was misleading. We told the Minister that £500 million would be returned to the Treasury because final grant entitlement for 1988-89 and for earlier years was based on estimates rather than on final audited figures. Those matters were raised in the debate three months ago and have not been adequately reflected in this final settlement.

For months the Minister has been trying in a subtle way to send out from the House the message that this rate support grant formula is inadequate, imperfect and complicated. We have known for years that it is totally unacceptable, but now the Government are introducing the poll tax and they try to give the people the feeling that they readily recognise all the imperfections, the rate increases and the problems that authorities such as Solihull have to place on their ratepayers. The Government give the impression that these problems are the result of some mysterious formula with which the Government cannot cope. The Government say, "Let us accept that, put it away and ride into the new dawn with the poll tax."

The people know that the poll tax will be worse and less fair. It is an iniquitous tax, and when the people get the opportunity in the coming council elections they will show the Conservative party and the Government what they think of the poll tax and of the way that the Government have treated local government.

8.16 pm

Mr. Jacques Arnold (Gravesham): I have been in the House since the debate started and I have listened with some fascination to the speeches by Front Bench Members who seem to have achieved an inversion of political mythology. The hon. Member for Hammersmith (Mr. Soley) made a great virtue of the last Labour

Government's attempt to restrain local government spending. They had to, because they had got our economy into such a mess.

The Minister explained how our Government had significantly increased the spending by local government, not least through the rate support grant. It is significant to note an increase in the rate support grant of 8·6 per cent. which is above inflation. That is another £1,100 million to be spent by local government. So much for the hysterical weeping by the Opposition.

I have spent much of the debate puzzling over this extraordinary document which seems to use algebra to explain how the rate support grant is calculated. That was well caricatured by my hon. Friend the Member for Eastleigh (Sir D. Price). One of the virtues of the community charge is that it will simplify this agonising mess that passes for local government finance. With minor exceptions, all adults will pay an equal amount and because of the social conscience of Parliament and people there will be generous rebates for 9 million community charge payers, those who are least able to pay.

I noted what Ministers said about subsidies and the effect of transfer of resources from one local government area to another. Those of us in Gravesham and in Kent generally know full well about this transfer of resources from our areas to badly run Labour cities. In my borough of Gravesham the average rate bill is £404. It is interesting to compare what would have been the community charge this year with that average rate bill.

The estimated community charge in Gravesham would have been £180. A little mathematics shows that those families with only two adults stand to gain. Households would lose out only when there was an average of well over two adults. A two-parent family will make a marginal gain in their bill and one-adult families, such as single-parent families and the widowed elderly, will gain substantially from the community charge. That £180 community charge that would have been levied in Gravesham compares favourably, thanks to the effective and efficient working of Kent county council and Gravesham borough council, even with Conservative authorities that would this year have levied an average charge of £196·40.

Earlier, the hon. Member for Workington (Mr. Campbell-Savours) called for a debate on Kent. He claimed that it was sad that no Kent constituency returned a Labour Member and that people in Kent were crying out for Labour Members. They would not cry out for them if they realised that, this year, the average Labour authority would have levied a community charge of £294·40. That is almost £100 extra per adult man and woman in Labour authorities compared with Conservative authorities. There is no doubt on which side the bread is buttered for the average community charge payer of the future.

Nevertheless, problems remain for this year, which is the last year of the rate support grant system, because the system places undue reliance on the numbers estimated by the registrar general. The dangers can be exemplified by the position in Gravesham where the registrar general tells us that, in the present financial year, he estimates the population to be 92,988 and that next year it will decrease to 91,692. That calculation appears to fly in the face of all other available statistics. For instance, the Audit Commission reports in its profile for 1988-89 that the birth rate in Gravesham is 13·7 per thousand of the population when the national average for a cluster family is 12·9. That would indicate an increase in the population, not a decrease. The report goes on to state that the standard fertility ratio in Gravesham is 107 compared with a national average of 96. Again, that indicates that the population is rising.

The death rate in Gravesham is 9·6 per cent. per thousand, below the national average of 9·7. Fortunately, fewer of our elderly people are departing, thus keeping the population higher. The standard mortality rate is 92 compared with a national average of 96. All of those figures show that the population of Gravesham is not decreasing and, therefore, the rate support grant should not be restricted as it is being this year.

Our electorates are steady. We should also consider the new dwelling figures in various boroughs in Kent. In Gravesham, there were 350 new dwellings but the commission suggests a population reduction of 1,300. There are fewer new dwellings in the borough of Ashford, only 300, but, nevertheless, the registrar general suggests a rise in the population of 1,500. There are 240 new dwellings in the borough of Tunbridge Wells, yet the registrar general reports a rise in the population of 608. How can it be that Gravesham, with the highest growth in new dwellings, should record a decrease in the population?

The result is significant. The financial effect on the borough of Gravesham's rate support grant is significant, particularly the effect on its rate precept. If the borough's spending were to stand still, the borough council would have to ask the ratepayers for a 15 per cent. increase in their precept. That calculation appears to accentuate the likelihood of the registrar general's figures being wrong and, consequently, that the rate support grant for the borough of Gravesham is wrong.

All the hon. Members who have spoken this evening have shown that the current system does not work. We must welcome the Government's decision to throw out the rate support grant system. When my right hon. Friend the Minister goes out to bury the system, I shall happily wield the shovel.

8.26 pm

Mr. Geoffrey Lofthouse (Pontefract and Castleford): The hon. Member for Derbyshire, West (Mr. McLoughlin) suggested that there should be uniformity and that a fair formula should be fixed across the board for all authorities. I could not disagree more.

When I first learned that the hon. Gentleman was an ex-miner, I had a natural affection for him. Over the years, I have looked for any signs of his being an ex-miner. I have chatted with him from time to time and looked for blue marks, but I have not found any. Tonight, however—with the greatest respect—he has proved that he is no miner or, at least, that he has not been in the mining industry long enough. If he had been in the industry for a long time, he would have been taught by the old miners, especially if he had worked in the Yorkshire mines. They would have said to him, "Ee lad, tha only spakes when tha's summat t' say." Some of his remarks tonight were not called for and had nothing to do with the debate.

Mr. McLoughlin: My blue marks are quite substantial. I have 10,500; that is my majority in Derbyshire. A number of people tried to change my mind in the Staffordshire coalfields, perhaps not as effectively as they might have done in the Yorkshire coalfields.

Mr. Lofthouse: When the hon. Gentleman has as many blue marks as I have, he will have a majority of 22,500.

I have heard a great deal tonight about efficiency and competence. I wish to direct my remarks to the subject of Wakefield metropolitan district council. The Minister will agree that Wakefield has always been acknowledged as a competent and efficient council. It must have been because, two years ago, the Government knighted the leader of the time. They had previously knighted the deputy leader, so I should have thought that the Government would concede that the council was a responsible and well-run authority.

It is rather strange, therefore, that last year the Government grant was 41·8 per cent., but, for the coming year, it will be cut to 38·6 per cent. That is a 7·6 per cent. reduction. If we take inflation at 6·7 per cent., the rates for the authority should increase by 14 per cent. The Minister has said that the rate increase should be about 2 per cent. but how can the authority approach that mark without a slashing cut in services? If an authority is efficient and there is a cut in grant, something will have to suffer. As Wakefield is a responsible authority it has decided to increase its rate by 9·48 per cent. when the figure should be 14 per cent.

Mr. Gummer: I do not quite understand what the hon. Gentleman is saying. The increase in grant to Wakefield is £2,233,000 and the estimated increase in general rate necessary for Wakefield if it spent at assessment should be 2 per cent. I wonder why the figure must be 14 per cent. With such an increase in grant, it should not be 14 per cent.

Mr. Lofthouse: I itemised the figures and explained earlier why it was 14 per cent. If the Minister cannot follow me, I will try again. The reduction in grant is equivalent to 7·6 per cent. If we take inflation at 6·4 per cent. into consideration, and if my mathematics have not deserted me, that makes 14 per cent. That was the increase that Wakefield required to stand still. I hope that the Minister has followed me.—*[Interruption.]*

Madam Deputy Speaker (Miss Betty Boothroyd): Please carry on.

Mr. Lofthouse: If Wakefield's rate support grant was the same as last year, there should have been a further £5 million.

Perhaps we should compare Wakefield's grant with the grant received by Bradford. Bradford has received an increase of around £23 million if we consider the three years prior to this year's allocation. I hope that the Minister will advise me if I am wrong. When Bradford was Labour-controlled for three consecutive years, it requested the Government to release the council from rate capping. It is rather ironic and interesting to note that, immediately the Conservatives gained control of the council, the grant was increased to the figure to which I have referred. Many people will not need to gaze too long into a crystal ball before they realise what has happened. Wakefield has lost £5 million.

Mr. Gummer: I am genuinely surprised. I believe that the hon. Gentleman's figures do not face the fact that we have taken the payment for the polytechnics out of the equation. If he considers the figures with that balance in mind, he will see that 14 per cent. is wrong and 2 per cent. is right. It is a question of how the hon. Gentleman looks at the figures.

I have just checked the figures. The hon. Gentleman will recall that the effect of removing the benefit cap from Bradford has also been felt by authorities such as Derbyshire and Birmingham. Neither of those authorities is in the same category as Bradford. The hon. Gentleman is the first person to suggest that there is any connection between a council's political views and the change in funding. We were pressed very hard, particularly by Birmingham, to make changes and I believe that it has been widely welcomed. I hope that the hon. Gentleman would not suggest that the change was made after a change in control on the council. I do not want to play party politics with that, although I am quite prepared to have a good party political row if I want one.

Mr. Lofthouse: Some people may believe the Minister, but we will let people outside this place decide for themselves.

Mr. Soley: Perhaps I can help my hon. Friend. Perhaps my hon. Friend's local authority is taking account of a more realistic rate of inflation, closer to 7 or 8 per cent., than the Minister's figure of 4 per cent. Perhaps the authority is taking into account the additional cost of the poll tax, over and above the Government's assessment of it. With regard to the polytechnics, the block grant will still fall between 1988 and 1989 even when the polytechnics have been removed from the equation. The Minister is trying to dress that up today. He is wrong, and not for the first time.

Mr. Lofthouse: I am grateful to my hon. Friend. I can assure the Minister that my figures have been provided by Wakefield metropolitan district council's chief finance officer. If he is wrong, I will have to concede that, but where there is everyday local knowledge of what is happening in Wakefield, I accept the figures from the chief financial officer of that authority.

Mr. Gummer: I reiterate that the hon. Member for Hammersmith (Mr. Soley) is wrong. The grant is not cut. It is increased by £2,233,000. The figures are quite clear. That means that the general rate should not increase by more than 2 per cent. for the authority to spend at assessment. That is reasonable, and we cannot accept the figures from the hon. Member for Pontefract and Castleford (Mr. Lofthouse). No doubt we can argue about how best that money should be spent, but I hope that the hon. Member for Pontefract and Castleford will not ask his local authority to introduce a higher rise.

Mr. Lofthouse: The local authority has decided to increase its rate by 9·8 per cent.

Mr. Soley: My hon. Friend is being very generous in allowing himself to be a telephone line between myself and the Minister. My point applies across the board and probably affects the Minister's local authority as much as any other. The block grant total—the amount actually paid after holdback—will fall between 1988-89 and 1989-90 from £8,959 million to £8,812 million. That is the overall fall, and it will apply to most local authorities.

Mr. Lofthouse: That is the last time that I will give way, because other hon. Members wish to speak.

There cannot be a uniform formula for all authorities; that will not work. The House is aware that the Wakefield metropolitan district council area is suffering depression arising from the rundown of the staple industry. The area

has lost 11,000 miners' jobs in four years. The authority must find money to attract other industries into the area. It is trying to sell the area to replace the jobs. When rates increase to the kind of level to which I have referred, we appreciate that there will be great hardship for many people in an already depressed area.

Of the total unemployed in the area, which in black spots reaches between 25 and 30 per cent., some 42 per cent. are under the age of 24. At that age people want to get married, set up homes and have children. However, with the increases in mortgage interest rates, some of those young people have been forced to leave the homes that they have bought and dreamed about and apply to the local authority to be housed. However, the local authorities cannot help them.

I still maintain that a figure of 14 per cent. is necessary, although it will be stuck at 9·8 per cent. There is evidence in the area that the responsible local authority is having many problems. For example, there are problems with road repairs and decorating schools. I received a letter from a blind person the other day in which I was told that the local authority could not fill the posts for three welfare officers for the blind. The dog warden service has been discontinued, although that service is essential in Wakefield and elsewhere.

There are also cuts in sports provisions. The House will be aware that, in the communities to which I have referred, a lot of the sports facilities were provided by British Coal and the Coal Industry Social Welfare Organisation. Those facilities now depend on the local authorities, but the authorities have no grants or assistance to offer to maintain those facilities.

I hope that the Minister will consider the mining communities to which I have referred. My area is not blessed by the Government, who have not considered it for intermediate area status grants. It receives no assistance. The added problems for local government in areas like mine are severe. Instead of being cut, the rate support grant should have been increased.

8.39 pm

Mr. Robert G. Hughes (Harrow, West): Tonight we say goodbye to a system that has been with us too long. Opposition Members have spoken eloquently about the changes that have been made to local authorities' grants since the Government took office, but they seem to have a blind spot. They seem to have forgotten the Labour Government's record. They seem to have forgotten that it was the right hon. Member for Bethnal Green and Stepney (Mr. Shore) who, as Secretary of State for the Environment, started reducing the amount of rate support grant to local authorities. To listen to Labour Members, anyone would think that the only changes have been made since 1979.

In this, the last rate support grant settlement, we have had a generous 8·6 per cent. increase. I wonder what sort of debate we would have been having and what contributions we would have had from Opposition Members had a Labour Government run the economy so well that they could increase local authority spending by that much. When was the last time that a Labour Government increased local authority expenditure by 8·6 per cent.? The fact that Opposition Members are stuck firmly to the Benches shows that they do not know.

Mr. Soley: There has been a £27·7 billion cut since 1979. If the Conservatives had kept up the Labour Government's policies, local authorities would have had £27·7 billion more. Under Labour the figure was 61 per cent. It is now down to about 40 per cent.

Mr. Hughes: I am grateful to the hon. Gentleman for answering a different question. He clearly cannot answer the one that I asked.

I wish to make a comparison between certain London boroughs. The hon. Member for Brent, East (Mr. Livingstone) likes to refer to Brent's Labour administration as being like Pol Pot. That is unfair to Pol Pot. The London borough of Brent could be much more accurately compared with the script of "Who Framed Roger Rabbit?". Anyone who has seen that film knows that in it, as in the London borough of Brent, nothing is quite what it seems—the truth is never the truth for more than a couple of minutes and anybody in the film is never responsible for anything that might have happened.

It was pointed out to me by a Labour councillor from the London borough of Brent only a couple of days ago that the borough has failed over a number of years to face up to its problems. It has failed to face up to the reality of the amount of money available to it. It is one thing to have marvellous spending plans and to say how much one would like to spend on individual areas to solve problems, but when that money is simply not available it is irresponsible to make such decisions and many people are hurt.

Mr. Ken Livingstone (Brent, East): I thank the hon. Gentleman for agreeing with my criticisms of the present administration in Brent. Will he also share my criticisms of the previous administration which left the incoming Labour administration with a budget in which income was 27 per cent. below expenditure?

Mr. Hughes: The fact is, as is well known, that that Conservative administration was in power for only a short time. Compared with the previous Labour administration, it turned round that budget, although not so fast as one might have wished. It is a bit rich to blame all the problems of the London borough of Brent on a brief Conservative administration. The problems had existed for a number of years, as is now admitted in private by Labour councillors in the borough. For a number of years, several councils have failed to make the proper spending decisions.

One is left with people being hurt by that lack of attention to detail—that lack of proper decision-making. Nothing so characterises that appalling council more than the fact that it prefers to spend money on a women's committee, on maintaining its so-called nuclear-free zone and on having political staff for its councillors rather than having staff in the social services department. When a family finds itself in the unfortunate position that one of its members has to be taken into a mental hospital under mental health legislation, a member of the family now has to take that decision rather than, as in every other council, someone from the social services department. What a heartless way to treat people, and what a heartless decision for a family to have to make simply because the London borough of Brent could not be bothered to live within its means.

I regret that I missed the speech made by the hon. Member for Hammersmith (Mr. Soley) because of my other duties in the House, but I shall read it with great

[Mr. Hughes]

interest. I understand that he made a comparison between rate levels in Harrow and in Ealing. He told the House, quite properly, that the rate level in Harrow was higher than that in Ealing. That crystallises what is wrong with the rating system and why we have decided to get rid of it and move to a system that is more accountable, allowing people to see how money is spent and what is being done in their name. Although the hon. Gentleman is right, he did not tell the House that Ealing plans to increase its rates by 35 per cent. this year. He does not want to acknowledge that. Last year there was a standstill in the rates because of the Government's generosity in giving the council a large rate support grant. The year before, the London borough of Ealing put its rates up by 65 per cent. Expenditure in Ealing has gone up and up. The council has not bothered to contain it. That is what is so damaging to people and industry in that borough.

Like my right hon. Friend the Minister, I too live in Ealing. We have to live with its services and pay its rate increases.

Mr. Soley: If next year's increase goes through in Ealing—it may not—the rate will be lower in real terms than it was two years ago. Why does the hon. Gentleman think that Ealing has been rate capped while his council has not? Is it because it is Conservative controlled or because the Government have already taken £10 million off Ealing in rate support grant in the past couple of years, even though its rates in real terms are less than they were two years ago?

Mr. Hughes: That is a bit rich when Ealing's rate support grant this year is £72·9 million and Harrow's is only £43·1 million. The hon. Gentleman knows that there are strict criteria to be met for a council to be rate capped. Harrow does not meet either of those criteria, although it nearly met one.

Mr. Gummer: My hon. Friend should point out that the situation has been altered considerably by the fact that Ealing was rate capped, which meant that excessive rates were pulled down. This year Ealing is getting an £8 million increase in grant. Therefore, it could have a rate increase on a spending assumption of 3 per cent. rather than 35 per cent. Anyone who lives in the London borough of Ealing, as I and my hon. Friend do, could give it a long list of things that it could stop spending on, as well as one or two things that it could start spending on, in order to provide better services at lower cost.

Mr. Hughes: My hon. Friend's last point is precisely the one that I want to make. We should pursue the comparison between the London borough of Harrow and its neighbours, Brent and Ealing. Living in the London borough of Ealing and seeing the change of administration and the contract for the collection of rubbish taken away from the private contractors and given back to the council work force, I did not think that the system had been changed, rather that it had been abolished; certainly the council does not come round very often to collect the rubbish.

If one looks at the movement of the population or talks to estate agents, one realises that people are clamouring to get out of Ealing and Brent and into Harrow. Any estate agent in my constituency will tell you that that is the reality, and even if people are not moving they are making sure that their children go to school in Harrow. We are grateful for the money that we receive as a result of children leaving the appalling education systems of Brent and Ealing to move over the border and enjoy one of the best in the United Kingdom. The figures show that Harrow's education system has been top for three years.

The Government's provisions represent a generous settlement and mark the end of a bad system, but it is up to councils to make spending decisions and to ensure protection for their ratepayers by making them prudently and sensibly. One makes the comparison between Bradford council, for example, which makes prudent decisions and lives within its means so that Bradford and its people may prosper and Sheffield and Brent councils, which have to make huge cuts in their services. Labour Members never comment on them, but those huge and unplanned cuts in services greatly disadvantage the people living under those authorities. If the Labour party were serious, it would welcome the Government's measure as being a generous settlement.

8.50 pm

Mr. Pat Wall (Bradford, North): It is as well to remind ourselves of the figures quoted earlier by my hon. Friend the Member for Newham, North-West (Mr. Banks), now that we face a cut in rate support grant in real terms—which is based on the rate of inflation—and which, as a result of the Government's disastrous economic policy, is far lower than I realised. My hon. Friend points out that the Government's grant-related expenditure provision has fallen from 46·2 per cent. to 43·3 per cent., and is now £5 billion less in real terms than in 1978-79. Over the whole of that period, rate support grant has fallen by £28·4 billion. Next year, we shall also face increased expenditure of about 16 per cent. arising from the introduction of the poll tax, at least in London.

In two debates on rate support grant I have made a plea against the cuts imposed on Bradford. Tonight, it is a pleasant duty to be in the Chamber to hear remarks about the extra money that Bradford has been given, whereas Wakefield and Leeds has not. I am sure that that is purely fortuitous, and happily coincides with the return of a Conservative council to the metropolitan borough of Bradford. For two years, I argued the case against the £28 million cut in Bradford's grant resulting from application of the so-called multiplier, even though the council at no time exceeded its grant-related expenditure. I have protested also against cuts of about 70 per cent. in real terms in capital allocation grant over the past four years. I assure the Minister that I am sure those cuts were not political—but then I still believe in the Cottingley fairies, as do most local people.

Those cuts are part of a general attack on local authorities, established during the course of implementing about 20 new Acts. They are also part of a privatisation programme that threatens the jobs of more than 700,000 people, and of a general policy of shifting resources from the poor to the rich. As if the cold, hard figures were not bad enough, the harsh realities for many local authorities and their citizens are castastrophic, yet earlier the Minister said the Government like to give help to those who most need it.

In a previous debate, I crossed swords with the Minister on the question of council house rents. Subsequently, he

said he had treated me rather harshly. However, I was not particularly terrified by the Minister's comments or arguments on that occasion. Perhaps it was because I was speaking from the Bench apparently permanently occupied by my hon. Friends the Members for Bolsover (Mr. Skinner) and for Bradford, South (Mr. Cryer)—one of whom is the most fearsome of my right hon. and hon. Friends, while the other is among the biggest of them. However, it is worth considering the council rents situation in a city such as Bradford.

Nationally, there has been a two thirds cut in local authority housing construction since 1979. Despite sales to private tenants, Bradford still has 35,000 council properties. Its repairs backlog alone is budgeted at 10 times the Government's total housing allocation. Bradford has 7,628 people on its housing waiting list, and 1,047 priority need homeless. Only a handful of pensioners' flats are being built.

In the period between 1983-84 and 1987-88, and before the new social security provisions came into operation, there was a doubling of Bradford's homeless due to mortgage defaults. The loss of housing benefits of £80,000 per week, £67,000 of which is council housing revenue, amounts to £4·1 million per year. That is a savage attack on the ability of Bradford's poor to purchase goods, having a knock-on effect on the local economy. The maximum level of housing benefit is set at £38·93p per week. Under the new local government housing finance Bill, Bradford will have to meet extra expenditure out of housing finance. At present, 70 per cent. of council rents are met from housing benefit.

In an earlier brush with the Minister I raised the point that rent arrears in Bradford have for the first time risen above £2 million. Nationally, there has been a 50 per cent. increase in council property rents. It is absurd for the Government to argue that 50 per cent. of people have deliberately decided not to pay council rents. The figures I give arise because of the change in housing benefit and the resulting increase in poverty.

Bradford has suffered one increase of £3 per week in council rents, with another to follow. We have had a freeze on housing benefits. There have been cuts in the standard of living, with, for example, 9,500 school meals being abolished every day because of increases of 30 and 50 per cent. in school meal prices. We have already seen the dismissal of the poorly paid women working in our school meals service, with redundancies reaching an estimated 1,000.

I conclude with two real cases. Conservative Members do not like hearing about cases of hardship but I assure them that they are enjoyed even less by those actually suffering deprivation. One of my constituents is aged 63, has had operations on both hips, and can only get around on sticks. He has one lung, and he has an epileptic son of 23 who is out of work. For two years they have stayed in a house without gas or electricity, cooking on a small camp stove, huddled around a paraffin heater that gives off more fumes than heat. They have had no running water since the winter of last year. When the woman was taken into hospital she lost £2 in benefit because she was treated as a new customer and reassessed.

On Christmas Eve I visited a family whose doctor had referred them to me as suffering from malnutrition. They were not wicked or feckless people; this was a single mother with two teenage children. The 18-year-old son had lost his job and his unemployment benefit had been reduced. The 17-year-old daughter was on a youth training scheme, and some bureaucrat had decided that she should be paid monthly rather than weekly. She had to find £20 —£5 a week—in fares before she was paid. The lass could afford so little food that she fainted twice at work.

Those are not special cases, but the reality of life in Bradford. Those are the problems of inner-city deprivation, which emerge from the cold figures representing cuts in Government support for local authorities during the period of Conservative rule. The problems will worsen as a result of the poll tax and the new Housing Act. The Government are storing up for themselves an enormous revolt by people who will no longer be able to suffer, for themselves or their children, the misery that they and their policies are inflicting.

9 pm

Mr. David Wilshire (Spelthorne): Every time an hon. Member gets to his feet there is a rustling of papers as other hon. Members search for whatever ammunition can be found among the statistics relating to the speaker's local council. Let me put them out of their misery and give them the statistics for my borough and county councils.

In the past seven years my borough council, Spelthorne, has reduced its rate by more than 67 per cent.—so there is no need to look that one up. My county council, Surrey, is out of grant, so there is nothing to be gained from asking me what happens in a county when RSG is reduced. Despite rate reductions and loss of grant, services in both councils have improved year by year. There is not necessarily any connection between reductions in rates and grant and cuts in services, and I have examples to prove that.

Whatever hon. Members may make of local cases, the debate in general—as always with local government debates—generates more heat than light. We hear claim and counterclaim. The same aims are espoused on both sides of the House. Both sides say that they want better democracy and better services. We then indulge in a kickabout because we are apparently heading in opposite directions.

Let us take one of those claims. Both sides have said tonight that they want better democracy. I have no hesitation in saying that the way to preserve democracy is to seek better value for money, to protect ratepayers and to lay down minimum standards for councils to follow. We are being accused tonight—as in every local government debate, especially debates about money—of being anti-democratic, but where is the democracy in the sort of waste that Labour councils typically go in for? Where is the local democracy in empty council houses and uncollected rates and rents?

Mr. Soley: Let me follow that line. Where is the democracy in the 6 per cent. of Government-owned houses that are empty—three times more than the local authority average? Where is the democracy in the other kinds of waste brought about by the present Government? Is it being suggested that we should abolish national as well as local democracy?

Mr. Wilshire: That makes my point entirely. Both sides will claim that they are in favour of democracy and then make opposite points.

The other thing about this debate on democracy and finance that I find difficult to stomach is that those who try

[Mr. Wilshire]

to lecture us on our lack of democracy are themselves guilty of double standards. We are told that local government should be free to do what it likes—except, of course, if it wants to go on running grammar schools. We are told that local government should be free to raise its own funds—except, of course, from council house tenants or ratepayers when it is convenient or politically expedient not to bother to collect their money.

Double standards will get us nowhere in this debate. The way to make progress is to stick with the facts in the reports before us, to look at the 1989-90 settlement and to accept the reality of the planned expenditure for the final year of the present system being allowed to rise by 8·6 per cent. Opposition Members may wish to make cheap points about inflation, but an increase in expenditure of 8·6 per cent. will be above whatever they claim. It was asked earlier whether an increase in inflation would mean further change and an increase in rate support grant. If inflation goes down, as we believe that it will, will Labour councils hand back some of their rate support grant? Will nobody volunteer a refund?

Mr. Bernie Grant: Does the hon. Gentleman accept that local authority inflation is higher than inflation generally because local authority inflation includes a number of items that the Government do not use to calculate the national inflation figures? If that is the case, the 8·6 per cent. increase that the hon. Gentleman mentioned is barely sufficient to cope with local authority inflation as opposed to national inflation.

Mr. Wilshire: I accept that some local councils are guilty of increasing their expenditure because they cannot be bothered to keep it down, and I accept that some pay increases are unnaturally high because local government does not do its best to keep pay settlements down.

The report represents good news. It means that if councils are sensible there need not be a rate increase of more than 2 per cent. It means that services can be protected unless councils have party political reasons for trying to undermine them. It means that there need be no risk of variations. One of the reports that we are considering tonight is the fourth report for 1986-87. All those years after the money was spent, council treasurers are still trying to work out what the income might be. That is crazy.

The other piece of good news about tonight's debate is that this settlement is the last, so we shall not have any more gobbledegook of the kind in these reports. Given all that good news, why do Opposition Members make so much fuss? The answer is simple. Labour Members make a fuss because they do not want the public to know the truth. They want to disguise the fact that the rates need go up by only 2 per cent. We get all this hot air because the Labour party wants to mislead the public about the need for rate-capping and the truth about why it was introduced. When Labour Members talk about local government they are still hooked on some desperately out-of-date beliefs. They still believe that income is limitless and that the ratepayers can be soaked. They still believe that throwing money at a problem is the only answer and that value for money always means making cuts. When will they learn that value for money means that if local authorities save money where they are wasting it they can use that money to provide more and better services in other sectors?

9.8 pm

Mr. Ken Livingstone (Brent, East): I did not originally intend to speak in the debate, but there have been so many completely unjustified and unbalanced attacks on Brent council that I wish to put the record straight. I am prepared to be as critical of Brent council as any Conservative Member when it is not working in the interests of local people. It is not my duty as a Member of Parliament to explain the shortcomings of the council to the people; it is my job to represent the views of the people to the council. Neither am I here to defend the track record of the last Labour Government. I condemned them at the time, as a local councillor. I condemned them when they made cuts in the rate support grant in the aftermath of the IMF talks and I condemned them when they took extra controls to interfere in the running of local government. That mistake has been amplified 100 times by the Government.

There has been a drift to centralisation which is totally unacceptable and profoundly damaging to competent administration in local government. I shall give one example from the past. When the Labour party took control of the GLC in 1981 and inherited a Tory budget, we took office under a commitment from the Tory Government to provide £140 million of rate support grant out of a total budget of £450 million. Within days of Labour taking office, we were told that that was to be cut arbitrarily by £5 million. Once we announced that we were going ahead with the commitment to reduce fares, we were told by Government that the entire £140 million would be withdrawn. How can one budget in a realistic way when money is clawed back in that way? That was only the beginning of the Government's track record. It has got far worse.

I am not surprised that, throughout the country, lifelong Conservative, Labour and Alliance councillors —people who committed themselves to providing a service to their local communities—have given up active local government service because they feel that they are being reduced to ciphers of central Government.

I ask my colleague, the hon. Member for Harrow, West (Mr. Hughes), as well as condemning mistakes that the present Brent administration may have made, also to condemn the appalling acts of profligacy by the outgoing Conservative administration that ran Brent for three years with the support of three Liberals. Because it was coming up for re-election and did not want to face the consequences of the way in which it had mismanaged the borough, it left a budget with expenditure of £226 million and income of £165 million—a gap of £61 million. I am amazed that the district auditor did not surcharge it for that irresponsibility.

I am not surprised that problems were caused. I have criticised decisions that Brent may have taken that in practice have not dealt with those issues as wisely as they might have been handled. But what occurred on that occasion was an outrageous and scandalous abuse of public trust, and if blame is to be heaped on Brent council, let it be equally and fairly spread.

The real blame rests with Government, who have massively cut rate support grant. We in Brent are now

getting 40 per cent. less in grant from Government than the area received under the Labour Government. Under Labour, moneys were allocated to local authorities on the basis of need on defined criteria, which were applied equally to every local authority. As soon as the Conservatives took office, new criteria were introduced which allowed the Government to fix the system in a partisan way each year so that some councils saw all of their rate support grant clawed back.

What an outrage it is that for the best part of this decade ILEA has not had a penny of rate support grant to go towards providing education in inner London, yet Tory councils throughout the south-east are often getting 40 to 50 per cent. of their education costs covered. The allocation of grant to local authorities should be conducted on a completely even-handed basis, not on the basis of whether they are Labour or Conservative.

How would Conservative Members like it if a Labour Government were operating in that way? How would they like it if they suddenly had their entire rate support grant clawed back by central Government while Labour-controlled councils saw their income from Government doubled? They would be outraged.

What would be said of the board of directors of a private company that fiddled its accounts in the way in which the Government fiddle the rate support grant system? We would call it a crook and say that it was guilty of fraud. But because the Government can make the rules and laws and then change them year by year, they get away with it.

On how many occasions have Ministers had to propose emergency retrospective legislation to make legal decisions that they had taken but which had been overturned by the courts? Billions of pounds have had to be dealt with in that way. It is a disaster. How can local authorities at officer or member level plan a programme of expenditure fairly and even-handedly when the rules are changed year by year?

I fear that local government in Britain is virtually dead. We shall soon be at the point when nobody will wish to serve in local government because they will feel that they have no real responsibility and power. We shall have witnessed the death of a vital strand of British democracy by a series of stealthy, devious underhand mechanisms conducted by the Conservative party.

9.14 pm

Mr. Simon Coombs (Swindon): It is a pleasure to be the last Back-Bench Member to speak in what I hope will be the last debate on the rate support grant.

In the few minutes remaining, I shall bring the House up to date with the adventures of the borough of Thamesdown. The councillors who form the majority in the borough have been described as "loonies". That description is not entirely fair, despite the fact that they indulge in support for organisations of every kind; despite the fact that they link with far-off countries in central America which will be of little benefit to the ratepayers of Swindon; and despite the fact that they warned in 1984 that rate capping would prevent them carrying out their responsibilities—since when they have been able to carry them out to a greater extent at greater expense to the ratepayers. There is money in Thamesdown for everything—for leisure centres, community centres, modern sculptures which give offence to almost everyone in the borough and a plethora of daffodils which are a delight to the eye every spring. There is never any shortage of money in Thamesdown. The watchwords are "naughty but nice". To compare Thamesdown's grant-related expenditure with what the Government suggest as appropriate is to compare Mount Everest with Ben Nevis.

Rate capping inevitably happened in 1984. As the rate income of the borough rises because of the growth and prosperity brought by the private sector, the rate level is reduced by Government, and it is hard for anyone to argue with that. Inevitably, however, that means that ingenuity is needed from the local Labour councillors. They instructed the borough treasurer—a man of the greatest probity and resourcefulness—to look for new ideas. The first suggestion was creative accountancy, which kept the ship of state afloat for three or four years. One cannot accuse Labour councillors in Thamesdown of lacking flexibility. They said that it was not possible to sell council houses. When they were ordered to do so by Government, they had no right-to-buy forms available and told interested customers to go to Bristol. Then they relented and sold about 4,000 council houses in a few years. Inevitably, the sale of assets followed.

Councillors will not sell the shopping centre because it is a monument to municipal Socialism, but they are at last prepared to consider selling land. The first land that they think of selling this year is part of the largest and most attractive park in the centre of town, but it will help them to dispose of a building nearby. My constituents say that if they sell part of the Lawns they will sell anything. I say that they can sell almost everything else, but not public parks.

The next move is what is known as factoring—a new name on the local government scene which means mortgaging the future and disposing of assets to match current expenditure by letting it off to the finance men of the City. The Audit Commission says that that method of local government business is wrong and illegal, but that has not stopped the council in Thamesdown. On 22 February, we shall know whether it is legal or not. If it is, the people of Thamesdown will lose out on the ever-increasing value of the land that is to be sold in one heap to pay for this year's current expenditure. If it is illegal, the council will almost certainly be unable to formulate a legal budget for next year. If that happens, my constituents will almost certainly suffer the most savage cuts in services, which need not have happened if the council's financial affairs had been planned and executed in a proper way over the past five years.

The information provided to the House for this debate shows that of the seven rate-capped councils five were prepared to accept re-determination—four were successful in obtaining an increase in the funds available and only one was told that it must spend at last year's level—and two councils refused to talk to the Minister. The people of Thamesdown and my constituents lose out, because of all the Labour councils up and down the country Thamesdown is one of only two that will not talk to my right hon. Friend the Minister.

I long for the time when this crazy system is abolished for ever. It leads local councils into the muddle and stupidity that I have had to witness over the past five and a half years from Labour councillors in my borough. The sooner they and the system go, the better.

9.20 pm

Mr. William O'Brien (Normanton): A number of issues arise out of the rate support grant reports. The Minister criticised the rate support grant system and swanned around criticising local government. We should make it abundantly clear that the Minister referred only to the new proposals and the poll tax but we are discussing grants.

Under the new procedures the grants system will apply with 75 per cent. or 80 per cent. of local government income being controlled by the Minister. The grant system will still apply but not in its present form. There is substantial concern about the way in which the new grants system will apply when the present system is abolished. If anyone thinks that the Minister will introduce a formula under the new grants system which will satisfy all the needs of local government—particularly the authorities represented by certain Tory Members who have been expressing concern at the way they were treated under the present system—they are living in cloud-cuckoo-land. Since 1979 there has been a reduction in rate support grant from 61 per cent. budgeted by the Labour Government to 43 per cent. under this Goverment. One can imagine that happening when the Government get hold of the global amount of rate support grant to be handed out to local authorities.

Last July the Secretary of State announced that the expenditure provision for the current year, 1989-90, would be £29,140 million. That figure was based on a then projected inflationary factor of 4·7 per cent., so the scenario sketched by the Secretary of State in his famous juggling act with the figures in his usual maladroit way allowed him to state in the House that the increase in the inflation factor for 1989-90 over 1988-89 was to be 4·7 per cent. The Secretary of State tried to demonstrate his compassion for local government by saying that 4·7 per cent. was a generous consideration.

When we examine some of the other features that are included in these reports on the rate support grant to local government we find that, excluding the provision for poll tax costs of £110 million in the current year, the increase in the 1989-90 budget compared with last year's budget is only 4·3 per cent. and not 4·7 per cent. as the Secretary of State claimed. Once again, the Secretary of State has got it all wrong and there is a mismatch in his representations of the rate support grant settlement. Since the announcement of the provisions of the rate support grant last July, the inflation rate has accelerated dramatically and is running now at no less than 6·4 per cent. It is forecast to peak—or pimp, I believe, was the word—during 1989 to 7 per cent. and may reach 8 per cent.

The result of the Secretary of State's abysmal record in provision for inflation in that the rate support grant settlement means that the allowed increase in the RSG is wholly inadequate and should be reviewed. The shortfall between what is forecast to meet the increase in inflation and what is provided to maintain the essential services in local government will be about £1 billion. That reduction in the RSG could mean one of two things, which have been described on several occasions by my hon. Friends. There may be cuts in services or rate increases above the level that the Government suggests.

Mr. Wilshire: The hon. Gentleman has been enthusiastically trying to talk inflation up as high as he can, but he has talked it up only to 8 per cent. He wholly ignores the fact that the amount made available through grant next year will be 9 per cent. up and he has not yet reached that figure. What is his problem?

Mr. O'Brien: It is clear that the hon. Gentleman is unaware of what his own party's Ministers are doing. If he reads the report, he will see that the amount allocated for inflation was 4·7 per cent. It is the Chancellor of the Exchequer who has said that he expects inflation to blip at 7 per cent. or 8 per cent. in 1989. I am, therefore, only using the figures of Ministers in the same party as the hon. Gentleman. Now that people have realised the extent of the costs concerned with the poll tax——

Mr. Robert G. Hughes: Will the hon. Gentleman give way?

Mr. O'Brien: Not until later. I shall deal with the point that the hon. Gentleman raised in a little while.

The figure of £110 million for poll tax preparation was produced last July when the authorities responsible for the poll tax were beginning to consider the costs. Now that they have realised how much the costs will be, the Minister should agree to give a commitment to increase the resources provided by the Government if the actual costs are higher than those determined by his Department's formula. It would be cruel and dishonest to the people who rely on local government services not to increase resources in line with the formula.

Mr. Harry Cohen (Leyton): My hon. Friend referred to the cost of the poll tax. Is he aware that in my borough of Waltham Forest the Government have allocated £683,434 for the implementation of the poll tax, yet the independent consultants Peat Marwick say that it will cost £6·31 million in one borough alone. That leaves a gap of £5·7 million to be met by local people.

Mr. O'Brien: That illustrates my point. I hope that the Government will make up the difference between what has been budgeted for and what is actually needed.

A significant factor is the aggregate Exchequer grant, and it is helpful to examine the record on that since the Government came to office in 1979. For 1979-80, the last year of the Labour Government, 61 per cent. of local government services were provided from AEG. For the coming year, the Government's AEG contribution has fallen to 43·3 per cent. of relevant expenditure.

If we deduct from the total AEG for 1989-90 the £835 million that has been withdrawn in the change in funding of the polytechnics, we find that there is still a cut in AEG for 1989-90 from £8·95 million to £8·12 million. Expenditure and grant provision by the Government are being reduced by £835 million to reflect the transfer of the polytechnics, which will have no benefit for local ratepayers. There is a massive cut in block grant of more than——

Mr. Robert G. Hughes: Will the hon. Gentleman give way?

Mr. O'Brien: In due course.

Significantly, the Government maintain a margin between the total expenditure of the local authorities and grant-related expenditure. That penalises the authorities which have to meet greater need. Every time the Minister for Local Government comes to the Dispatch Box he says

that in future the system will be based on need. The rate support grant system is already based on need, yet local authorities' needs are being ignored by the Minister.

We have also to consider the devastation caused to local government by the Secretary of State when for the purposes of the Rate Support Grants Act 1988 he decided that all grant entitlements——

Mr. Robert G. Hughes: Will the hon. Gentleman give way?

Mr. O'Brien: The hon. Gentleman should not be so hasty. His turn will come.

In July last year the Secretary of State decided that all grant entitlement for previous years would be frozen on the basis of the expenditure data that was with his Department on 6 July 1988. The Secretary of State should reconsider his decision because of the unfairness of that holdback, which was referred to by more than one of his hon. Friends. I would ask the Minister to reconsider the question of holdback.

Mr. Robert G. Hughes: Let me ask the hon. Gentleman two questions. Will he confirm—whatever he likes to dredge out in the way of details—that the overall effect is that the RSG settlement is raised by 8·6 per cent. next year? Secondly, will he tell the House what the rate support grant was in the year when inflation peaked at 27 per cent. under the Labour Government?

Mr. O'Brien: I can tell the hon. Gentleman that when he said that people were leaving the borough of Ealing —[HON. MEMBERS: "Answer the question."] The hon. Gentleman said that people were leaving the borough of Ealing and going to Harrow, West for better education. His constituency is well down the list when it comes to nursery provision. He is afraid of the real issues on education—[HON. MEMBERS: "Answer the question."] When it comes to education, the hon. Gentleman does not know what is happening in his own constituency. *[Interruption.]*

Mr. Speaker: Order. Let us get back to an orderly debate.

Mr. O'Brien: Provision is made in the bulk grant formula for fire and civil defence, which has not been mentioned in this debate. When the bulk grant system was introduced in 1981, the Department of the Environment intended it to provide sufficient grant to the fire and civil defence authorities to allow them to provide a standard of service at a standard of rate levied on their ratepayers. Since 1986, however, the fire and civil defence authorities have had their level of services determined by the Home Office, which has developed a complex and puzzling system for distributing the grants, which in turn has significantly affected the precepts levied by the fire and civil defence authorities.

The Minister for Local Government is fully aware of this anomalous situation, because on Wednesday 6 December 1988 the Minister held a meeting with people from west and south Yorkshire fire and civil defence authorities, along with Members of Parliament representing those areas. It was explained to the Minister in detail, and made abundantly clear, what those irregular precepts levied in different areas would mean. The variations in precepts levied to provide services for fire and civil defence authorities in the metropolitan areas range from £10 per head of population in one area to £14 in west Yorkshire. That is the unfairness of the system about which the Minister has been told. Those variations in fire protection are due in the main to the way in which the grant system is distributed. The grant system is unfair because of the way in which the Minister and his colleagues in his Department distribute the grants.

At that meeting with the Minister an effective and fair system was outlined, with the appropriate adjustments to meet the level of services as determined by the Home Office —not the Department of the Environment. The understanding between the Home Office, which determines the level of fire cover for an area, and the Department of the Environment, which decides the level of grant to provide that fire cover, is abysmal. Ratepayers in Yorkshire, especially in west Yorkshire, are again under attack by the Government because of this mismatch of rate support grant distribution.

The Minister was given a solution to the problem well before the 1989-90 settlement was decided. He has chosen, however, to ignore the proposals completely. Why does he not accept that there is a need to review the grant for the fire and civil defence authorities? Will he consider the situation and accept the suggestion that the total GRE for fire and civil defence authorities, as circulated in the main rate support grant report, should be redistributed in the current year among the authorities involved? I suggest to him that two thirds of the total should be allocated on the basis of the existing methodology and one third on the basis of the establishment levels. That is not a perfect solution, but it would be fairer and nearer to the needs element which is so sacred to the Minister.

My hon. Friend the Member for Pontefract and Castleford (Mr. Lofthouse) referred to the situation in the Wakefield area, especially that concerning highways and roads, which are included in the transport grant. It is classed as a supplementary grant and is restricted by the Secretary of State deciding what the programme of local authorities should be. In the main, the transport grant covers roads for longer distance traffic and circular and bypass roads, but people are concerned about other roads and streets. Local authorities urgently need to be able to tackle the ever-increasing problem of holes in the roads. Because of the limited expenditure imposed on authorities by the Government and the cuts in rate support grant, repair work on the holes cannot go ahead, so our urban and estate roads are generally deteriorating. I ask the Minister to look into the problems for local authorities of utilities opening up and reinstating road surfaces.

If there is no more money in the rate support grant for maintaining roads, there must be a change of legislation. I hope that the Minister will deal with that point. Failing a change of direction and application of the rate support grant for next year, I ask Conservative Members who have spoken against the Government's measure to join us in voting against it.

9.41 pm

The Parliamentary Under-Secretary of State for the Environment (Mrs. Virginia Bottomley): This is the final speech in the last debate on the rate support grant system. Throughout the debate Opposition Members have sought to dig up the past. Being reluctant to consider next year's

[Mrs. Virginia Bottomley]

rate support grant settlement, they paraded a variety of figures on the rates of grant in past years, with which they unsuccessfully tried to discredit this settlement.

The fact is that next year the grant for local authorities will be £13·575 billion, an increase of 9 per cent. That is £1·1 billion more than will be paid out this year. That is the money on the table, the increase in grant in the contribution from the taxpayer. It is the highest increase of any year in which this Government have been in office. The additional grant will enable authorities, if they spend sensibly, to budget for very low rate increases of about 2 per cent. on average.

In recent years there has been a preoccupation in local government finance with expenditure restraint, through grant adjustments, targets and rate limitation. Many of the speeches made today have shown the flaws in the present system. The Local Government Finance Act 1988 is a move towards establishing local accountability. It depends crucially on the relationship between paying for local services and voting in local elections. Of the 35 million local electors in England, only 18 million are liable to pay rates now.

Many hon. Members have spoken about the importance of local government, about its value, about its role in serving local ratepayers and about it being able to be more autonomous so as to provide services efficiently and effectively. We believe that the new system of local government finance makes that possible. My right hon. Friend the Minister, in his role as the Minister for Local Government, has often spoken of his confidence in local government and of the importance of ensuring that it is accountable.

Our policy is to widen the liability for local taxation to almost all voters through a simple, clear community charge, and to help those who cannot pay it in full. That is a logical and essential step towards greater local authority freedom. The Government should be able to stand further back from local government because the electors will stand much closer. When everyone pays something towards the costs of local services, voters will be more conscious of the cost consequences of local decisions.

One of the complaints by the hon. Member for Hammersmith (Mr. Soley) about the present system was that there was no link between rate rises and increased spending. That is a ringing endorsement of our policies. The whole point of the community charge is to ensure that local people will feel the effect of local decisions.

The hon. Member for Hammersmith tried to argue on the grounds of fairness. That rang rich. For a long time, many of my hon. Friends have failed to understand the fairness of the pensioner paying the same rates as the household next door with several earners. He compared the millionaire with the pensioner. I hope that he knows that the millionaire contributes 15 times as much towards local government expenditure as the single pensioner. Four out of five single pensioners and nine out of 10 one-parent households will pay less under the community charge, and 9·5 million people on low incomes will receive assistance.

When one looks at the injustice suffered by many people on low incomes in high rateable value areas who have to contribute to those on high incomes in low rateable value areas, one sees that questions of justice are especially important. People who are concerned about that should appreciate the opportunities offered by the community charge.

Mr. Fatchett *rose*——

Mrs. Bottomley: I shall not give way because I want to make progress. The hon. Gentleman spoke about Leeds and will want to hear what I have to say.

The settlement provides £110 million for the extra current expenditure costs that authorities will incur in preparing for the community charge. This expenditure is financed by a specific grant of £55 million, with the other 50 per cent. being reflected in block grant. An extra capital allocation of £135 million will be made in 1989-90 in addition to the £25 million in 1988-89. The provision that we have announced is derived from the forecast by Price Waterhouse which made an independent study of the preparation costs. It strikes a balance between the Price Waterhouse estimate of the costs that authorities would incur if they used administrative procedures similar to those presently followed, and the amount needed if all authorities operated in the same way as the most efficient authorities.

Having lost the parliamentary battle on the merits of the community charge, it is inevitable that the opponents of the policy should now turn their energies to exaggerating the costs of implementation. The most recent estimates put forward by local authority associations are based on surveys that simply asked member authorities how much they thought they might spend if they were given a blank cheque. On the basis of the findings in the independent study carried out by Price Waterhouse, the Government are confident that the forecast is objective and is to be preferred to survey results. We think that we are providing sufficient resources to meet the reasonable costs of preparation by authorities.

Many hon. Members spoke about the change in grant levels. When Labour left office, the grant percentage was about 60 per cent. Restoring that would cost about £4 billion which is equivalent to 3p or 4p on the standard rate of income tax. The Opposition have not promised to restore the grant percentage to its previous level. They have said only that grants to local government will increase in line with the growth of the economy nationally. I doubt whether their plans for the economy would enable them to increase grant payments by 9 per cent. or £1·1 billion.

The hon. Members for Wolverhampton, South-East (Mr. Turner), for Hammersmith, for Leeds, Central (Mr. Fatchett), and for Truro (Mr. Taylor) spoke about inflation. The settlement allows authorities to increase spending broadly in line with inflation as measured by the gross domestic product deflator, which is generally accepted as the measure of inflation in the economy as a whole. The retail price index is an appropriate measure in many areas of Government activity and is used to uprate many of the social security benefits such as the state retirement pension, unemployment benefit, invalid care allowance and statutory sick pay. For local authority matters, the GDP deflator is a much more accurate measure.

The hon. Member for Hammersmith asked whether we would increase grant if inflation turns out to be higher than anticipated. We have already made generous provision for grant in the settlement. I remind him that it

is being increased by £1·1 billion, an increase of 9 per cent. That is well above the rate of inflation and if authorities budget sensibly, they should be able to keep rate increases low.

Mr. Soley: That is not the question that I asked. If the rate of inflation approaches 7 or 8 per cent., as even the Chancellor accepts that it may, will the Government increase the rate support grant to take that into account —yes or no?

Mrs. Bottomley: The hon. Gentleman should know that the rate support grant is already well above that figure. A 9 per cent. increase is being made available.

Reference to Schleswig-Holstein is an indispensable part of many debates on rate support grant. However, reference by my hon. Friend the Member for Eastleigh (Sir D. Price) to the city fathers of Florence, Euclid and Hamlet and the Prince of Denmark were novel developments. Eastleigh's situation may seem harsh. It is losing grant, although it is not an overspender, but it has relatively low needs and well above-average resources per head. In addition, its resources are rising faster than its needs. Its grant has been calculated on the same principles as apply to all authorities and I can assure my hon. Friend that it has not been selected for special treatment. In a system based on rateable values it is unlikely to do any better. Its low spending will be better reflected under the new system. When the system is fully operational, the charge payers will face lower bills than most of their neighbours in Hampshire, based on this year's figures. In the meantime, we have to operate the system as it is.

My hon. Friend the Member for Ealing, Acton (Sir G. Young), who had a long and distinguished period at the Department, spoke strongly about the effect of sharp rate increases in Ealing. It would have been difficult to spell out more clearly the importance of efficient and effective services in a London borough. Whether asking for building control, rate rebates or all the other services provided by local authorities, he made it clear that efficient and effective distribution of services is a prime requirement for helping those whom local authorities are there to assist. He asked what protection there would be for his constituents in future if Ealing continued to demand excessively high community charges. As he said, Ealing has slipped through the capping net for the coming year, but, if it persists with its plans for a 35 per cent. rate increase, that will show just how little regard it has for the interests of the people of Ealing.

The charge-capping powers that we have taken will enable us to deal with the situation that my hon. Friend fears, if it should arise. Charge capping is designed to enable chargepayers to be protected from the actions of an irrational and irresponsible council which, perhaps to prove some sort of distorted political point, decides on excessive spending policies.

Mr. Blunkett: How does the hon. Lady square what she has just said with her comments a few moments ago about how the poll tax would increase accountability? How does she square what her Government have done in terms of rate-capping Ealing and imposing a 25 per cent. reduction in its rate and the attacks that have been made by her colleagues by rate-capping a number of authorities over the past five years with the notion that those authorities that have been rate-capped and have had their expenditure and rate limits fixed by the Government are somehow to blame for what the Government have done? Surely accountability lies not with those authorities and their elected members but with the Government.

Mrs. Bottomley: We have made it clear that we hope we shall not have to use charge capping. For many years, local authority citizens have been desperate about their exorbitant rates. It is necessary for Government to intervene. It is not, of course, a first choice and the purpose of the community charge is to have a more direct relationship between the provision of services and payment for them.

Many other hon. Members have made distinguished contributions tonight. My hon. Friend the Member for Great Yarmouth (Mr. Carttiss) spoke at length about his authority. We hope to simplify the way in which needs are assessed. I hope that my hon. Friend will take some reassurance from the fact that my Department earlier today discussed the issue of rural deprivation and the Association of District Councils referred to tourist resorts during this week. We are looking at all those questions and our aim is to achieve a simple and fairer system.

The hon. Member for Newham, North-West (Mr. Banks) referred to the London situation following on from the remarks made by my hon. Friend the Member for Acton. We do not need to spell out further the importance of providing effective and efficient services. It is not a good enough excuse to say that London's problems are overwhelming and that nothing can be done. There are great contrasts between the provision of services in different areas. As my right hon. Friend the Prime Minister has often said, efficiency should be the ally and not the enemy of compassion. The needs may be great—and none of us would dispute that—but that is no excuse for not providing for those needs effectively and efficiently.

My hon. Friend the Member for Meriden (Mr. Mills) referred to his local authority as one of the best councils in the land. Some hon. Members may dispute that, but once again he referred to the difficulties of success. As the rateable values have risen, he has gained less grant. The system in future will do away with that. The hon. Members for Leeds, Central and for Leeds, West (Mr. Battle) referred to the position in Leeds. It was claimed that Leeds would lose £7·3 million. That is quite wrong. Leeds will save about £12 million a year because the Department of Education and Science is paying for polytechnic education. There will be £5 million extra in net terms from the Government to finance services. If it spends in line with our assumptions, rates need rise no more than 4 per cent.

Mr. Fatchett *rose*——

Mrs. Bottomley: My hon. Friend the Member for Derbyshire, West (Mr. McLoughlin) referred to the situation in Derbyshire. It would be difficult to find a better contrast between the efficient and effective distribution of services and the wasteful and the profligate. His specific, clear and well-documented examples, put humorously, made his point powerfully.

Mr. Matthew Taylor *rose*——

Mr. Fatchett: On a point of order, Mr. Speaker.

Mr. Speaker: I hope that it is a point of order and not a point of argument.

Mr. Fatchett: Is it in order for the Minister to give information in this debate which is inconsistent with a parliamentary reply given on 12 December to which my hon. Friend——

Mr. Speaker: Order. That is not a point of order for me. The Minister must take responsibility for what she says.

Mr. Fatchett: Further to that point of order, Mr. Speaker. The Minister is providing the wrong information.

Mr. Speaker: Order. The Minister must take responsibility for what she says.

Mrs. Bottomley: My hon. Friend the Member for Harrow, West (Mr. Hughes) also contributed to the debate. The behaviour of the hon. Member for Bradford, North (Mr. Wall) brought a poor name to this House and his philosophy of extremism and disruptive divisiveness also gave a bad name to local government.

I appreciated the remarks of my hon. Friend the Member for Spelthorne (Mr. Wilshire). The hon. Member for Brent, East (Mr. Livingstone) failed to say that next year Brent will receive £19 million more than this year. It could reduce its rates by 13 per cent. if it spent in line with inflation.

Reform of the grant system will assist accountability. The present RSG distribution is complicated and many hon. Members have complained about the difficulties involved. The basic and fundamental role of local government is to ensure the provision of services locally that are best provided locally. The task is to serve the public wherever it is best served.

The changes facing local government are wide-ranging. They are not an attack on its powers or its rights. The changes are designed to meet a constantly changing pattern of need for services in a constantly changing economic environment.

Sadly, the Opposition will oppose this final rate support grant order. They show few signs of understanding that we are moving from Government control to effective decision-making by local people, backed by local voters and the local councillors whom they elect.

The real choice is a democratic choice; a local choice. Our choice tonight is to grant £1,100 million—9 per cent. more—to local authorities. The House should support it.

Question put:—

The House divided: Ayes 257, Noes 203.

Division No.40] **[9.59 pm**

AYES

Aitken, Jonathan
Alexander, Richard
Alison, Rt Hon Michael
Allason, Rupert
Amess, David
Amos, Alan
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Tom *(Hazel Grove)*
Ashby, David
Aspinwall, Jack
Atkinson, David
Baker, Nicholas *(Dorset N)*
Banks, Robert *(Harrogate)*
Batiste, Spencer
Bendall, Vivian
Bennett, Nicholas *(Pembroke)*
Benyon, W.
Bevan, David Gilroy
Biffen, Rt Hon John
Blackburn, Dr John G.
Blaker, Rt Hon Sir Peter
Body, Sir Richard
Bonsor, Sir Nicholas
Boscawen, Hon Robert
Boswell, Tim
Bottomley, Peter
Bottomley, Mrs Virginia
Bowis, John
Boyson, Rt Hon Dr Sir Rhodes
Brandon-Bravo, Martin
Brazier, Julian
Brooke, Rt Hon Peter
Brown, Michael *(Brigg & Cl't's)*
Browne, John *(Winchester)*
Bruce, Ian *(Dorset South)*
Buck, Sir Antony
Burns, Simon
Burt, Alistair
Butcher, John
Butler, Chris
Butterfill, John
Carlisle, John, *(Luton N)*
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Cash, William
Chalker, Rt Hon Mrs Lynda
Chapman, Sydney
Chope, Christopher
Churchill, Mr
Clark, Dr Michael *(Rochford)*
Clark, Sir W. *(Croydon S)*
Clarke, Rt Hon K. *(Rushcliffe)*
Colvin, Michael
Conway, Derek
Coombs, Anthony *(Wyre F'rest)*
Coombs, Simon *(Swindon)*
Cormack, Patrick
Cran, James
Critchley, Julian
Currie, Mrs Edwina
Davies, Q. *(Stamf'd & Spald'g)*
Davis, David *(Boothferry)*
Day, Stephen
Devlin, Tim
Dickens, Geoffrey
Dorrell, Stephen
Douglas-Hamilton, Lord James
Dover, Den
Dunn, Bob
Durant, Tony
Dykes, Hugh
Emery, Sir Peter
Fallon, Michael
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Fishburn, John Dudley
Fookes, Dame Janet
Forman, Nigel
Fox, Sir Marcus
Garel-Jones, Tristan
Gilmour, Rt Hon Sir Ian
Glyn, Dr Alan
Goodhart, Sir Philip
Goodson-Wickes, Dr Charles
Greenway, Harry *(Ealing N)*
Gregory, Conal
Grylls, Michael
Gummer, Rt Hon John Selwyn
Hampson, Dr Keith
Hanley, Jeremy
Hannam, John
Hargreaves, Ken *(Hyndburn)*
Harris, David
Haselhurst, Alan
Hayes, Jerry
Hayhoe, Rt Hon Sir Barney
Hayward, Robert
Heddle, John
Hicks, Mrs Maureen *(Wolv' NE)*
Hicks, Robert *(Cornwall SE)*
Higgins, Rt Hon Terence L.
Hind, Kenneth
Hogg, Hon Douglas *(Gr'th'm)*
Holt, Richard
Hordern, Sir Peter
Howard, Michael
Howarth, Alan *(Strat'd-on-A)*
Howarth, G. *(Cannock & B'wd)*
Howell, Rt Hon David *(G'dford)*
Howell, Ralph *(North Norfolk)*
Hughes, Robert G. *(Harrow W)*
Hunt, David *(Wirral W)*
Hunter, Andrew
Hurd, Rt Hon Douglas
Irvine, Michael
Irving, Charles
Jack, Michael
Jackson, Robert
Jessel, Toby
Jones, Gwilym *(Cardiff N)*
Jones, Robert B *(Herts W)*
Kellett-Bowman, Dame Elaine
Key, Robert
King, Roger *(B'ham N'thfield)*
King, Rt Hon Tom *(Bridgwater)*
Knight, Greg *(Derby North)*
Knight, Dame Jill *(Edgbaston)*
Knowles, Michael
Lamont, Rt Hon Norman
Lang, Ian
Lawrence, Ivan
Lee, John *(Pendle)*
Leigh, Edward *(Gainsbor'gh)*
Lennox-Boyd, Hon Mark
Lester, Jim *(Broxtowe)*
Lightbown, David
Lilley, Peter
Lloyd, Sir Ian *(Havant)*
Lloyd, Peter *(Fareham)*
Lord, Michael
Luce, Rt Hon Richard
Macfarlane, Sir Neil
MacGregor, Rt Hon John
MacKay, Andrew *(E Berkshire)*
Maclean, David
McLoughlin, Patrick
McNair-Wilson, Sir Michael
McNair-Wilson, P. *(New Forest)*
Madel, David
Malins, Humfrey
Mans, Keith
Marshall, Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Mates, Michael
Mawhinney, Dr Brian
Mayhew, Rt Hon Sir Patrick
Mellor, David
Meyer, Sir Anthony
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David
Moate, Roger
Monro, Sir Hector
Morrison, Sir Charles
Morrison, Rt Hon P *(Chester)*
Moss, Malcolm
Moynihan, Hon Colin
Mudd, David
Neale, Gerrard
Needham, Richard
Nelson, Anthony
Neubert, Michael
Newton, Rt Hon Tony
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Norris, Steve
Oppenheim, Phillip
Page, Richard
Paice, James
Patnick, Irvine
Patten, Chris *(Bath)*
Patten, John *(Oxford W)*
Pattie, Rt Hon Sir Geoffrey
Pawsey, James
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Portillo, Michael
Powell, William *(Corby)*
Raffan, Keith
Raison, Rt Hon Timothy
Redwood, John
Renton, Tim
Rhodes James, Robert
Riddick, Graham
Roberts, Wyn *(Conwy)*
Roe, Mrs Marion
Rossi, Sir Hugh
Rowe, Andrew
Rumbold, Mrs Angela
Ryder, Richard

Sainsbury, Hon Tim
Sayeed, Jonathan
Scott, Nicholas
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shaw, Sir Michael *(Scarb')*
Shelton, Sir William *(Streatham)*
Shephard, Mrs G. *(Norfolk SW)*
Shepherd, Colin *(Hereford)*
Shepherd, Richard *(Aldridge)*
Shersby, Michael
Sims, Roger
Smith, Tim *(Beaconsfield)*
Soames, Hon Nicholas
Speller, Tony
Spicer, Michael *(S Worcs)*
Squire, Robin
Stanley, Rt Hon Sir John
Steen, Anthony
Stern, Michael
Stevens, Lewis
Stewart, Allan *(Eastwood)*
Stewart, Andy *(Sherwood)*
Sumberg, David
Summerson, Hugo
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Taylor, Teddy *(S'end E)*
Tebbit, Rt Hon Norman
Temple-Morris, Peter
Thompson, Patrick *(Norwich N)*
Thorne, Neil
Thornton, Malcolm
Thurnham, Peter
Townend, John *(Bridlington)*
Townsend, Cyril D. *(B'heath)*
Tracey, Richard
Tredinnick, David
Trippier, David
Trotter, Neville
Twinn, Dr Ian
Vaughan, Sir Gerard
Waddington, Rt Hon David
Walker, Bill *(T'side North)*
Ward, John
Wardle, Charles *(Bexhill)*
Warren, Kenneth
Watts, John
Wells, Bowen
Whitney, Ray
Widdecombe, Ann
Winterton, Mrs Ann
Winterton, Nicholas
Wood, Timothy
Woodcock, Mike
Yeo, Tim
Young, Sir George *(Acton)*

Tellers for the Ayes:
Mr. David Heathcoat-Amory and Mr. Tom Sackville.

NOES

Abbott, Ms Diane
Adams, Allen *(Paisley N)*
Allen, Graham
Alton, David
Anderson, Donald
Archer, Rt Hon Peter
Armstrong, Hilary
Ashton, Joe
Banks, Tony *(Newham NW)*
Barnes, Mrs Rosie *(Greenwich)*
Barron, Kevin
Battle, John
Beckett, Margaret
Beith, A. J.
Bell, Stuart
Benn, Rt Hon Tony
Bennett, A. F. *(D'nt'n & R'dish)*
Bermingham, Gerald
Bidwell, Sydney
Blair, Tony
Blunkett, David
Boateng, Paul
Boyes, Roland
Bradley, Keith
Bray, Dr Jeremy
Brown, Gordon *(D'mline E)*
Brown, Nicholas *(Newcastle E)*
Brown, Ron *(Edinburgh Leith)*
Bruce, Malcolm *(Gordon)*
Buchan, Norman
Buckley, George J.
Caborn, Richard
Callaghan, Jim
Campbell, Menzies *(Fife NE)*
Campbell, Ron *(Blyth Valley)*
Campbell-Savours, D. N.
Canavan, Dennis
Cartwright, John
Clark, Dr David *(S Shields)*
Clarke, Tom *(Monklands W)*
Clay, Bob
Clelland, David
Clwyd, Mrs Ann
Cohen, Harry
Coleman, Donald
Corbett, Robin
Cousins, Jim
Cox, Tom
Crowther, Stan
Cummings, John
Cunliffe, Lawrence
Dalyell, Tam
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Ron *(Caerphilly)*
Davis, Terry *(B'ham Hodge H'l)*
Dixon, Don
Dobson, Frank
Dunnachie, Jimmy
Dunwoody, Hon Mrs Gwyneth
Evans, John *(St Helens N)*
Fatchett, Derek
Faulds, Andrew
Fearn, Ronald
Field, Frank *(Birkenhead)*
Fields, Terry *(L'pool B G'n)*
Flannery, Martin
Flynn, Paul
Foot, Rt Hon Michael
Foster, Derek
Fraser, John
Fyfe, Maria
Galbraith, Sam
Galloway, George
Garrett, John *(Norwich South)*
Garrett, Ted *(Wallsend)*
George, Bruce
Gilbert, Rt Hon Dr John
Godman, Dr Norman A.
Golding, Mrs Llin
Gordon, Mildred
Gould, Bryan
Graham, Thomas
Grant, Bernie *(Tottenham)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Hardy, Peter
Harman, Ms Harriet
Hattersley, Rt Hon Roy
Haynes, Frank
Healey, Rt Hon Denis
Heffer, Eric S.
Henderson, Doug
Hinchliffe, David
Hogg, N. *(C'nauld & Kilsyth)*
Holland, Stuart
Hood, Jimmy
Howarth, George *(Knowsley N)*
Howell, Rt Hon D. *(S'heath)*
Howells, Geraint
Hoyle, Doug
Hughes, John *(Coventry NE)*
Hughes, Robert *(Aberdeen N)*
Hughes, Sean *(Knowsley S)*
Hughes, Simon *(Southwark)*
Illsley, Eric
Jones, Barry *(Alyn & Deeside)*
Jones, Martyn *(Clwyd S W)*
Kaufman, Rt Hon Gerald
Kennedy, Charles
Kinnock, Rt Hon Neil
Lamond, James
Leadbitter, Ted
Leighton, Ron
Lestor, Joan *(Eccles)*
Lewis, Terry
Litherland, Robert
Livingstone, Ken
Livsey, Richard
Lloyd, Tony *(Stretford)*
Lofthouse, Geoffrey
Loyden, Eddie
McAllion, John
McAvoy, Thomas
Macdonald, Calum A.
McFall, John
McKay, Allen *(Barnsley West)*
McKelvey, William
McLeish, Henry
McNamara, Kevin
McTaggart, Bob
McWilliam, John
Madden, Max
Mahon, Mrs Alice
Marek, Dr John
Marshall, Jim *(Leicester S)*
Martin, Michael J. *(Springburn)*
Martlew, Eric
Maxton, John
Meacher, Michael
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Mills, Iain
Mitchell, Austin *(G't Grimsby)*
Moonie, Dr Lewis
Morgan, Rhodri
Morley, Elliott
Morris, Rt Hon A. *(W'shawe)*
Morris, Rt Hon J. *(Aberavon)*
Mowlam, Marjorie
Mullin, Chris
Nellist, Dave
Oakes, Rt Hon Gordon
O'Brien, William
O'Neill, Martin
Orme, Rt Hon Stanley
Parry, Robert
Patchett, Terry
Pendry, Tom
Pike, Peter L.
Powell, Ray *(Ogmore)*
Prescott, John
Primarolo, Dawn
Quin, Ms Joyce
Radice, Giles
Randall, Stuart
Rees, Rt Hon Merlyn
Richardson, Jo
Robertson, George
Robinson, Geoffrey
Rogers, Allan
Rooker, Jeff
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Ruddock, Joan
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Shore, Rt Hon Peter
Short, Clare
Skinner, Dennis
Smith, C. *(Isl'ton & F'bury)*
Snape, Peter
Soley, Clive
Spearing, Nigel
Steel, Rt Hon David
Stott, Roger
Strang, Gavin
Straw, Jack
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Matthew *(Truro)*
Turner, Dennis
Vaz, Keith
Wall, Pat
Wallace, James
Walley, Joan
Wardell, Gareth *(Gower)*
Wareing, Robert N.
Welsh, Michael *(Doncaster N)*
Williams, Rt Hon Alan
Williams, Alan W. *(Carm'then)*
Winnick, David
Wray, Jimmy

Tellers for the Noes:
Mr. Frank Cook and Mr. Ken Eastham.

Question accordingly agreed to.

Resolved,

That the Rate Support Grant Report (England) 1989-90 (House of Commons Paper No. 75), a copy of which was laid before this House on 19th December, be approved.

It being after Ten o'clock, Mr. Speaker *proceeded, pursuant to the order of 13 January, to put forthwith the remaining motions relating to local government finance.*

Local Government Finance

Resolved,

That the Rate Support Grant Supplementary Report (England) 1989-90 (House of Commons Paper No. 14), a copy of which was laid before this House on 19th December, be approved.—*[Mr. Gummer.]*

Resolved,

That the Rate Support Grant Supplementary Report (England) (No. 2) 1987-88 (House of Commons Paper No. 13), a copy of which was laid before this House on 19th December, be approved.—*[Mr. Gummer.]*

Resolved,

That the Rate Support Grant Supplementary Report (England) (No. 4) 1986-87 (House of Commons Paper No. 12), a copy of which was laid before this House on 19th December, be approved.—*[Mr. Gummer.]*

Resolved,

That the Rate Support Grant Supplementary Report (England) (No. 4) 1985-86 (House of Commons Paper No. 11), a copy of which was laid before this House on 19th December, be approved.—*[Mr. Gummer.]*

Statutory Instruments, &c.

Motion made, and Question put forthwith pursuant to Standing Order No. 101(5) (Standing Committees on Statutory Instruments, &c.).

AGRICULTURE

That the Agriculture Improvement (Variation) (No. 3) Scheme 1988 (S.I., 1988, No. 2066), dated 25th November 1988, a copy of which was laid before this House on 28th November, be approved.—*[Mr. Chapman.]*

PETITION

Sunday Trading

10.14 pm

Mr. Frank Cook (Stockton, North): I wish to present a petition to the House on behalf of almost 200 of my constituents about Sunday trading. The petition is signed by John O'Gorman of 11 Darlington lane, Ian Menzies of Saltney road, Martin Ball of Elcott road, Norton and several others.

The petition from residents of Stockton, North sheweth

That the undersigned are concerned that any future legislation on Sunday trading and commercial activity should uphold the character of Sunday as a shared and special day for the enjoyment of family life, rest, community and worship.

I am sure that the petition warrants most careful consideration by the House.

To lie upon the Table.

Manchester (Poverty)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Chapman.]*

10.16 pm

Mr. Alfred Morris (Manchester, Wythenshawe): This is a deeply important debate about the living conditions of the most needful of those whom we on these Benches tonight, as hon. and right hon. Members for Manchester constituencies, have the responsibility and the honour to represent here. The way they now live—and all too often prematurely die—is spelt out with force and eloquence in two recent reports.

The first of these two major social documents is Professor Peter Townsend's report "Inner City Deprivation and Premature Death in Greater Manchester" which demonstrates that, in some of the most deprived parts of the city, the death rate is 63 per cent. above the national average. The second is "Poverty in Manchester—Third Investigation Report" recently published by Manchester city council which, at a time when the Prime Minister sloganises about the importance of keeping families together, shows that some families in the city are now so poor that there are days when they cannot afford to eat.

For that among other reasons, we feel that the Prime Minister herself ought to reply to this debate. She has the two reports and, if she has read them, will know that their implications go beyond the responsibilities of any one Department of State. Their message has to be fully understood by the Government as a whole and we want urgent ministerial initiatives to reduce deprivation in Manchester, especially in the inner city, but also very importantly in the poorer wards of my own Wythenshawe constituency in south Manchester, where poverty matches that in the central areas.

Following precedents the Prime Minister must honour, we want urgently to see her about the two reports and to be accompanied by constituents who are personally affected by the grim facts of life on the poverty line for huge numbers of Manchester families. It is the Prime Minister who is ultimately responsible for having created Britain's growing underclass or jumble-sale squad "giro-cracy" of people, most of whom, as the two reports show, have to eke out an existence that is becoming ever more nasty, brutish and preventably short.

There is not enough time for me to relate in this debate all of the most disturbing facts revealed in the reports, but some I must give the House. Taking "Poverty in Manchester" first, the survey for which was undertaken by an independent fieldwork agency, the report shows that 32 per cent. of the city's population, some 144,000 people, are living in poverty in Manchester today. The groups in which poverty is disproportionately high include one-parent families, of whom 65 per cent. live in poverty; black and Asian households, 50 per cent.; council tenants, 48 per cent.; and families with someone who is long-term sick or disabled, 40 per cent. Some 55 per cent. of the city's poor are also in debt.

The report analyses the official statistics on unemployment—Manchester has over twice the national rate—low pay, taxation and benefits. It explodes many of the Government's myths. The report also deals with the impact on Manchester's poor of the huge loss in Government grants to the city over the past ten years, the effect of last April's social security changes, the DSS's deliberate underspending on community care grants and the way in which the poll tax, when it comes into operation, will further increase the living costs of people on low incomes in areas of low rateable value, a high proportion of whom are pensioners who already cannot make ends meet.

To give more details of the report's findings on poverty, which it defines as inability to afford what everyone else sees as the necessities of life, over 30,000 people in Manchester live in homes without essential heating. About 20,000 homes are affected by damp and a further 20,000 include at least one person who lacks a warm waterproof coat, while half the city's population cannot afford to pay for a week's holiday away from home and many thousands do not own more than one pair of shoes.

Over half the households in receipt of social security benefits live in poverty and more than 40 per cent. of them include a long-term sick or disabled person. Among families with children, three quarters go without three necessities. Over 50,000 people in Manchester are worse off because of the change from supplementary benefit to income support and the replacement of grants as of right by the social fund.

Professor Townsend's report spotlights the close correlation which exists between material deprivation and premature death. He shows that the four most deprived wards in the city have the worst health records, judged by, among other factors, the percentage of children of low birth weight. Three of the four wards also have the highest proportion of premature deaths in the city and the highest post-perinatal mortality rates.

In the space of two years, there were nearly 1,500 "excess deaths" in the city due to higher mortality rates in materially deprived wards. In my constituency, the number of people who died in the poorer wards was 169 above the national average last year. They died one by one and publicly unseen, but taken together their deaths total nearly four times the toll in the recent Boeing 737 disaster at Kegworth. By contrast, the death rate in Britain's most affluent communities has fallen in a decade by 26 per cent.

There has been a shifty and puerile attempt to divert attention from the two reports by blaming the local council, which has lost £570 million in grants under the present Government, for poverty in the city. That immense loss, so gravely damaging to the council's ability to help local people, not least the poorest, is itself a major factor in the growth of poverty in Manchester.

Mr. Keith Bradley (Manchester, Withington): Will my right hon. Friend agree that the loss of that grant throughout Manchester—and, as I believe he is about to say, the spread of poverty—now means that we have pockets of abject poverty even in the most affluent parts of Manchester, traditionally seen in my area of Withington? Many people in that area are now suffering in the way that poverty was previously seen only as an inner-city phenomenon.

Mr. Morris: I entirely agree with my hon. Friend and warmly admire the persistence with which he has argued that important point to the House month after month. I am sure that he will agree with me that to blame the council for poverty in Manchester, while it may satisfy the politically illiterate, is like blaming the victim for a crime.

[Mr. Morris]

In Manchester, 17,483 tenants and ratepayers have now lost all their housing benefit under the Government's revised scheme; 100,000 now receive less housing benefit; 44,581 no longer receive help with their water rates; 109,000 of Manchester's children lost a total of £1·98 million by the freezing of child benefit in the last year and 7,000 have been deprived by the Government of free school meals; 50,000 people in the city are worse off due to the replacement of supplementary benefit by income support; and 2,000 16 and 17-year-olds have lost income support.

All of them are victims of this Government's warped social priorities. One of them is Thomas Cook, who is aged 73, a retired engine driver in Manchester whose income is £42·79 a week, and woe betide anyone who tries to tell him that the local council is responsible for his poverty. Christian Wolmas said of him in *The Independent*:

"What makes a visit to Mr. Cook's home so poignant is the spartan tidiness: the little decaying rectangles of carpet placed neatly around the room, but barely covering a third of the grey lino. One can almost feel Mrs. Thatcher's approval of his efforts to make the best of a difficult job, but her name is not one to mention in his little flat unless you want to be shown the door."

Mr. Cook's wife died of cancer, he has had an operation for cancer, but now has to try to exist on a weekly sum that would not have bought a meal for two at many a table in the Carlton club tonight. Nor would it pay for the week-end diversions of many a lager lout in the more prosperous communities where they wreak their havoc.

Giving more help to the elderly poor, or others in poverty, is not a problem of resources but one of priorities. In last year's Budget alone, £1·9 billion went in tax cuts to the richest 1 per cent. of taxpayers, while many of Manchester's pensioners now complain in the winter months of having to choose between eating and heating, and ministerial advice to them is that salvation lies in the jumble sale.

The grievous severity of job losses over recent years in Manchester, which once made Britain the workshop of the world, has won national attention. Now an independent study of regional economic prospects for the United Kingdom, to which Lord Dean cogently referred in another place last Monday, shows that the outlook is extremely bleak for the north-west. Further huge job losses are forecast and the report of the study says:

"The outlook for the North West is almost wholly depressive. It is forecast to fare worse than any other UK region, suffering the biggest fall in employment, and output growth barely half the national average."

That is the message from Cambridge Econometrics, and we want tonight a statement, which I hope will not be as obtuse as the one given to Lord Dean last Monday, about the daunting further challenge it presents to the people that my hon. Friends the Members for Manchester, Blackley (Mr. Eastham) and for Manchester, Central (Mr. Litherland), my right hon. Friend the Member for Manchester, Gorton (Mr. Kaufman), and my hon. Friends the Members for Manchester, Withington (Mr. Bradley), for Stretford (Mr. Lloyd) and I represent. We are especially glad to see our hon. Friends the Members for Oldham, Central and Royton (Mr. Lamond) and for Heywood and Middleton (Mr. Callaghan) among others who are here with us tonight.

I repeat that the resources are there urgently to improve the conditions of life of Manchester's poor and to improve the economic prospects of the conurbation. The Chancellor boasts of the surplus available to him and can well afford the £4 billion cash injection that the TUC is requesting for, among other purposes, help for poorer families and the low-paid; increased child benefits and adequately funded hospitals in areas which know all too well the cost of ward closures; and both better provision for children at school and more housing investment in the public sector.

He most certainly has the funds to alleviate the stark poverty revealed by the two reports about Manchester. The cost to the Chancellor would be trivial of restoring the £4·1 million lost by Manchester's poorest people, compared with 1985-86, by the substitution of the social fund for single payments to meet urgent needs. He can also well afford to close the gap between Manchester's bid for £209 million under the housing investment programme and our allocation of only £17 million.

Ministers must know of the reports that to put right the defects in Manchester's private sector housing would cost £250 million and that to remedy faults in its council properties would cost at least £750 million, which makes the city's HIP allocation of £17 million a calculated insult to those whose homes are in need of renovation or refurbishment or who are homeless in Manchester today. Again, the Government must know that urgent repairs and maintenance to elderly persons' homes and even fire precaution work in children's homes have to be deferred.

As Minister for the Disabled I was always ready to go with any Member of Parliament to see at first hand any local problems of concern to him or her. More to the point, I recall going as a Minister, at his request, with the present Secretary of State for Social Security to his Croydon constituency. That entitles me to ask him now to come with me and my parliamentary colleagues to Manchester to see at first hand the preventable suffering among the poorest of our constituents. I ask him to spend a day or so with the city's social work service so that he can visit and talk to the people it is now seeking to help in circumstances of intimidating difficulty. The Prime Minister said here last May that "everyone" had benefited from increased prosperity. She emphasised the word "everyone".

The Secretary of State will learn in Manchester the reaction to that statement of the poorest of our pensioners, one-parent families and other deprived groups. Hopefully, he will meet Thomas Cook.

Mr. Tony Lloyd (Stretford): My right hon. Friend made a valid point about his role as a Minister and about how he cared enough to go to the areas that mattered. In his experience of Governments of both complexions, has my right hon. Friend ever seen, on the face of the Prime Minister or the Chancellor of the Exchequer, anything that leads him to believe that they care about the issues we are raising? It is only if they care and want to make the issues their priority that our constituents will benefit from the change in policy.

Mr. Morris: My hon. Friend was extremely kind to refer to my practice as a Minister of going to constituencies to meet needful people at the request of the Members of Parliament concerned if they wished me to do so. We have to judge people by their actions. We must make our assessment of them by the effect of what they do to people

who are the most in need. What I have said is that by that test the Government have a geat deal for which to answer. That is not just my view; it is the view also of the Bishop of Manchester who, in his new year's message, made it pikestaff-plain that poverty and inequalities have increased, are increasing and ought to be diminished.

The message of this debate is that poverty in Manchester has increased, as the Bishop said, is increasing and will go on increasing if the Government refuse to take purposeful action. We demand that such action be taken and insist on urgency. If they refuse, the people of Manchester will draw their own conclusions about the Government's attitude to the widespread deprivation in their city.

10.32 pm

The Parliamentary Under-Secretary of State for Social Security (Mr. Peter Lloyd): I congratulate the right hon. Member for Manchester, Wythenshawe (Mr. Morris) on securing this debate. I listened with interest to his speech and to the contributions made by his hon. Friends the Members for Manchester, Withington (Mr. Bradley) and for Stretford (Mr. Lloyd). I understand that there are people in Manchester and other parts of the country who are facing real and persistent problems. That is recognised by the Government, contrary to the points made by the right hon. Member for Wythenshawe, and long-term policies are developed accordingly.

The right hon. Member for Wythenshawe and the hon. Members who intervened have, understandably, concentrated on the darker side of the picture. We should look at the problems they raise in context. I should like to say something about the more encouraging aspects of what is happening in one of our major cities.

Mr. Gerald Kaufman (Manchester, Gorton): Will the Minister give way?

Mr. Lloyd: I have little time because the right hon. Member for Wythenshawe took more than 15 minutes. However, I will give way.

Mr. Kaufman: Will the Minister say what encouragement he can offer to my constituent, Mrs. Jenkins, who wrote to tell me today that, as a result of the Government's changes in social security, she and her husband, who have struggled all their lives to buy their house, are likely to have to give up that house and be homeless because they cannot afford to keep up their payments?

Mr. Lloyd: I should not have given way because, as the right hon. Gentleman knew before he made his intervention, I cannot comment on a particular case without looking at all the facts first. If he really wants to raise that matter with me, he will, perhaps, write to me with the full details. I would appreciate that and I would then look into the matter and answer him.

I shall now look at the more encouraging aspects of the scene in Manchester. The level of unemployment in the Manchester authority district, to which the right hon. Member for Wythenshawe referred, has fallen by more than 17 per cent. between November 1987 and November 1988. Overall, unemployment in Greater Manchester has dropped from 13·2 per cent. to 10·6 per cent. in a year and is still dropping. That is good news for Manchester——

Mr. Tony Lloyd: What about Manchester itself?

Mr. Lloyd: I also referred to the local district authority. I hope that the hon. Gentleman will allow me to finish.

Mr. Ken Eastham (Manchester, Blackley): My hon. Friend the Member for Stretford (Mr. Lloyd) may be able to assist the Minister.

Mr. Lloyd: No, I do not think that he will assist me. I have allowed one intervention—which is more than enough—and it was not a help to the central argument. If the hon. Gentleman has a point, I hope that he will write to me and I shall reply. It is not worth taking up time now on it.

The fall in unemployment is good news. The graph in the city council report, in which I was very interested, shows clearly that the increase in numbers of those on supplementary benefit between 1979 and 1987 was due mainly to the rise in unemployment and unemployment is now falling. There are also 9,500 vacancies on the youth training scheme and 9,000 places on the new employment training scheme to help to ensure that skills are available to continue that expansion.

There have been significant improvements in the health service in the Manchester area. Salford district health authority, for example, has seen a growth in spending of 11·5 per cent.

Mr. Eastham: Salford is not the same as Manchester.

Mr. Lloyd: The corresponding increase for central Manchester is 10·4 per cent. and other health authorities in the area have also shown increases.

However, it is not just the policies of central Government that have an impact on the poor people in Manchester. Manchester city council also has a role to play. I welcome the fact that the council is participating in the Government's Estates Action initiative aimed at improving housing conditions in—and the management of—unpopular housing estates. However, I understand that Manchester city council has been slow in submitting schemes that would take advantage of Estates Action resources. In 1988-89, the council received £2·7 million for two new schemes and it has been told that there is a further £1·2 million available, mostly to refurbish empty dwellings for the homeless. The council has so far not taken advantage of those resources even though it owns some 5,000 empty houses and flats. I hope that it will soon.

There have been references to particular cases. The right hon. Member for Manchester, Gorton (Mr. Kaufman) mentioned one in an intervention. I shall not attempt to comment on them here because it would be wrong to do so without studying the full facts. If any hon. Gentleman wishes to write to me about any particular case that he would have used to illustrate this debate, or which has been used already, I shall, of course, look into it as closely as I can. However, I shall comment now on the charge that the social security system is not meeting the needs of the poorest in the city.

First, I must repeat what I have said many times, which is that there is no absolute poverty line. To use the supplementary benefit or income support levels is clearly not tenable. That would mean that when the Government raise benefit levels, there would be more poor people. The approach adopted in the city council's report is not much

[Mr. Lloyd]

better. Measuring deprivation inevitably involves subjective judgments and that is what has happened there. However, there is not enough time to enter into a technical debate about how we define poverty.

Mr. Eastham: Will the Minister give way?

Mr. Lloyd: No, because I have little time and I have some important points to make.

The main point that I want to make is that, inevitably, the report is out of date. It covers the situation in 1987, before the social security reforms were introduced last April. The report acknowledges that, and goes on to speculate about how the changes affect Mancunians on income support and family credit. We shall not have the definitive figures for income support until next summer. Under this Government pensioners have experienced a rise in average income of 23 per cent., and it was plain from the table in the city council's report that the number of elderly people on supplementary benefit was not increasing. Under income support—the benefit paid to the poorest—pensioners receive an age-related premium and we have already announced that those premiums will be restructured.

From this October we are to introduce enhanced premiums for those of 75 or over and for disabled pensioners. In a full year, that will cost almost £200 million and benefit 2·6 million pensioners who get income support or housing benefit. It will help those categories of people who have had the least opportunity to make extra provision for themselves.

Hon. Members have mentioned the difficulties facing families. Their criticisms take no account of the increased generosity of the family credit scheme, which means that a couple with two children can receive benefit if they have gross earnings of £142 a week, which will increase to £154 from April.

Mr. Eastham: On a point of order, Mr. Speaker. We thought that this debate would deal with poverty in Manchester. Would you, Sir, ask the Minister at least to attempt to reply to my right hon. Friend——

Mr. Speaker: Order. That is not a point of order for me. As the hon. Gentleman has just said, he wants the Minister to answer the questions, so it is a matter for the Minister.

Mr. Lloyd: The increasing number of jobs in Manchester means that that innovation by the Government will help a substantial number of families in the city. Those who are still looking for work and rely on income support will get extra help this April from the 50p additions to the allowances for children, at a cost of £70 million to the taxpayer.

We should remember, too, that the city centre in Manchester is now recognised to be the country's second largest financial centre. There are branches and regional offices of all the major clearing banks, eight merchant banks and 30 overseas or international banks. It was of Manchester city centre that the *Financial Times* said:

"in the last two years a major transformation has been taking place in Manchester's financial and professional community."

The area also has the largest campus in western Europe, covering the university of Manchester, UMIST—the university of Manchester institute of science and technology—Manchester business school, Manchester polytechnic and the university of Salford. All these bring jobs, resources and investment into Manchester, thus benefiting the entire community. It is a shame that Opposition Members do not understand that. It shows that they do not understand the long-term solutions to the problems of which they rightly complain and with which I sympathise.

What is more, Manchester has impressed the rest of the country so much that it will be the British representative challenging to hold the 1996 Olympic games. My right hon. Friend the Secretary of State for Transport was happy to approve the expenditure of £10 million to start a second international terminal at Manchester airport, which will also have a new rail link. All those factors contribute to the expansion of the local economy.

I repeat that right hon. and hon. Members have drawn attention to real problems in Manchester and I do not want to minimise their importance. However, they may also inadvertently have suggested that there have been no improvements in the circumstances of the people in that city and that the future is grim. I hope that I have shown that the Government's policies are proving effective and that there is a brighter side to the coin. I am sure that the House will recognise that Manchester is an increasingly thriving city, showing again the enterprise and industry for which the north-west is famous.

Mr. Eastham: As I understand it, this is a 30-minute debate and two minutes remain, so I shall take up one or two points in the Minister's reply. We are absolutely appalled at his response. We do not feel that he has responded in any way to the charges made by my right hon. Friend the Member for Manchester, Wythenshawe (Mr. Morris) on the issue of poverty. My right hon. Friend referred to people going without food. That has nothing to do with the airport. We are talking about human beings and about misery and suffering.

I should like to underline one of the points made by my right hon. Friend. My daughter is a teacher in an inner-city school. In April she had the agonising job of having to tell children living in deep poverty that they no longer qualified for free school meals when 7,000 children ceased to qualify for school meals as a result of the Government's legislation. Those are the issues to which we should be addressing ourselves tonight. We are talking about hardship and suffering—about people going without food and fuel.

Mr. Lloyd: The hon. Gentleman has referred to free school meals, and I would be grateful to him if he would write to me and make the point more clearly than he has here. My reason for that is that free school meals are available for those families on income support. For those who are not on income support, but earn low wages, there is family credit, which contains an amount to cover the free school meals that used to be available on family income supplement.

Mr. Eastham: Seven thousand fewer.

Mr. Lloyd: There may be 7,000 fewer, but there are other reasons for that. They may be above the level of income support, because the number on income support has declined and the number in employment has increased.

The Motion having been made after Ten o'clock and the debate having continued for half an hour, MR. SPEAKER *adjourned the House without Question put, pursuant to the Standing Order.*

Adjourned at fourteen minutes to Eleven o'clock.

House of Commons

Friday 20 January 1989

The House met at half-past Nine o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

Richmond, Yorks By-Election

9.36 am

Mr. Dennis Skinner (Bolsover): It is my duty this morning to move the writ for Richmond, Yorks——

Mr. Andrew MacKay (Berkshire, East): On a point of order Mr. Speaker. May I seek your guidance? I have sent you a copy of a newspaper article that is relevant to the matter. I believe that it is both a breach of the privilege of the House——

Mr. Speaker: Order. If it is a breach of privilege, the hon. Gentleman must write to me in the usual way. I have said that to him. The matter cannot be raised on the Floor of the House.

Mr. Skinner: Well, Mr. Speaker, we have made a pretty reasonable start. It almost seems that someone on the other side of the House is behaving like me. But I am certain that the matter is very important.

I beg to move,

That Mr. Speaker, do issue his warrant to the Clerk of the Crown to make out a new writ for the electing of a Member to serve in this present Parliament for the County constituency of Richmond, Yorkshire, in the room of the right hon. Leon Brittan, QC, who since his election for the said county constituency hath accepted the office of steward or bailiff of Her Majesty's Manor of Northstead in the County of York.

Well, I have heard the Common Market called a lot of things in my time, but "Manor of Northstead" is completely new to me. It might fool people in the Common Market, but I do not think that many hon. Members on either side of the House will buy that one.

The writ is in many ways a very complicated business, and I want to use a few opportunities today to illustrate the way in which these things must be done. I have spent many years in this place watching successive Chief Whips move writs and thinking, "This is a part of life that I have missed out on. I do not really know what the game is all about."

When I started to delve into the moving of writs, I suddenly discovered that there was a side to parliamentary life on which we were missing out. Chief Whips, as we know, are men and women of few words. They stand at the Dispatch Box and move the writ ever so quickly, generally just before Question Time, and before we know what has happened it is on the way. Yet when a Back-Bench Member moves a writ, he has to explain it. One cannot get away with just standing up, because there has not been a discusision through the usual channels. Therefore, one must try to convince one's right hon. Friends and Government Members. In order to get a writ carried, one must convince a majority. One cannot rig it beforehand.

It is a matter difficult to discuss. I read "Erskine May", which is a complicated tome, but I use it a lot. It can be very handy on occasions. It is like reading the Mines and Quarries Act 1954. When I worked in the pits, I read that Act thoroughly to outwit the management. When I became a Member, I thought that, after 21 years, that was the end of it—but then I discovered that I would need a new way of weaving and dodging, and I came across "Erskine May". The Mines and Quarries Act 1954 and Erskine May are about the same.

Ms. Dawn Primarolo (Bristol, South): Given the proposal in the Government's Employment Bill, does my hon. Friend recommend that the women of the nation read the Mines and Quarries Act 1954? Is it a riveting read?

Mr. Skinner: I say to the Speaker, who is leaning forward a little at this point, that I acknowledge that the point raised by my hon. Friend is, without a doubt, not one for today's business. However, I may have to organise seminars—which I believe is the yuppie word for them —telling women, who may or may not go down the pits if the Employment Bill is passed, how to deal with the Mines and Quarries Act 1954. I say en passant—*[Laughter.]* I have used that expression before, and it always goes well —it is like one of Les Dawson's.

Once one gets to know the rules and procedures in any walk of life, that knowledge can be very handy. Some of us are very thorough about doing so. To get a writ through from the Back Benches, as opposed to moving it from the Dispatch Box, the first point one discovers is that it is the first item of business and should precede everything else. If a writ is to be moved on a day when there are parliamentary questions, that must be done at the beginning of business. If it is objected to, then it can be dealt with after Question Time. It can take up a considerable amount of time. It is no bad thing for the House to discuss a writ. It may be that in future years, given that Back Benchers as well as Whips can move a writ, that device will be used extensively.

There are about 28 references in "Erskine May" to moving a writ, so if anyone has any ideas for the future, I suggest that they start at page 26 and work their way through to page 327. I should not want to bore the House by reading every page of "Erskine May" relating to writs —unless I am pressed.

Mr. Andrew F. Bennett (Denton and Reddish): I am worried by the line that my hon. Friend takes. I am not sure that "Erskine May" deals with the weather. However, I am sure that my hon. Friend has taken the trouble to study the constituency's boundaries, and realises that much of it goes into the high Pennines area. In the next three to four weeks, the weather there may not be particularly good. Has my hon. Friend taken that into account?

Mr. Skinner: I have. I shall deal with the constituency's contours and geography, because, when right hon. and hon. Members from all parts of the House go electioneering in the constituency after the writ has been agreed, it is important that they know where they are. They could easily become lost.

Mr. Michael Stern (Bristol, North-West): The hon. Gentleman should correct the geography of his hon. Friend the Member for Denton and Reddish (Mr. Bennett), in referring to the north Yorkshire moors as the Pennines. That is an insult to every Yorkshireman.

Mr. Skinner *rose*——

Mr. Frank Dobson (Holborn and St. Pancras): Will my hon. Friend point out to the hon. Gentleman the geographer royal on the Conservative Benches that a substantial part of the constituency's geographical area includes the Yorkshire Pennine dales of Wensleydale and Swaledale?

Mr. Speaker: Order. That is hardly relevant as to whether or not there should be a by-election.

Hon. Members: It certainly is.

Mr. Skinner: To be fair, the Speaker is trying to say that it is wrong to talk at unnecessary length about the constituency, even though such tactics have been used in the past, when writs have been moved from the Back Benches. The Speaker is saying that it is wrong to refer to every little village and hamlet. However, the constituency of Richmond has many important characteristics, and I shall refer to them later.

Mrs. Alice Mahon (Halifax): Does my hon. Friend agree with me, as a Member representing a Pennines constituency, that the remarks of the hon. Member for Bristol, North-West (Mr. Stern) may cause offence? What on earth is wrong about living in the Pennines?

Mr. Skinner: As a matter of fact, I am just off the edge of the Pennines.

Mr. David Steel (Tweeddale, Ettrick and Lauderdale): The hon. Member is off the edge of most things.

Mr. Skinner: I heard the remark of the ex-leader of the Liberal Party, if that is what it is called these days, about being off the edge. We do not want to go into that, either.

Mr. Martin Flannery (Sheffield, Hillsborough): A large part of the Hillsborough constituency is in the Pennines. Returning to an earlier point, does my hon. Friend advocate that, after the women of our country have all read the Mines and Quarries Act 1954, that they should then read "Erskine May"? Most right hon. and hon. Members are not used to moving a writ, but occasionally they receive one. Does "Erskine May" say anything about that?

Mr. Speaker: Order. That may be a different kind of writ. We must return to the question of the Richmond writ.

Mr. Skinner: The problem can be easily resolved. My hon. Friend the Member for Denton and Reddish (Mr. Bennett), who started this discussion, is well known for climbing the hills and mountains of the Pennines, and of Richmond. I suggest that he goes climbing in the constituency, and takes "Erskine May" with him. He, too, is well versed in that tome. I will also give him a copy of the Mines and Quarries Act 1954. He can then hold a seminar on Scargill high moor, overlooking the constituency. All those elements combined together will produce a reasonable solution. As my hon. Friend the Member for Sheffield, Hillsborough (Mr. Flannery) knows, all those who take that exercise will feel better when they have finished. They can then descend the Pennines, call in at his place in Sheffield, and then go up the lovely little Ribble valley that my hon. Friend uses on occasions, when he takes those glorious walks of his.

Mr. Andrew F. Bennett: Will my hon. Friend return to my serious point concerning the weather? I remind him that at the top of Swaledale is Tan hill, and that in 1947, the pub there had no visitors for three months because of the weather. Is it fair to move the writ at a time when there may be a month or more of snow, posing considerable difficulty to people wanting to vote? My hon. Friend ought to take the weather into account—unless he had the foresight to find out what weather we are to have over the next three or four weeks.

Mr. Skinner: My hon. Friend makes a fair point, and it is one we must discuss. We must debate whether now is the appropriate time for the by-election. We all recognise that it is not a good idea to be electioneering in bad weather. General elections have been held in February.

I am not suggesting for one moment that this by-election writ should be accepted on the old register. I want it to take place on the new register, which is important because it will give the greatest possible opportunity to the largest number of people within the enfranchisement of the Richmond constituency.

We must balance the two issues. My hon. Friend the Member for Denton and Reddish (Mr. Bennett) has doubts and I must convince him of my argument. We must bear in mind the weather, plus the greatest number of people registered. One has to strike balances in life—I sometimes find that difficult. That is the nature of this place, especially when one is trying to have a writ carried.

My hon. Friend the Member for Denton and Reddish should not just get caught up with the weather. All hon. Members know that he understands the weather, clouds and changes in climate because he has lived that kind of life. We are talking about the new register and giving more people a chance to vote. That is one reason why I have come along with the writ today. We are approaching the time when the new register will be in force.

Mr. Andrew F. Bennett: I understand the point made by my hon. Friend. In 1905-06 a radical Government were elected during the Christmas period and, in February 1974, the Labour party did not do too badly when there was a snowstorm in some constituencies. However, would my hon. Friend really like to be electioneering on the high moors in the weather that we can expect in the next few weeks?

Mr. Skinner: They are already doing it. It is not yet the proper election period, but we know that the main parties have selected their candidates. Our candidate, Frank Robson, who increased his vote by 35 per cent. between the 1983 and the 1987 elections, is already hard at it in the villages and hamlets.

I do not want to overlay this debate with too many plugs, but my colleague up there is fighting a doughty battle. he will certainly not be put off by the weather, Tories, Liberals or the party that dare not speak its name. My hon. Friend the Member for Denton and Reddish should be up there—I think he will be—because if there is bad weather and the question of getting back to base arises, who better to bring the lost sheep down the mountains—or whatever other analogy is suitable?

Mr. David Tredinnick (Bosworth): The hon. Member for Bolsover (Mr. Skinner) is giving a plug for his party's candidate in the Richmond by-election. It is only fair in the interests equity, that I should refer to the superb

prospective Conservative parliamentary candidate, whom I happen to know personally. He was the president of the Oxford Union when I was there. [HON. MEMBERS: "What is his name?"] His name is William Hague.

Mr. Speaker: Order. This is an intervention. Please get it over with.

Mr. Tredinnick: I am grateful to Opposition Members for falling into my little trap. I have William Hague's curriculum vitae with me. I was perusing it. [HON. MEMBERS: "Read it."] I have been told to read it, but you Mr. Speaker, have pointed out that this is an intervention. The hon. Member for Bolsover (Mr. Skinner) has tried to pre-empt some of the actions that should take place in the forthcoming by-election in Richmond if the writ is successful. It would be grossly unjust if I did not put one or two of the finer points about William Hague.

Mr. Speaker: That is something which the hon. Gentleman can do if he is called to speak later in the debate but not in an intervention.

Mr. Skinner: If the hon. Member for Bosworth (Mr. Tredinnick) were to speak—you will decide that, Mr. Speaker and not me—it would be a good idea. It would not be the most helpful contribution for the Tory candidate if the hon. Gentleman went on at length. I hope that he will catch your eye, Mr. Speaker and can explain more fully the name and background of the candidate, which, initially, he did not seem to know.

Mr. Tam Dalyell (Linlithgow): Can I make an unhelpful contribution? My hon. Friend the Member for Bolsover (Mr. Skinner) is wrong to move the writ. I am puzzled by his lack of curiosity. On 27 January 1986, and often before and since, he has asked the important question that should be resolved before he moves any writ. He asked why there should be an inquiry into the gross abuse of a Law Officers' letter by the former hon. Member for Richmond, Yorks (Mr. Brittan). The Prime Minister replied:

"I did not know about the then Secretary of State for Trade and Industry's own role in the matter of the disclosure until the inquiry had reported."—[*Official Report*, 27 January 1986; Vol. 90, c. 657.]

Mr. Speaker: Order. That is not relevant. We must return to the writ.

Mr. Dalyell: Under the Tribunals of Inquiry (Evidence) Act 1921, before such a writ is moved, there should be a tribunal into the happenings of January 1986. I am surprised that my hon. Friend——

Mr. Speaker: Order. I am not saying that the hon. Gentleman could not advance his argument if he were called to speak, but it is not relevant at the moment.

Mr. Skinner: As my hon. Friend the Member for Linlithgow (Mr. Dalyell) knows, although I am not carrying him with me today, I quite favour the tribunal idea. Moving the writ will not make a great deal of difference to that. I shall support my hon. Friend on the issue of the tribunal in the future, irrespective of what happens regarding the writ.

Today we are here to carry through, if possible, this particular writ. As a Back Bencher, I have to convince a majority. If I cannot convince my hon. Friend the Member for Linlithgow on the advisability of it, it looks as if matters are getting a bit dodgy and I shall have to try harder. A Front Bencher, could move the writ at 2.30 pm and that would be fairly easy but I must convince people. Today, I am striking a blow for Back Benchers, many of whom have asked many times, "Why cannot we have the right of Privy Councillors and the Front Benchers?"

I am demonstrating that, in this matter, a Back Bencher should have the rights and powers that are normally preserved for Front Benchers only. It may be difficult to convince Front Benchers of that. I think that, on balance, my hon. Friend the Member for Linlithgow would agree, taking into account the tribunal and everything else, it would be better to strike a blow for the Back Bencher's right to move into that territory of moving writs that is normally reserved for the Chief Whip of the respective parties. That would be a worthwhile achievement, over and above the tribunal argument. It would represent a blow for democracy. I am wooing my hon. Friend back to me; I thought he was with me at the beginning.

Mr. Flannery: I just want to thank my hon. Friend, because by his deep reading of "Erskine May", he has revealed that there are things in it which we wotted not of. We have not a lot of privileges on the Back Benches but I now gather that we have privileges that we did not know about. My hon. Friend will remember that I said to him this morning that I did not know that a Back Bencher could move a writ. We have a tendency to convey to people that we Back Benchers know everything, but it is obvious that we do not. My hon. Friend has taught me that I can move a writ. I should like to try sometime, so I shall study the procedure.

Mr. Skinner: I am glad that my hon. Friend has raised that point, because I have the appropriate page from "Erskine May". Page 326, under the item (3), "Motion for New Writs", states:

"The next item to be taken after any such communication"

—

that is any communication from the Palace—

"is any motion for an order of the House to the Speaker to make out his warrant for the issue of a writ for the election of a new Member to fill a vacancy arising in the course of a session."

That means that the moving of a writ must be the first item of business after any communication from the Palace. It must take precedence.

The next part is important and is what my hon. Friend will probably remember if he wants to move a writ in future. It states:

"Such motions are moved normally, but not necessarily, by the Chief Whip of the party to which the Member vacating the seat belonged."

That is the very essence of it. "Erskine May" is saying to Back Benches, "You have the right". We have not chosen to develop that right, except on rare occasions, because a lot of people on coming into the House tend to take things for granted. I hope that my hon. Friend has the point. It is in "Erskine May"—Chief Whips generally, but not necessarily.

Mr. Flannery: My hon. Friend has taught us a great deal. I have a lot to do with teachers and education, and we always talk about in-service training, which is expensive. Does my hon. Friend believe that Members of Parliament need a good deal of in-service training?

Mr. Skinner: One of the main reasons for doing what I am doing today—referring constantly to "Erskine May"

[Mr. Skinner]

—is that one of my burning desires since coming to this House has been for all Back Benchers to understand the quaint and archaic procedures of this place, so that they can have power, most times over the Government, and sometimes over their own parties. I say that with my hon. Friend the Member for Holborn and St. Pancras (Mr. Dobson) present. He is helpful in this regard and he will understand the point I am making. I want us to be in the position to challenge even our own party establishment when it is necessary. My hon. Friend the Member for Hillsborough has struck the very kernel of the argument that motivates me to do what I am doing.

If my hon. Friend still has connections with the National Union of Teachers, and, if he believes it is necessary for me or others like me to explain the antediluvian procedures of the House to some of the kids in the Sheffield area—I am making a rod for my own back here; I had better be careful—obviously I shall be helpful in that regard. Together, we could be a sort of dual repertory company which explains these procedures.

Mr. Flannery: If my hon. Friend does explain these procedures to teachers and people connected with education, does he believe that it would be relevant—when the question of the absence from schools of young people and children is raised—to explain to them the degree of absenteeism that goes on in this House? Those absent are often the Members who raise the question of absenteeism in our schools.

Mr. Skinner: Absenteeism is not really germane, but it is important to understand that on this Friday morning there is a good turn-out. It would not have been a bad idea if the televising of the House had begun this morning. It would not have been a bad start, would it?

Mr. Flannery: Attendance would have been better, would it not?

Mr. Skinner: We would not have needed too many seminars about parliamentary procedure. We could have had the entire nation saying tomorrow, "Do you know how to move a writ?" It could have been number one in the tabloids. We could have broken new ground, because we would have been educating the great British public about the procedures of this House. My guess is that, when the House is televised, only some of the normal run-of-the-mill, so-called major debates in which Privy Councillors tend to participate will be shown, whereas this is really a Back-Bench day. It therefore has great possibilities. I am letting my mind wander now as to when I shall be moving my next writ, so that we shall be able to inform those millions of people who will be tuned into the parliamentary channel—that is what they claim. At least there might be more tuned into that channel than the Sky channel.

Mr. Andrew F. Bennett: I realise that my hon. Friend has been drawn away from one or two things, but he still has not answered my earlier question about the weather in Richmond. I just wonder whether he has any information about the weather. Even if we wait for the new register, would we have weather suitable for a by-election? As well as its importance to the by-election, many other people would like to know what the weather will be like during the next two to three weeks.

Mr. Skinner: My hon. Friend has been in this place for some time and I have discovered that he is diligent, but, by God, he takes some persuading. I am doing my best with this writ, but he is asking me to control the weather. I am stopping people from queue-jumping with motions and things—I am not allowed to talk about that—but does my hon. Friend really believe that I am the sort of John Kettley of Parliament? He could not get it right. What guarantee is there that in June or July the skies will not open up? If there was an election in June in Richmond how do we know that people would not be tramping through the streets in pouring summer rain? We do not know what the weather will be. There are some things in life that even I cannot control.

I say to my hon. Friend that I want his vote, but I cannot control the weather. Not even the Prime Minister has laid claim to being able to do that. She is into the green things. I cannot visualise her in that green anorak and sandals or the wooly hat from the jumble sale. I suggest that my hon. Friend should ask the Prime Minister if she has got round to controlling the weather.

Mr. Dafydd Wigley (Caernarfon): My hon. Friend in replying to the hon. Member for Denton and Reddish (Mr. Bennett) said in his characteristic fashion how important it was to balance these matters. The balancing factor which we introduced was the aim to get the maximum number of people to vote, which would mean waiting for the new registers. If the writ was moved today —working to the maximum 18 days from the moving of the writ—does not the time run out on Monday, 15 February? The election would have to be on that day, at the latest. The new registers would be available at 9 o'clock that morning, but the voting booths would be open at 7 o'clock that morning. Therefore, the new register would not be available.

Mr. Skinner: There is some flexibility. Often the election day does not correspond with the formal date, in terms of the number of weeks, from when the writ was moved, notwithstanding holidays and all the rest of it. I do not believe there is a problem, but if there is, I am sure that the Government—the seat represents a vacancy in their party—will ensure that the election takes place after 15 February.

Mrs. Audrey Wise (Preston): My hon. Friend should enlarge on the question of the date, but not quite yet. My hon. Friend has pointed out that he needs the support of the majority of the House. I understand his natural and habitual desire to lash out at Conservative Members, but I must remind him that he will need votes from the Conservative Benches as well. I appeal to my hon. Friend to be a little more reasonable in his attitude. He is conducting this matter as though only one side of the House should be consulted, and I believe that he is treating Conservative Members quite scurvily.

It is rare for me to intervene to defend the Conservative Benches, but several Conservative Members have tried to intervene on my hon. Friend's speech, only to be brushed aside. I appeal to my hon. Friend to look across at the Conservative Benches sometimes today. Let us have a bit of fair play; otherwise we will not get the votes.

Mr. Skinner: Well, "you can't win them all."—that is roughly what my hon. Friend means. I have got to come here on a Friday morning and act out a role that does not

suit me. I gave way to two Tories, but, with all due deference—I think that that is the way I should say it—the last one I gave way to cocked it up. I gave him a chance, but he got muddled. I decided that if that was the case, why should I repeat the mistake? I decided that I should rely on the old-fashioned idea of letting my hon. Friends have a go. But, okay, if my hon. Friend the Member for Preston (Mrs. Wise) wants me to try to inculcate Conservative Members into my web, I shall.

Mrs. Teresa Gorman (Billericay): I am extremely grateful to the hon. Gentleman for giving way. He has been somewhat deflected from his theme about the barometer of the weather. I am sure that the hon. Gentleman will agree that by-elections are generally seen as a barometer of public opinion. The hon. Gentleman's primary function today is to secure the replacement of a Member of Parliament. The replacement of Members is not a trivial matter; there have been an average of 53 by-elections in each Parliament since 1918. Does the hon. Gentleman agree that the replacement of a Member and not the weather is the most important thing? What does he intend to do about that?

Mr. Skinner: It is clear that the hon. Member for Billericay (Mrs. Gorman) has not only been reading "Erskine May", but has obviously been looking at the records. It is possible that there could be a contribution from the Conservative Benches on this matter if the hon. Lady catches your eye, Madam Deputy Speaker. That would give a Conservative Member the opportunity to explain, maybe at length, what happened in those past by-elections; who moved the writs; whether they were all moved from the relevant Front Bench; and whether there were any exceptions to the rule. It is possible that we could look forward to a good, wholesome contribution about this. I am pleased to note that the hon. Lady supports the idea of a writ.

Mr. David Martin (Portsmouth, South): The hon. Gentleman has talked about absenteeism and about the new register. One must take into consideration the postal vote. Is he satisfied that, if there is a new register in the time available, people will know who the new Tory candidate is? There might be the slogan: "Don't be vague, ask for Hague". That could help the electorate. Is the hon. Gentleman satisfied about the arrangements that will be made for postal votes in the event of a new register?

Mr. Skinner: I do not know whether the hon. Gentleman follows electoral law as closely as some of us, but important changes have occurred in the past decade, not only to postal votes, but to people's ability to register, almost immediately, at any given time during the year.

When I acted as a local government agent, one of the things that disturbed me most was that people could not get on the electoral register except at one time in the year. People can now get on those registers within a month, at any time of the year. From time to time, parties of all descriptions have increased the number of people on the registers during a given year.

Postal votes are important, because the demographic make-up of the Richmond, Yorks constituency is not much different from the rest of Britain. There are a considerable number of elderly people in that constituency. We all know that, despite the attacks on the National Health Service, advances in medical science have meant that people are living longer and longer into their 70s and 80s. The hon. Member for Portsmouth, South (Mr. Martin) is correct: postal votes are important. They will be of continued importance throughout the forthcoming decades, as the population gradually ages. We must pay attention to the avalability of postal votes in Richmond, Yorks.

Mr. Dalyell: Rather than discussing Sir Leon Brittan again, I want to comment on the weather.

Does my hon. Friend know that those of us who did their national service in the cavalry, did our basic training at Catterick camp? Can my hon. Friend imagine what it was like for me, along with other 18-year-olds, trying to dig out a trapped vehicle in the snow near Leyburn?

I assure my hon. Friend that those of us who were in the cavalry at Catterick know very well that the weather conditions in north Yorkshire from January to April are no laughing matter. Therefore, could my hon. Friend postpone the writ?

Mr. Skinner: You see, it is a strange place, this the House of Commons. It is only 10 minutes since I thought I was gradually pulling my hon. Friend the Member for Linlithgow towards me, but here we are moving on to the weather. Another thought has passed through my hon. Friend's head, and off he goes again.

My hon. Friend should remember my initial remark about balance, and forget for one moment the drudgery of Catterick camp. My hon. Friend should try to remove from his mind yomping—I think that is the word—up and down Richmond, Catterick and Leyburn or calling at Leeming Bar to meet his friends in the Royal Air Force. When the writ is carried, my hon. Friend could go back and renew old acquaintances. Undoubtedly he will bump into some Labour people who will say, "Is that Tam Dalyell at the door?" They will say "Come in, Tam. We hated him as much as you did." What a welcome! Imagine my hon. Friend being let loose during this by-election—that could be a valuable weapon. The sooner my hon. Friend understands that he could play a tremendous role, the better. My hon. Friend should vote with us today, if we reach a vote, so that we can get on the move. If we get the vote, we shall hot-foot it up the A1 to Catterick, where my hon. Friend has been many times.

Mr. Tredinnick: It is true that the weather is relevant to a by-election at this time of the year, but the hon. Gentleman should also consider the possibility of writs being moved in other parts of the country other than north Yorkshire. This time last year, the east midlands suffered extremely bad weather. What the hon. Member for Linlithgow (Mr. Dalyell) said about his service with the cavalry and the difficulties with trapped vehicles could pertain to areas further south than Yorkshire. It is not only the moors in that beautiful part of the huge constituency of Richmond, Yorks, which suffer from heavy snowfalls. When the M69 motorway is blocked by snow and there are difficulties on the M1, that reinforces the importance of considering whether a writ should be moved at this time of year at all. If that is the case, does it not put a slightly different complexion on the argument that the hon. Gentleman is deploying, and should he not, in deference to the House, explain the situation for other parts of the country? He is taking a very narrow view.

Madam Deputy Speaker (Miss Betty Boothroyd): This is an enormously long intervention and I am sure that the hon. Gentleman may be able to catch my eye a little later.

Mr. Tredinnick: I apologise. I had not intended to delay the House, but I felt that I must raise the point.

Madam Deputy Speaker: I think that the House has got the point.

Mr. Skinner: The lad is full of earnest endeavour. If we encourage him, he may yet be helpful. However, he has got a thing about the weather—we all understand that—and I am getting a bit resentful of the idea that people in the north cannot stand the weather. It is beginning to stick in my craw when I hear comments that people in the south can handle all kinds of weather. Do hon. Members think that up in the north, and in Richmond in particular, people worry about the weather and that they were concerned when my hon. Friend the Member for Linlithgow was yomping through Catterick camp and elsewhere?

The people in the north are made of stern stuff. Just imagine sending a message from the House to Richmond saying, "Do you know that in the House of Commons today they deferred the writ for Richmond because they were frightened that people in the north of England cannot get out in bad weather?" They would regard that as nothing less than contempt.

Ms. Marjorie Mowlam (Redcar): As a Member representing a neighbouring constituency, may I reassure the House that in Cleveland and north Yorkshire we do not have worries about the weather and we shall be out voting for Labour and Frank Robson regardless of the weather? Last weekend, I went to Wensleydale in Richmond constituency. I invite hon. Members to go up for a weekend to walk there: it is beautiful countryside.

Mr. Skinner: I went up there last year as well. We had a meeting in Richmond before all this and I met Joan Maynard. She used to be a Member of Parliament for Sheffield, Brightside and she now lives at Thirsk. She used to be on the local authority there. Thirsk has been in the Richmond constituency since 1983. Previously, it was in the consituency of Thirsk and Malton, but the Tories changed the boundaries, so Joan Maynard lives in Richmond constituency. I went up for a meeting in Richmond, little knowing that we should be having a videoed re-run later on. The meeting took place in the market hall and it was packed out. We had to bring chairs in from an adjoining room and folk filled all the seats. The place was alive. We discussed matters of a serious and heavy political nature including those that my hon. Friend the Member for Linlithgow has mentioned, and which he would, no doubt, like to mention at more length today. It was a straightforward public meeting, which had a good atmosphere.

Richmond is a quaint market town with a lovely little theatre. It is like going back in time: one finds places like that in Britain. Sadly, I flit in and out and only spend a few hours in places, so I do not see enough of the wonderful places that my hon. Friend the Member for Redcar (Ms. Mowlam) has mentioned. She lives nearby and has been to Richmond recently, but I do not have enough time to see all the beauty of these places. When the writ is agreed, I am looking forward to going up there and revisiting Richmond, Northallerton, Catterick camp and Leeming Bar. I and Peter Heathfield were held up there on our way to a meeting during the miners' strike. That is a real diversion, but I just remembered that when I looked at the map. I remember those two hours at Leeming Bar service station because it looked as if we would not get to Northumberland for the meeting. The constituency is, in many ways, part of old England and there it is, stuck up in the north, surrounded by several Labour constituencies.

Mr. Tony Banks (Newham, West): I am much persuaded by what my hon. Friend is saying about having the Richmond by-election as soon as possible. As he has been going round some of the places in the constituency, clearly knows them well and is an expert on etymology, I wonder whether he can explain to me why a parish in the constituency is called Snape with Thorpe. Can my hon. Friend throw some light on that because it seems a strange combination of names? It is unfortunate that my hon. Friend the Member for West Bromwich, East (Mr. Snape) is not here to try to explain. The name may mean nothing. It may be just a bit of innocent pillow biting. I hope that my hon. Friend will explain.

Madam Deputy Speaker: Order. I hope that the hon. Gentleman, who is an extremely skilful parliamentarian, will not go down that road and answer that question directly.

Mr. Skinner: You are right, Madam Deputy Speaker, because that name conjures up many wild ideas and I shall not go down that road. If I did, someone else would jump up and come up with another matter, and on it would go. However, I must tell my hon. Friend that it is all right for him to raise such points, but we are about the serious business of getting the writ through and we could spend all morning talking about Snape with Thorpe.

I shall say only that we know that all these quaint little names are usually derived from somthing of a geographical nature. The chances are that it is to do with a River Snape meeting a River Thorpe. I am not saying that for sure, but it is usually something of that nature. I hope my hon. Friend does not get any wild ideas, because there is probably a simple explanation.

Mr. Banks: I am grateful for that explanation; my hon. Friend has reassured me somewhat. But let us consider the people of Hutton Hang, which is also in the constituency. The people may want something said, in the course of the by-election, about why they should be living in a place called Hutton Hang. I thought that Hutton was one of the great Yorkshire cricketers. I would not like to be a Yorkshireman living in a place called Hutton Hang. I am sure that they do not want to hang Hutton and that they will want one of the candidates to say that, when elected, he or she will do something about that. Names are important in such a constituency.

Mr. Skinner: Possibly Hutton Hang is a peaceful haven for retired spies.

Mr. Stern: I am conscious of the warning given about this, but the point that I want to make is important in understanding the effects on the nature of the constituency of etymology and history. The old Anglo-Saxon names have changed, and that is often resented by the people living there. Let us take a good old-fashioned name for a small river, such as Gash Beck. There must be tremendous resentment that, with the advent of the Normans, that become Scargill.

Mr. Skinner: As I said earlier, the constituency is overlooked from the west and north-west by Scargill high moor and he—that is, the moor—could be looking down on the whole proceedings. I suppose that it is a nice tidy place to which to go, and if we go there, we shall probably find someone from British Coal stuck at the top.

Mr. Flannery: Together with other hon. Members, my hon. Friend is showing us graphically—the imagination boggles—what a wide constituency Richmond, Yorks, is. There is often trouble in people's minds about which is the Richmond in Yorkshire and which the Richmond in Surrey. Dr. Arne once wrote a lovely song about the "Sweet Lass of Richmond Hill", and the contest about which Richmond he meant is still going on.

I should like to refer briefly to my hon. Friend the Member for Linlithgow (Mr. Dalyell), who was in the cavalry. I knew Catterick because I was in the Scottish infantry towards the end of the war—in fact, in the Royal Scots, which I believe was my hon. Friend's regiment. Perhaps he and I could canvass together and as we yomp home he could go on horseback because he is a cavalryman. As an infantryman, I would have to yomp on foot. Does my hon. Friend think that that is a good idea?

Madam Deputy Speaker: Order. I must now bring the debate back to the motion.

Mr. Skinner: You are absolutely right, Madam Deputy Speaker. When the by-election writ is issued, people will be doing different jobs and it is becoming obvious to everybody that two people will be sent to Catterick camp. One will be my hon. Friend the Member for Linlithgow, and we now know that my hon. Friend the Member for Hillsborough will be with him. I think that they should knock on the door and say, "We have come to canvass in the by-election. We are not here to advocate market forces, and if the Goernment applied market forces to Catterick camp, they would privatise it." That would be a good line for my hon. Friends to follow, because 38 per cent. of the population in the Richmond constituency have connections with the services and related industries. It is important that people understand that high incidence of 38 per cent. In the rest of Britain the figure is normally about 20 per cent. It is so high in Richmond because of Catterick camp and Leeming Bar. I am sure that people will understand that market forces have nothing to do with providing the wherewithal for the Army and the RAF, However, although there is a good political point in that, I am not going to develop it.

Mr. Buchan: I wish that my hon. Friend would follow up that point about the election to the possible presence of my hon. Friend the Member for Linlithgow (Mr. Dalyell) as it raises many constitutional issues. I remember my hon. Friend the Member for Linlithgow saying that he was in the cavalry. We have an image of Tam on a horse, digging out a tank. The Scots Greys and the cavalry are a phoney element in all this, because the real force at Catterick is the Royal Tank Regiment, in which I served. The most important instruction given when some of the cavalry were brought into tanks was the one saying that officers of field rank and above need not wear spurs in the tanks.

Mr. Michael Shersby (Uxbridge): On a point of order, Madam Deputy Speaker. I fail to see what the military career of the hon. Member for Linlithgow (Mr. Dalyell) has to do with the moving of a writ for the constituency of Richmond, Yorks. Surely the House should concentrate on the important issue before it instead of on these long diversions into personal anecdotes.

Madam Deputy Speaker: The House will be aware that on more than one occasion I have said that we must now debate the writ before us. I hope that hon. Members will take that point to heart and that the hon. Member for Bolsover will proceed along those lines.

Mrs. Wise *rose*——

Ms. Clare Short (Birmingham, Ladywood) *rose*——

Mr. Skinner: If my hon. Friends will give me just a minute, I will answer that point. I do not want to get into any difficulties with the Chair. Up to now you,, Madam Deputy Speaker, and Mr. Speaker before you, have not admonished me. Some of my hon. Friends may have been a little exuberant, but I can understand that. However, I have not yet received any admonitions from the Chair. That is unusual, but it is true, and I am trying my best not to get one.

Madam Deputy Speaker: Order. The hon. Gentleman is pushing the Chair into that position at the moment. I should be glad if he would now return to the moving of the writ.

Mr. Skinner: On this question of the writ, when reading "Erskine May" I became aware of another aspect of this matter which it is important that we should understand. As I said at the beginning, Back Benchers should know what it is that enables the Front Benchers, who normally do this job, to move the writ.

A curious anomaly exists nowadays, which arises out of the Common Market. I was speaking to the chief Clerk yesterday about this—said he, name dropping. I was surprised by what I read in "Erskine May". In 1973, the Speaker's conference on electoral law recommended that the writ should normally be moved within three months of a vacancy arising. In strict theoretical terms, that has happened in this case, because Leon Brittan wa a Member of the House until the Christmas recess so in those strict terms, three months have not elapsed. However, I think that we should consider—this could be a matter for a future Speaker's conference, which is why I have thrown it in—whether if somebody is given a job in the Common Market on 22 July—irrespective of who that person is—can we argue, in purely analytical terms, that that lapse of time is according to "Erskine May".

The section on page 26 that deals with new writs states:

"Whenever vacancies occur in the House of Commons from any legal cause, after the original issue of writs for a new Parliament by the Crown, writs are issued out of Chancery by a warrant from the Speaker, which he issues, when the House is sitting, upon the order of the House of Commons. The causes of vacancy are the death of Members or their succession to a peerage,"

or, and this is the interesting thing—

"the acceptance of a disqualifying office,".

The important word there is "acceptance". Was 22 july the date of the acceptance of a disqualifying office? I am making this point seriously, so that hon. Members and others who may take part in future electoral changes can consider whether the announcement of the job of European Commisioner means the acceptance of a disqualifying office, albeit that in this case the hon. Member continued to serve his constituency until the end of December—several months later. That important issue

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must be resolved and if we do nothing else this morning, at least we will have drawn the attention of hon. Members of all parties to the fact that that anomaly must be cleared up while we continue to appoint Commissioners to Europe.

I do not mean this in any mealy mouthed way, but the question of Members of the European Parliament should be cleared up at the same time. I accept that it is not easy, but this point applies right across the board and I am sure that hon. Members will accept it. Perhaps, as a result of this short debate, those concerned will consider this matter to find out whether the acceptance of a disqualifying office means the nomination for Commissioner, as opposed to the time when the hon. Member decides to apply for the Manor of Northstead.

Mr. Andrew F. Bennett: Does my hon. Friend think that being an EEC Commissioner is a disqualifying office? Surely a disqualifying office is an office of profit under the Crown. As I understood it, the former Member of Parliament for Richmond, Yorks had to apply for the Manor of Northstead in order to get an office of profit under the Crown, and therefore had to give up his seat.

Mr. Skinner: My hon. Friend is well versed in this subject. However, during discussions on this subject, which I have gone into at length, I have discovered that "office of profit under the Crown" is no longer the phrase used. The phrase now is "a disqualifying office". I had been brought up believing that the way to become disqualified from Parliament was to take on an office of profit under the Crown. I used that phrase earlier deliberately. The phrase is actually "disqualifying office". Page 26 of "Erskine May" gives a lead to the idea that the acceptance of that job could be—not necessarily, but could be—sufficient disqualification. Although I do not want to make heavy weather of that in this case, that issue must be dealt with in the future.

Several Hon. Members *rose*——

Mr. Skinner: I shall give way to my hon. Friend on the Front Bench, the hon. Member for Holborn and St. Pancras.

Mr. Dobson: Will my hon. Friend confirm the rather curious situation that some offices of profit under the Crown are not disqualifying offices? A lawyer who is a Member of the House can be a recorder or a temporary judge and obtain substantial rewards from the Crown without ceasing to be a Member of Parliament, because that legal job is not included in the list of disqualifying offices.

Mr. Skinner: The list of disqualifying offices is rather strange. I did not complete it. Other disqualifying offices are

"succession to a peerage, . . . elevation of Members to the peerage, . . . bankrupty, lunacy, the establishment of any other legal disqualification for sitting and voting".

My hon. Friend has raised a point that I hope will be taken up by a future Speaker's Conference on this whole question.

Mrs. Maria Fyfe (Glasgow, Maryhill): I should like to ask my hon. Friend a question in the context of disqualification in a wider sense. I started off agreeing with my hon. Friend, but he has begun to lose me. In view of what some of our hon. Friends have said, it seems that the only candidates fit to contest an election in this area are people who served in the Royal Tank Regiment or the infantry. That excludes all women in the House of Commons and even many men.

Mr. Skinner: My hon. Friend knows only too well that I think there are not enough women elected to the House and that there are not enough women Opposition Members. At the recent Labour party conference, I and many others supported the idea that that situation should be improved. However, that issue will have to be dealt with on another occasion.

Earlier I said that the disqualification should start from the date that people accept the job. I want to develop that argument. In local government that would apply. If somebody in local government disqualifies himself from being a member of a local authority, there could immediately be a call by the contending parties, or even individual electors, to fill that vacancy. That could happen except just before an overall election. For most of the year it is possible for somebody in local government who it could be argued, does not wield as much authority as a Member of Parliament—although that is not true in some cases—to expect to have that vacancy filled straight away. For elections to Parliament, it seems as if the whole affair can drag on for a long time.

Mr. Tony Banks: One learns much by listening to my hon. Friend, who is such an expert in these matters. I have the 18th edition of "Erskine May" and I suspect that my hon. Friend has an earlier one. In my edition, I can see no list of disqualifying offices. I can see a reference to the acceptance of a disqualifying office. I understand that this by-election will be brought about because becoming a Commissioner is considered to be a disqualifying office.

Mr. Skinner: No.

Mr. Banks: That is the point. I should like to know exactly why there has to be a by-election. Would it not be possible for Leon Brittan to be a Commissioner and to continue as a Member of Parliament?

Mr. Skinner: That is an interesting point. The writ is being moved this morning as a result of Leon Brittan accepting the Manor of Northstead and taking on a disqualifying office in that name. My hon. Friend will remember that I spoke about the Manor of Northstead at the beginning of my speech. That is the disqualifying office in this case, and not the Common Market office. Many people believe that we should stay in the Common Market for ever, but I am not one of them.

Ms. Primarolo: Those people are misguided.

Mr. Skinner: As my hon. Friend says, they are misguided. However, since many people believe that that will happen, we must clear up this matter. There will be others in future, and that is why I draw specific attention to it. The disqualifying office is not the Common Market; it is the Manor of Northstead in this case.

Mr. Dalyell: In order to save time I should like to put a question to my hon. Friend. My right hon. Friend the Member for Chesterfield (Mr. Benn) who cannot be here today, yesterday tried to get the Leader of the House to

make some definitive statement on what exactly are offices of profit, given the European Community situation. This is a central and important point.

Mr. Skinner: We are in an interesting area. The disqualifying office is a grey area. When I had not been a Member of this House very long, in one of the general elections in 1974 a Liberal Member, now Lord Winstanley, was elected in a constituency in the Greater Manchester area, the constituency of Hazelgrove. I came in here one day and saw on the annuciator a strange little reference to some quaint little Bill that was to be moved at 3.30 in the afternoon. I thought, "What's all this then?" I made some inquiries and found that before and during the general election campaign that Liberal Member had unwittingly held a disqualified office. He was a doctor acting for tribunals and therefore receiving money from the Crown. I made some inquiries and said to Ted Short, now Lord Glenamara, "What are you going to do here then, because I think that this Bill is retrospective legislation."

At that time, the Labour Government seemed to lean over backwards to help the other side. I never quite discovered why, but they were very good at it. It is the old thing about the Labour movement being very impartial while the others trample all over us. Lord Glenamara said, "We are going to undisqualify him." I said, "Why? We have one down already and we have a tiny majority." It was like playing cricket but they do not quite say that now. What happened? Madam Deputy Speaker was probably here at that time, and my right hon. Friend the Member for Blaenau Gwent (Mr. Foot) was definitely here, and he will probably elaborate on it.

I was mystified as I watched this developing piece of retrospective legislation that would allow a Liberal Member not to be disqualified. As a Labour Member of Parliament, I thought that that was what I was here for, to get rid of the enemy. I learned something that day, I was almost alone and friendless, but I carried out the opposition.

Several Hon. Members *rose*——

Mr. Skinner: I give way to the Common Market man here.

Mr. Hugh Dykes (Harrow, East): Hon. Members have been listening with admiration—I hope that he will forgive me for using that word—to the hon. Gentleman's polemical skills. This is a parliamentary rather than a party occasion. The hon. Gentleman made some valid points about the complexities of disqualification. Earlier, he spoke proudly about not receiving an admonition from the Chair, whereas other hon. Members had received such admonitions because they had digressed in interventions. That was equally impressive. Then the hon. Gentleman began to spoil his speech because he went back into his traditional terrain of attacking the Common Market. That was rather disappointing because, as he knows, many hon. Members, including a growing number of Labour Members, are keen on the Common Market. That is a fascinating spectacle to observe, because in the past Labour Members have always denied that. I am sure that the hon. Gentleman does not want to get into that territory, because he would regret it and might lose some of the admiration for his polemical skills. In that context may I ask him to comment on the interesting difference between the date of the appointment by the Chancellor to the Manor of Northstead and 1 January—or is it 4 January—the starting date for the new Commissioner? Constitutional lawyers who are expert in European and national matters might say the 4 January was the valid one. That might affect the date of the by-election.

Mr. Skinner: That is the argument of Members on the Government Front Bench, some of whom are trying to escape from their Common Market pasts. They are not doing that very strongly, and we are having a lot of cosmetics and window dressings from the Prime Minister. The hon. Gentleman should not be so sure about this vis-a-vis the Common Market. The landscape is moving a little. The argument is whether the grounds of a disqualifying office came into effect when the offer was made on 22 July or when the Commissioner started the job. That point should be cleared up.

The Government are currently discussing the possibility of stopping someone who works for one local authority being a local government representative in another. If there is no disqualifying office vis-a-vis the Common Market, it is a double standard to say to people in local government that they cannot work for one local authority and be a representative of another just because many of those people are Labour people.

Sir Peter Emery (Honiton): The hon. Gentleman has been on his feet for almost one hour and 20 minutes. It is not unique for a private Member to move writs for an election. I moved 15 of them on 17 December 1958 in two minutes, and in 12 lines of *Hansard*.

However, it is unique for such a debate to take place on the moving of a writ. This is being used as a dilatory motion to frustrate private Members' time. All private Members normally wish to safeguard that time. Although the hon. Gentleman has been very humorous, this act of procedure does not help the House generally. It does not help the House's reputation and will not be understood by people outside the House.

Mr. Skinner: May I tell the hon. Gentleman, who is Chairman of the Procedure Committee, that there is without doubt a majority of people in this House who, contrary to the views that he has expressed about dilatory motions from Opposition Members, regard the question of Back-Bench Members jumping the queue in the private Members' Ballot and getting to the top of the list as a practice to be deplored. If there is a question——

Madam Deputy Speaker: Order. We have strayed a long way from the motion before us. I remind the House that I am careful about precedents, and during today's debate I am following precedents.

Miss Ann Widdecombe (Maidstone): On a point of order, Madam Deputy Speaker. The hon. Member for Bolsover (Mr. Skinner) has just, however obliquely, referred to me and accused me of a piece of parliamentary malpractice—queue jumping. Is it in order for me to reply to him during the debate, because it is possible that we shall never reach my debate?

Madam Deputy Speaker: Obviously, any hon. Member in the Chamber who catches the eye of whoever might be in the Chair may well be called. I would hope to call the hon. Lady in due course.

Ms. Clare Short (Birmingham, Ladywood): I want to take my hon. Friend back to "Erskine May" on the

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question of moving writs because this is important in the teaching role that he has adopted. The moving of a writ takes precedence over other business. I should like to know how frequently the same writ can be moved. If, surprisingly, my hon. Friend fails to persuade hon. Members today, could someone re-introduce the writ next week?

Mr. Skinner: At least one Conservative Member has spoken of dilatory action. It was suggested a few days ago that the moving of a writ was a means of developing such action. The Clerks were unsure of the ground here. This has been a learning process for me, my hon. Friends and those people who advise the Chair, because that point was a matter for consideration. I shall not name names, but there was a complete blank on the question as to whether it was possible for a further writ to be moved within days of another having been moved and not dealt with satisfactorily. That very question was a puzzle for at least a week.

So far as I understand it—I shall be on record in *Hansard*—the matter has been resolved. The writ can be moved again. However, a writ cannot be moved again—this is another part of the learning process—if it is defeated. That is why I say to my hon. Friend the Member for Linlithgow that I am not hereabouts trying to get it defeated. I would not attempt to do that, because I want to win over the House and get the writ accepted; but, if I thought for one moment that I could not carry a majority, I would make absolutely sure that it was not defeated. If it is defeated, that is a different question. That would mean that the writ would fall for the rest of the Session, and none of us want that.

This is all part of understanding more about the quaint procedures in the Commons. It is interesting to note that, for a whole week, the establishment in the House of Commons was not sure about the answer. I can give the answer today in the affirmative, because I embarked on this procedure. We are beginning to dot a few i's and cross a few t's on the procedures of the House simply because this debate is taking place. Some people think that it is ritual, but it is not. It is a way of drawing some of these procedures to the attention of the House.

I was dealing with the question of the Common Market and how it is counterposed to people who lose or leave their seats in local government. That is also part of the valuable learning process, so I am pleased that my hon. Friend the Member for Birmingham, Ladywood (Ms. Short) raised that point. It could not have been cleared up if I had not embarked on this procedure a few days ago.

Mrs. Wise: I am grateful to my hon. Friend for giving way. I thought for a while that, because he received an admonition from me, I would not have the chance to intervene again. I am grateful that he is at last letting me make a remark.

Does my hon. Friend think that the contribution from the Chairman of the Procedure Committee, the hon. Member for Honiton (Sir P. Emery), is something to be proud of? Is it something to be proud of, to move 15 writs in two minutes or 12 lines of *Hansard*? I could scarcely believe it. Is that anything to be proud of, or could it be said to be treating the electors' interests with scant regard? I should like to discuss at greater length the interests of the voters and potential voters in that constituency because there are pros and cons and some of us have not yet made up our minds. Generally speaking, we want an early by-election so that we do not leave people unrepresented, but we must think again of convenience and practicality from the voters' point of view. We have not examined that enough.

Mr. Skinner: I hope to examine those pros and cons, but there is limit to how far I can examine the pros and cons of, for example, the Health Service with regard to the Richmond by-election in terms of strict party political objects. The subject could certainly be touched upon. My hon. Friend may well do that if she catches your eye, Madam Deputy Speaker, and if that is what she means.

Mrs. Wise: No, I do not mean that at all. We must examine the characteristics of this constituency. Referring back to the weather, has my hon. Friend considered the extent of car ownership in the Richmond, Yorks constituency? Has he taken into account the fact that women have very little access to cars, even if there is a car in the family?

In response to other comments that have been made today, as a northerner born and bred, I am not insulting the people of the north when I suggest that the weather must be taken into account. When I was a little girl on Tyneside I grew up believing that Yorkshire was the start of the south. I do not speak with any prejudice against northerners. However, the fact remains that voting can be very difficult for women voters without access to cars, especially if they are Labour voters and the Labour party may be short of cars because we represent the non-car owning classes to a large extent. Has my hon. Friend taken that into account?

Mr. Dobson: On a point of order, Madam Deputy Speaker. It is now 11 o'clock, and this is the point on a Friday when statements are made if they are going to be made. I would be grateful if you could say whether you have received any sign from the Secretary of State for Transport that he will respond to our representations that he should make a statement about certain circumstances revealed today in one of London's local newspapers, the *Hampstead and Highgate Express?* It revealed that, although the Secretary of State announced that Dr. Tony Ridley, the Chairman of London Underground Ltd., had offered his resignation, which the Secretary of State had accepted on 10 November, Dr. Ridley is still occupying an office at London Underground, is receiving the help of a paid secretary and personal assistant and has a chauffeur-driven car and a car phone. All that is provided at the expense of London Underground. That seems to be in flat contradiction with what the Secretary of State told us on 10 November. I want to know whether he intends to make a statement.

Madam Deputy Speaker: Mr. Speaker has received no such application from any Minister to make a statement.

Mr. Dobson: This is a most important matter. When the House was told, and I quote——

Madam Deputy Speaker: Order. I cannot allow the hon. Gentleman to pursue this matter by way of a point of order. I have already made it absolutely clear to the House

that no such application has been made to Mr. Speaker. The Chair has no authority over such statements made by Ministers. We must now proceed.

Mr. Dobson: I accept that, Madam Deputy Speaker. However, the Leader of the House is here. Most hon. Members would appreciate it if he could carry a message to the Secretary of State for Transport saying that we wish——

Madam Deputy Speaker: Order. Unhappily the hon. Gentleman is attempting to enter into debate, which I will not allow. He has quite rightly made the point that the Leader of the House is present. Mr. Speaker has had no such application. It must be left at that.

Mr. Max Madden (Bradford, West): On a point of order, Madam Deputy Speaker. I gave Mr. Speaker notice that I would raise this point of order at this time earlier this morning.

I wish to raise a point of order concerning the deportation of Mr. Viraj Mendis. He is due to be deported from Gatwick airport in 58 minutes' time. I raised this matter during business questions yesterday, and asked for a statement to be made about the Government's intentions which would enable a Minister from the Home Office to report to the House. He could have told us whether discussions and efforts have been made overnight and this morning to try to defer the deportation to allow discussions to take place to find a safe refuge for Mr. Mendis in a third country—and if they had been completed.

My next point is central to my point of order. Yesterday, during business questions, and today in an amendment to early-day motion 287, I drew the attention of the House to a case last December in which, after making representations on behalf of a political activist who was a Pakistan national——

Madam Deputy Speaker: Order. Of course I must listen to points of order. However, I hope that the hon. Gentleman will raise a point of order with which I can deal from the Chair. Otherwise, it is an abuse of the House.

Mr. Madden: I recognise that completely. I know from experience that written assurances from Home Office Ministers that individuals face no risk of persecution if they are deported to certain countries are not worth the paper that they are written on. I was told last December that this individual faced no risk——

Madam Deputy Speaker: Order. The hon. Gentleman is not making a point of order. He is making a speech to the Chair the subject of which has been dealt with by the House earlier. I can reply to the hon. Gentleman's original point of order, which asked me whether Mr. Speaker had received an application from a Home Office Minister to make a statement. The answer is no. Mr. Speaker has received no such application, and no Home Office Minister is to make a statement this morning.

Mr. Alan Williams (Swansea, West): On a point of order, Madam Deputy Speaker. I am sure that the last thing that my hon. Friend wants to do is challenge your authoritiy Madam Deputy Speaker, and nor would I. We recognise your predicament. However, similarly you recognise our predicament that emergencies are not allowed to happen in the House of Commons on a Friday. No doubt on any other day of the week, my hon. Friend could have raised the matter as a Standing Order No. 20 application and that is not intended to challenge your authority. The rules of the House do not allow the Standing Order No. 20 procedure on a Friday. My hon. Friend want to refer to an emergency and a genuine problem which merits discussion. We would appreciate guidance from the Chair on the methods available to my hon. Friend to raise an issue of this importance on a Friday.

Madam Deputy Speaker: The hon. Member for Bradford, West (Mr. Madden) has had an opportunity to express his feelings on the matter through a point of order, and a very long point of order at that. He asked whether Mr. Speaker had had an application from the Home Office to make a statement. I am observing the practice of the House in responding to that, by saying that no such application has been made. I am sure that hon. Members would not wish to abuse our procedures. The fact that there can be no Standing Order No. 20 application on a Friday morning is something that the Chair can do nothing about. We must now proceed.

Mr. Madden: Further to that point of order, Madam Deputy Speaker. The point that I am trying to make is that, despite written assurances, the man for whom I was trying to get political asylum was arrested as he walked off the plane in Pakistan. He remains in prison and many of us fear that the same destiny awaits Mr. Mendis if he is deported in 58 minutes' time.

Madam Deputy Speaker: Order. The Chair has no authority over such matters. It is an abuse of our proceedings that such matters be raised at this time in that way.

Mr. Tony Banks: On a point of order. I understand that the Chair has no jurisdiction in that respect. However, the House is owed something. We were given assurances and statements were made by the Home Secretary from the Dispatch Box earlier in the week. We were given news. It seems appropriate that we should ask that the Leader of the House should arrange for a further report to be made to the House so that hon. Members are kept abreast of the latest developments. We should be exchanging those views.

My point of order is that, in view of the fact that we heard statements and were given assurances, we are now entitled to receive from the Dispatch Box the latest information available to Ministers, and I think that the proceedings should allow that.

Madam Deputy Speaker: All I can tell the hon. Gentleman is that no Minister has applied to come to the House this morning to make a statement. We must leave it at that. I call Mr. Skinner.

Mr. Harry Cohen (Leyton): Further to that point of order, Madam Deputy Speaker. There is a great deal of concern among Back Benchers, certainly on the Labour Benches, about the welfare of Mr. Viraj Mendis. You are a custodian, as is Mr. Speaker, of Back Benchers' rights. There must be a way in which those rights can be exercised in an emergency such as this. We have heard that the procedures do not allow that to happen on a Friday. That must be wrong. We were given assurances that Mr. Viraj Mendis would be given an opportunity to go to a third country. Is he going to go to a third country or—

Madam Deputy Speaker: Order. That is not a question which the Chair can answer. I can tell the hon. Gentleman that, if it is thought wrong that our procedures do not allow that matter to be raised on a Friday, it is up to the House to amend the procedures to meet those demands. I call Mr. Skinner.

Mr. Skinner *rose*——

Mr. Flannery: Further to that point of order, Madam Deputy Speaker. I hope that people do not think that the issue that we have been discussing this morning is one in which we are adopting a kind of ruse. We honorably want to know about Viraj Mendis. It is wrong that hon. Members do not know things that the outside world probably knows at this moment. As Members of Parliament we have the right to know what is happening.

Madam Deputy Speaker: Hon. Members are raising with the Chair matters of debate which are not points of order. I answered the crucial point of order by saying that, to Mr. Speaker's knowledge, no Minister is coming to the House this morning.

Ms. Short: Further to that point of order, Madam Deputy Speaker. This is now a serious matter, and it involves you. We learnt this morning that the Home Secretary lied to us when he made his statement about Viraj Mendis.

Hon. Members: Withdraw.

Madam Deputy Speaker: Order. I cannot allow the hon. Lady to proceed in that manner. Will she withdraw that and rephrase her question?

Ms. Short: The Home Secretary led us to believe that he was giving an assurance, which has proved to be false. He sat there and told us—*[Interruption.]* He gave an assurance to the whole House—*[Interruption.]*

Madam Deputy Speaker: Order. To the best of my knowledge, the hon. Lady has withdrawn and rephrased what she had to say.

Ms. Short: Thank you, Madam Deputy Speaker. You were right in your interpretation of what I said. *[Interruption.]*

Madam Deputy Speaker: Order. Did the hon. Lady withdraw her original statement?

Ms. Short: I certainly withdrew the word and rephrased what I said.

We are talking about a man who might be going to his death. It is a serious matter. In the past year, 700 people have been killed in Sri Lanka, and the Government of Sri Lanka cannot give assurances because a political movement is behind it. The Home Secretary gave us the assurance that there would be enough time to consider Viraj Mendis going to a third country. He is now moving so fast that that assurance is worthless. The Home Secretary has misled the House. He has given us a false assurance. The Leader of the House should tell us whether the Home Secretary will come to the House and explain how he misled us in that way.

Mr. Andrew F. Bennett: Further to that point of order, Madam Deputy Speaker. Hon. Members have already explained to the House the difficulty about raising Standing Order No. 20 on a Friday. There is also a time-honoured custom in the House that hon. Members who are dissatisfied because there is no statement may raise points of order. I realise that that creates difficulties for the Chair, but it also creates some difficulties for hon. Members who have other important business. I am sure that you are aware that, on occasions, in various ways, hon. Members have raised points of order for anything up to half an hour or longer while the usual channels negotiate to see whether a statement can be made. Such attempts place the Chair in considerable difficulty.

Clearly, many Opposition Members feel sufficiently strongly about the matter to be tempted to continue trying to raise points of order in an effort to get a statement. Obviously, that procedure is unsatisfactory. When the Chair feels that a point of order has been put repeatedly, it is possible for the Chair to state that it would help the House if a statement were made. I wonder whether you would consider that point, Madam Deputy Speaker.

Madam Deputy Speaker: I have considered very seriously all the points of order that have been put to me. There may be time for negotiations to take place and for a Minister to come here in due course, but I can only repeat that Mr. Speaker has had no such application. To the best of my knowledge, no Minister is coming here to make a statement this morning. I can only say to hon. Members who have raised points of order that, as has been pointed out, the Leader of the House is here and has no doubt taken notice of what has been said.

Mr. Madden: Further to that point of order, Madam Deputy Speaker. It is within the recollection of all of us that, on occasions such as this Friday, the Leader of the House has seen fit to intervene during exchanges to say that the Government would make a statement at a certain time. I plead with him. Mr. Mendis is due to be deported to an uncertain destiny in 45 minutes. I tried to mention the matter on Wednesday, but I was prevented. I raised it with the right hon. Gentleman yesterday, and he heard what I said. I have raised it with colleagues today. I appeal to the Leader of the House to tell us when the Government will make a statement about their intentions.

Ms. Mildred Gordon (Bow and Poplar) *rose*——

Madam Deputy Speaker: We have now had sufficient points of order on this matter. I will take the last one from the hon. Lady.

Ms. Gordon: Further to that point of order, Madam Deputy Speaker. Mr. Viraj Mendis was taken to Gatwick some time ago. We are entitled to a statement, as we were given an assurance that he would be given the opportunity to go to a third country. The House is entitled to know what is happening.

Madam Deputy Speaker: Yet again, and I hope for the last time, to the best of Mr. Speaker's knowledge, no Minister is coming to the House this morning to make any such statement.

Mr. Skinner: They make enough statements when we are not here.

I was dealing with the——

Mr. Cohen: On a different point of order, Madam Deputy Speaker. It is plain that the Government will not respond to the issue and do not care a jot for people such as Mr. Viraj Mendis—*[Interruption.]*

Madam Deputy Speaker: Order. We have had a number of points of order this morning. Let us keep the temperature down. I asked the hon. Gentleman to come directly to his point of order.

Mr. Cohen: All through the last series of points of order that all hon. Members were concerned about, there was a constant gabble from the Government side of the House —an outrageous gabble in the circumstances. I found it difficult to hear what some of my hon. Friends were saying. That shows what little interest Conservative Members have for the life of an individual.

Madam Deputy Speaker: The Chair has no control over human behaviour.

Mr. Skinner *rose*——

Mr. Michael Stern (Bristol, North-West) *rose*——

Mr. Skinner: Before I give way, I must deal with the question about disqualifying offices. Luckily, as a result of the efforts of my hon. Friend the Member for Holborn and St. Pancras—I managed to get hold of a book on disqualifying offices, including being a Member of Parliament. My hon. Friend, the Member for Newham, North-West (Mr. Banks) and other hon. Friends wanted to know about it. There is a list—it is longer than I thought. It would be sheer repetition to read it out. However, one immediately comes to mind. In recent times, there has been a change in the number of disqualifying offices. It is on page 16 in the House of Commons——

Mr. Tony Banks: Which book is it?

Mr. Skinner: It is not "Erskine May". We are now dealing with the House of Commons Disqualification Act 1975, which has been amended on occasions.

We are now discussing whether the office of Commissioner should be a disqualifying office. In 1985 there was added to the list any member of a residuary body established by part 7 of the Local Government Act 1985 or is in receipt of remuneration.

That means that, notwithstanding our entry to the Common Market in 1973, the Government of the day managed to change the list or add to the number of disqualifying officers, as a result of the abolition of the GLC. Why has there been no attempt to add the office of Euro-Commissoner? The inclusion of a member of a residuary body means that the matter has been looked at, but not in respect of the commissioner. That is an anomaly.

Mr. Tony Banks: My hon. Friend knows much about the subject. If a Member of Parliament has accepted an office of profit under the Crown, which is one of the disqualifying offices, and he leaves—that is why we are having a by-election in Richmond—at some later stage is it possible for that person to stand for election and return to the House? That is the first point.

If there were any difference, could it be that a Commissioner has not been added to the list of disqualifying offices, for the simple reason that the establishment believes that it is most appropriate for a commissioner who gives up being Commissioner to come back to the House of Commons. I should like my hon. Friend to clear up that point.

Mr. Skinner: That is the point that I was developing. *[Interruption.]* Part of the problem is that as the Common Market is of the establishment orientation it does not want to tread on any toes and stop these people returning. It is important to recall—*[Interruption.]* It does not matter. Hon. Members do not want to listen.

Mr. Julian Brazier (Canterbury): On a point of order, Madam Deputy Speaker. I receive many letters from constituents saying how unhappy they are about what goes on in this Chamber and I seek your guidance on what I should say to them. They dwell on many issues, not least the fact that every time a motion on abortion appears various tactics are used, such as moving the writ this morning, to prevent a free debate and a free vote. Will you allow us to move to a vote on this matter? Clearly, for a by-election writ to be discussed for an hour and three quarters is an abuse of procedures.

Madam Deputy Speaker: The hon. Gentleman has raised two points. I am extremely flattered that he has asked my advice on responding to his constituents' mail. I should have thought that he was capable of replying himself. Secondly, several hon. Members wish to speak in this debate, and I cannot accept a closure motion at this stage.

Mr. Wigley: Further to that point of order, Madam Deputy Speaker. Can you say whether it would be possible for the hon. Member for Canterbury (Mr. Brazier) to move the closure motion when an hon. Member is moving a motion such as this?

Madam Deputy Speaker: At this stage no hon. Member could possibly move the closure, because the motion before the House has not yet been finally moved.

Mr. Wigley: Perhaps you could be clearer on that point, Madam Deputy Speaker, and confirm that it is not possible to move a closure motion on the mover of this motion.

Madam Deputy Speaker: That is absolutely correct.

Mr. Skinner: It is not for me to get involved in applications for motions from Conservative Members. Hon. Members on both sides of the house have had letters of complaint about Members of Parliament who want to queue-jump from seventh to first place. There is no argument about that.

Mr. Stern: Will the hon. Gentleman give way?

Mr. Skinner: No. I shall deal with the question why the Euro-Commissioner is not included in the list of disqualifying officers. The establishment of this place has decided that it would be good if people went out there and came back. Woy Jenkins of the wadicals did exactly that. *[Laughter.]* he got a job as a Commissioner, then became the President and then came back as the hon. Member for Glasgow, Hillhead. Commissioners are not included simply because in the past people have gone to the Common Market and reserved the right to be re-elected as a Member of Parliament, if they can get in. In this case, Leon Brittan has expressed the wish to reserve the right to return.

If members of the London residuary body or any other residuary body are disqualified for taking that job, I would have thought that a Commissioner should also be disqualified. If they could return, so be it. That does not matter. It is not the important question. My question is what happens at the beginning.

Mr. Dykes: Is it not wrong of the hon. Gentleman to introduce personalities? Should he not stick to technical, constitutional and legal points? Is he right or wrong in saying that a Commissioner post is an office of profit under the Crown in the conventional sense? Does it come under the original conventional list in its intention or the present list? The hon. Gentleman may be right in saying——

Madam Deputy Speaker: Order. I understand the hon. Gentleman's interest in this, but he has strayed from the motion.

Mr. Dykes: With respect, Madam Deputy Speaker, and forgive me for saying this, because I always like to take your guidance and advice, this is an important and interesting question. Many parliamentarians would not know whether a Commissioner holds an office of profit under the Crown in the conventional sense or a new post created by a treaty to which this country acceded later, so it is only indirectly an office of profit under the Crown because the United Kingdom has acceded to that treaty and the Crown is the representation of our signing that treaty. The hon. Gentleman is wrong, but perhaps he thinks that he is right.

Mr. Skinner: I come down on the opposite side to the hon. Gentleman simply because Commissioners receive British taxpayers' money. They do not get all their money from Britain. The money is put into one pot and they get £97,000 out of it. Their salary has been increased. They get taxpayers' money and in simple, straightforward, legal terms that means money from the Crown.

Moreover, Commissioners also swear an oath of allegiance to the Common Market. A member of the London residuary body does not do that. That is a second reason why the Speaker's Conference should examine this. It should examine this on remuneration grounds and on the question of taking the oath of allegiance to the Common Market. That is why this is an important matter, as the hon. Gentleman rightly suggested.

Mr. Dalyell: Is my hon. Friend happy about the comparison between Roy Jenkins and Leon Brittan? Leon Brittan did something quite different. He negotiated the resignation correspondence. Never in the history of our country has resignation correspondence from the Prime Minister of the day ended by saying,

"I hope it will not be long before you return to high office to continue your ministerial career."

How on earth would she have written that, given the events of Westland, for which Leon Brittan was the scapegoat, unless there had been——

Madam Deputy Speaker: Order. I must remind the hon. Gentleman that the motion before us is whether or not a writ is issued for the county constituency of Richmond in Yorkshire, and he is straying far from the point.

Mr. Skinner: We were discussing the number of disqualifying offices and I said that I was surprised that the long list does not yet include EEC Commissioners, which would be a likely addition at afuture Speaker's Conference. I was saying that Commissioners take an oath of allegiance and get remuneration which is partly paid by the British taxpayer—and we know what the Prime Minister thinks about taxpayers' money, except apparently on this occasion. I was about to refer to some other matters, including the surprise to me that one of the disqualifying offices is that of the Parliamentary Commissioner for Administration. I can see why when I think about it, but I wonder whether the list will include the new ombudsman for *The Sun* as well. I can hardly believe that he qualifies as an ombudsman in the real sense. I think that my hon. Friend the Member for Newham, North-West wants to talk about residuary matters.

Mr. Tony Banks: No, I do not want to talk about the residuary body. I look forward to the day when I can walk over to county hall and personally deliver the dismissal note from my hon. Friend the Member for Islwyn (Mr. Kinnock) as Prime Minister to Godfrey Taylor, the present chair of the London residuary body, but that is another matter and I can wait a few more months.

Technically speaking, there is no need to have a by-election in Richmond, Yorks because the position of Commisssioner is not an office of profit under the Crown. It has nothing to do with the Crown in that respect. My hon. Friend the Member for Denton and Reddish (Mr. Bennett) said that it was an office above the Crown when one thinks about the EEC. Technically, it was not necessary for Leon Brittan to resign. He could have remained as the Member of Parliament for Richmond, Yorks and been on his nice little earner over at the EEC. It is not a question of the EEC taking Britain's taxes, but of Brittan taking Britain's taxes.

Mr. Skinner: In strict theoretical terms, that is absolutely correct. Unquestionably if the office of Commissioner is not on the disqualifications list, obviously Leon Brittan could have continued. It is true that it is possible for some Members of Parliament to have a dozen other jobs moonlighting while carrying on as Members of Parliament. It is conceivable that they could be Euro-Commissioners such people resign because, in the first instance someone in that position resigned. Once the practice was established, it would have been frowned upon to act otherwise.

Let us clear the matter up. It has been valuable for me to draw these points out this morning in moving the writ because hon. Members on both sides of the House, including Front Benchers, will be able to consider again whether a person who swears an oath of allegiance to another body and who receives, in part, taxpayers' money for taking on the job should be equated with a member of a residuary body, an ombudsman or whoever else is on the list.

Mr. Rhodri Morgan (Cardiff, West): My hon. Friend is getting close to an interesting question. Why is he moving a by-election writ? Is it not within the rules of the House of Commons that being a Commissioner of the European Community is incompatible with being a Member of Parliament. The rules of the EEC make it impossible for such a Commissioner to be a Member of a national Parliament, because that person cannot take the oath of loyalty to the European Parliament and forget his British loyalties. My hon. Friend has got it the wrong way round.

Mr. Skinner: That is another aspect of study that I would have to develop if I were moving a writ in the Common Market. I shall never do that—it is just not my scene. It is worth while examining that point, and I shall do so after the debate. If that is true, it means that the Government are concerned more with Common Market rules than with the rules of Parliament. That is an interesting point. We have long argued that the Common

Market has laws which are over and above those in this country. If my hon. Friend is correct, we have discovered in that narrow area another reason why the Common Market can superimpose its views on what is commonly called the Mother of Parliaments.

Mr. Stern: I apologise to the hon. Gentleman, but the debate is moving so fast that I want to take him back to an important point that he made just before 11 o'clock. I should like to clarify this point because it is important in terms of how the subsequent debate develops. I think that the hon. Gentleman said that, if his motion to move the writ failed, it would not be possible to move the writ again this Session. Did he say that? I had intended, if I were fortunate enough to catch Mr. Speaker's eye later, to oppose the motion on the ground that it was premature. If I understand the hon. Gentleman correctly, I shall have to attempt to persuade him instead to withdraw the motion rather than merely bring it to a vote. I should be grateful for clarification.

Mr. Skinner: This exercise has been one of testing opinion. I said at the beginning of my speech—I think that the hon. Gentleman has been here all the time—that writs are an aspect of parliamentary practice that are owned by the Front Benchers. Most hon. Members except for the hon. Member for Honiton (Sir P. Emery), who moved 17 writs in two minutes——

Sir Peter Emery (Honiton): It was 15 writs.

Mr. Skinner: Apart from the hon. Gentleman, most of us have never dealt with this aspect of parliamentary practice. This morning, apart from moving the writ, I was trying to gauge opinion. If I have tested the water correctly, I believe that some hon. Members have some reservations. But I am not sure yet. Obviously, we shall reach a point when the matter will pan out and we shall get a feeling as to whether it will be possible to carry the writ into practice. Make no mistake—I am not one of those people who would thwart the opportunities of the electors in Richmond, Yorks by being foolhardy and wanting to carry matters to the Nth degree. That is not my scene. Many hon. Members, including me, managed to pick up on the road this morning a few points on how writs are dealt with, what that is all about, whether it is satisfactory, whether we should add to the list of disqualified officers and whether some should be brought back. Those questions have emerged this morning—*[Interruption.]*

Mrs. Audrey Wise (Preston): Does my hon. Friend agree that a dangerous aspect of the rules of the House is being disclosed? My hon. Friend has told us that he would not risk defeat of the motion, but perhaps not everyone would act as responsibly as my hon. Friend intends. I am extremely worried by the disclosure that, if the motion is defeated, it will fall for the rest of the Session. I strongly feel that this is the wrong time of year to embark on the Richmond, Yorks by-election. If I were faced——

Mr. Deputy Speaker (Mr. Harold Walker): Order. Interventions should be brief.

Mrs. Wise: My hon . friend the Member for Bolsover (Mr. Skinner) is miserly in his willingness to give way to me, so I have to take the opportunity to intervene on the rare occasions he gives way. Will my hon. Friend examine the point which I have raised? I accept that he said that he will not press the motion to a vote, but he may change his mind during the debate and those of us who want to oppose the motion could be left in an embarrassing position. If we oppose the motion now——

Mr. Deputy Speaker: Order. the hon. Lady should respect the practice and conventions of the House.

Mr. Skinner: I did not give way earlier to my hon. Friend the Member for Preston because my attention was distracted by Bertie Wooster, who had just come in. I thought that he was going to come round with the Croft Original. The Minister for Trade is standing at the Bar. I was distracted when I saw him out of the corner of my eye. He is looking leisurely and I have no doubt that he is dressed for the occasion. He has Richmond clothes on—I shall rephrase that, he has Richmond Tory clothes on.

The Minister for Trade (Mr. Alan Clark): On a point of order, Mr. Deputy Speaker. The hon. Gentleman is a sportsman and doughty adversary whose qualities I have recognised for many years, but it is a bit off to criticise a Member when he is on the other side of the Bar and cannot answer back. I am in the Chamber, as I am sure the hon. Gentleman knows because he follows parliamentary affairs attentively, because I an answering for the Government in an Adjournment Debate at half-past two.

Mr. Madden: On a point of order, Mr. Deputy Speaker. I am concerned less about Bertie Wooster, who has just come in, than about Mr. Mendis, who may be going out in less than 20 minutes. You have just taken the Chair, Mr. Deputy Speaker, and the Leader of the House has been in and out of the Chamber several times in the past few minutes. You will not know that, earlier this morning, a number of us pressed the Leader of the House to make a statement on Mr. Mendis, who is due to be deported from Britain via Gatwick airport at 12 o'clock.

Mr. Deputy Speaker: Order. If the hon. Member has already rehearsed those points of order, I do not see the point of raising them again with me and so far I do not see any point of order for me.

Mr. Madden: Further to the point of order. Mr. Deputy Speaker. I was raising the matter to ask if, on your way to the Chair, you had received any information from the Leader of the House as to——

Mr. Deputy Speaker: Order. What I have done on the way to the Chair is not a matter for debate in the House.

Mr. Tredinnick: On a point of order, Mr. Deputy Speaker. The hon. Member for Bolsover (Mr. Skinner) has made a somewhat humorous attack on the Minister for Trade claiming that he is rather strangely dressed. But, whereas most of us have appeared in the Chamber today dressed in suits——

Mr. Deputy Speaker: Order. Let us get on.

Mr. Flannery: First let me thank my hon. Friend for giving way, and not only to me. I disagree with my hon. Friend the Member for Preston (Mrs. Wise): I think that my hon. Friend has been very generous in giving way, and I know that he will continue to be so.

I want to raise a point about which many people are concerned. We are learning today about Commissioners. Is it always the Prime Minister—who, as Prime Minister, has an office under the Crown; I know that the

[Mr. Flannery]

Commissioner's job is not an office under the Crown—who alone has it in her gift to nominate a Commissioner? That does not seem a very democratic practice.

Mr. Skinner: My hon. Friend is absolutely right. The question of how patronage is abused in the House of Commons, particularly by the Prime Minister of the day, would entail another five-hour debate. Many Opposition Members would argue that one of the things that a future Labour Government should do is get rid of much of that patronage and dwell more on the question of accountability.

My hon. Friend has spotted exactly what goes on. It all adds to the problems of the electorate and the Back Benchers, and I hope that it will be a consideration in the Richmond by-election. The question of being a Member of Parliament vis-a-vis being a commissioner is bound to crop up. The election may turn on it: who knows? This issue of patronage as opposed to accountability is very important, and there may in the end be a verdict on my hon. Friend's point. We shall never be able to decide exactly what amalgam of points decides elections, but one thing is certain: the question whether patronage is a good thing and should be allowed will be part and parcel of the issue in the elector's mind.

Mr. Flannery: Hitherto in by-elections the anger of the electorate has been clearly shown, sometimes to the detriment of Labour Members. It is characteristic of the electorate to record its anger in its vote. In Ashfield, for instance, a Labour majority of over 20,000 disappeared because the electorate was clearly angry that anyone should be given such a job and that one person should be able to say who should have it.

Mr. Skinner: There are many examples, but we do not want to get into an argument with you, Mr. Deputy Speaker, on grounds of repetition. Since I have been in Parliament there have been about six cases in which it could be said that one of the ingredients of by-election defeat has been the connection with the Common Market. The patronage issue is another element. I have no doubt that if, rather than being endowed by patronage, the job was obtained through some form of election, electors' views would be completely different. The point is that it is handed out on a plate by the Prime Minister of the day—and that also applies to Labour Members who are given jobs. Although recommendations can be made, at the end of the day it is the Prime Minister who hands out the jobs.

Mr. Andrew F. Bennett: All these constitutional points are interesting, but will my hon. Friend return to a question that he has been dodging all the morning—whether it is suitable to hold a by-election in Richmond in such inclement weather? Has my hon. Friend made any inquiries of North Yorkshire county council about its present policy on road gritting, and how much it has had to spend? My impression is that the council has cut back, and that on polling day, in late February or early March, road conditions could be very treacherous. Would it not be wiser to leave the by-election until April, when the weather may be better?

Mr. Skinner: I could spend a bit of time answering that question, but I must tell my hon. Friend—for he is my hon. Friend—that I cannot spend too much time on the weather at this stage.

Mr. Bennett: It is a crucial point.

Mr. Skinner: By-elections take place all the year round. We had one recently, and it could have snowed. The fact that there are people who say that we shall not have snow because of the breakdown of the ozone layer is neither here nor there. I cannot control the weather, and my hon. Friend must not ask me to control it. The Prime Minister might be able to help him, but I cannot sort that job out. All I can say is that by-elections have often taken place at this time of year.

Mr. Jeremy Corbyn (Islington, North): I am grateful to my hon. Friend for giving way, especially as I have come into the Chamber so recently, having been detained elsewhere.

My hon. Friend may not know that a council by-election was held in my constituency last night. On a very old register, there was a turn-out of 33 per cent. The SLD vote went down to 125, and there was a large swing to Labour. The people in Gillespie ward, where Jenny Sands was elected as a councillor, were determined to come out whatever the weather because they hate the Government so much. They wanted to show their support for Labour and they did.

Mr. Tony Banks: I want to bring my hon. Friend back to the question of why we need to move the writ today. I thought that we had established that it was possible under House of Commons rules for an EEC Commissioner to remain here as a Member of Parliament: we now understand that it is EEC rules that prevent that. No doubt the EEC will be rewriting "Erskine May" for us before long.

It seems wrong to me—I am sure that my hon. Friend will feel the same—for someone who has recently stood in a general election and offered himself to the electorate, as Leon Brittan did to the electors of Richmond, and who has then been returned, to leave that electorate, as it were, in the lurch. I feel that we should look at our rules again. When an hon. Member dies, as happened in the case of Pontypridd, the circumstances are simple and straightforward and we know exactly what we need to do. But once a Member of Parliament has entered into a contract with the electors, I think that he should fulfil that contract until the next general election.

Mr. Skinner: The situation is best summed up in this way. We have heard about four or five different inadequacies in the system for issuing writs, about disqualifying offices, and about the grey area of a link with the Common Market. Now that we have heard all those things, we must do something about them. We can talk all morning about why the Common Market should take precedence over the House of Commons. We could spend a lot of time and bore the Deputy Speaker. However, we must educate and organise ourselves. I refer to all the Committees in which the parliamentary Labour party and Conservative Members play a part, because some right hon. and hon. Government Members have been listening as well. We must use the evidence we have and make an imput into the Committees so that eventually, it gets through to the electoral law conference organised

intermittently by Mr. Speaker. In that way, changes will take place, there will be more accountability, and the Common Market mess will be cleared up.

This morning's discussion will enable us to take the evidence we have into the various byways and highways of parliamentary Committees of one kind or another—including all-party Committees, which are not my scene, but are for some right hon. and hon. Members—and strictly partisan parliamentary Committees, so that we may change the system. One can include other matters. One can introduce a procedural system to prevent people queue-jumping with Bills. That is important, but it is not what we are discussing this morning.

As I draw to a close the analytical part of my argument, I repeat that we must use the ammunition we have been given this morning. That is not to say that I want everybody to bury their heads in "Erskine May". Some right hon. and hon. Members will do that, while others will impart other information to the rest of us. That is the lesson to be learned this morning.

Mr. Morgan: This morning, we have heard a great deal about the by-election procedure. Five minutes ago, I thought that I was about to learn more about the physical structure of the House. As my hon. Friend the Member for Bolsover (Mr. Skinner) was speaking, the hon. Member for Rochdale (Sir C. Smith) entered the Chamber and sat at the other end of the same Bench occupied by the hon. Member for Liverpool, Mossley Hill (Mr. Alton), who was seated at the other end. If that Bench were a see-saw, the hon. Member for Mossley Hill would have shot skywards and come down again, with snow on him. That might have required another by-election. We have learned that the structure of the Benches in this Chamber do not allow that to happen. That is one thing that we do not have to worry about.

Sir Cyril Smith (Rochdale): That was not up to the standard of the hon. Member for Bolsover (Mr. Skinner). It was very poor. The hon. Member for Bolsover will have to give his hon. Friend lessons.

Mr. Skinner: The political see-saw was developed by the Conservative and Labour parties. Now the see-saw is occupied by the provos led by "Dr. Death", the right hon. Gentleman the leader of the SDP at one end, and by the right hon. Gentleman the leader of the SLD at the other. The occupants of the see-saw are different now. That will be a factor in the Richmond by-election, in which both occupants of that see-saw will be taking part. Right from the beginning, I knew there was something wrong between the Liberals and the SDP in the last general election, because the leaders of those two parties travelled on separate coaches on their visits up and down the country. The Richmond by-election will show that different considerations still apply.

I wish to make one further comment concerning the residual body, because my right hon. Friend the Member for Blaenau Gwent will be interested to learn that one of the disqualifying offices is the Registrar of Public Lending Right. I cannot for the life of me understand why that should be a disqualifying office. Perhaps there is a genuine reason, but it is odd that that should be a disqualifying office, whereas someone else can get a Commissioner's job in the Common Market for £97,000 a year.

Mr. Corbyn: Does it pay that much now?

Mr. Skinner: Yes, it has just gone up. I make that point about disqualifying offices before moving on.

Mr. Cohen: My hon. Friend makes the point that the by-election could be delayed. I am sure other right hon. and hon. Members will be as surprised as I was to learn that Sir Leon Brittan and others in his situation can claim both their salary as a Common Market Commissioner and their parliamentary salary. I know that my hon. Friend is opposed to both salaries being claimed. I understand why, and I agree with him. However, is there not a case to be made for allowing Sir Leon to remain a member of the House while taking up his new post as a Commissioner, and giving his parliamentary salary to a worthy cause—such as saving the Settle to Carlisle line, about which, as a former Member of the relevant constituency, he must be concerned.

Mr. Tony Banks: He could buy the Settle to Carlisle line.

Mr. Skinner: We have found out—we believe, the information is correct—that a Commissioner cannot be a Member of Parliament, not because of these rules, which should be changed, but because of Common Market rules under which a Commissioner has to swear an oath of allegiance. That is a matter that we should clear up. A person is apparently debarred by the rules of the Common Market, not by those of the House.

Mr. Cohen: I appreciate that and thank my hon. Friend for that education. He also said that Sir Leon Brittan will earn £97,000 per annum, and it would not be unreasonable for him to give half that salary to the campaign to save the Settle to Carlisle line.

Mr. Skinner: The Settle to Carlisle railway will be a consideration in this by-election and we cannot avoid mentioning it. I think that it does not actually run right through the constituency, although it may pass through it at one tiny point. My guess is that it runs along the western side of the constituency.

I would be straying from the subject if I started talking about the pros and cons of the Settle to Carlisle railway being saved. Other hon. Members might do so. I cannot visualise any set of circumstances in which this particular issue will not be foremost in the minds of the many electors because it is so close. There has been a resurgence of interest in that issue in Britain. Most certainly, it will be considered a matter of importance in that constituency.

Mr. Tredinnick: It has just been suggested that the Commissioner should give half his salary to the Settle to Carlisle campaign. The hon. Member for Bolsover (Mr. Skinner) cut off the hon. Member for Leyton (Mr. Cohen) who, I thought, was about to suggest that he would give half his salary to that cause.

Mr. Skinner: What I am trying to do at all times is to ensure that we discuss the question of the writ in a way which the Chair regards as a proper fashion. The issue of the railway will be a factor but, although I am a supporter of saving it, I shall not make it a strong part of my consideration of the writ today.

Having dealt with disqualifying offices, I must make it abundantly clear that I am trying to move on to the constituency itself, and to describe what is a beautiful constituency.

Mr. Andrew F. Bennett: Will my hon. Friend accept that, over the years, some by-elections have been affected by dramatic Government action, taken because they thought that it might influence the by-election result. I seem to remember that the Humber bridge had some connection with a by-election. Will my hon. Friend take into account the fact that the date of the by-election could be significant in saving the Settle to Carlisle line? I am sure that the Government would not want to see its closure finally announced during the by-election.

Mr. Skinner: If we obtain the same result in this election as we did in Hull that time, we shall be clapping our hands and making dramatic changes.

Dr. Lewis Moonie (Kirkcaldy): I have listened to the preamble of my hon. Friend with great interest. Before he goes on to the main part of his speech I should like to turn briefly to the question of Lord Winstanley—I do not know, Mr. Deputy Speaker, if it is proper to refer to him by name. A Bill was introduced to rectify disqualifying action that he had taken during an election campaign. Will my hon. Friend elaborate on that because it may be of concern to me as a member of the same profession?

Mr. Skinner: We have trodden that ground, as regards the disqualifying officers. In 1974, after the first election, retrospective legislation was passed to ensure that Lord Winstanley, who represented Hazel Grove at that time, and held a disqualifying office as a member of a tribunal panel—as a doctor—was allowed to stay. The Labour Government at the time reached out to the Liberals and allowed the hon. Gentleman to keep his seat. I was dumbfounded, because we had brought the election and we were allowing this Liberal Member to keep his seat. I thought the election campaign had been all about keeping the Liberals out. The way in which this disqualification was removed to help the hon. Gentleman has been dealt with before.

Mr. Patrick McLoughlin (Derbyshire, West): On a point of order, Mr. Deputy Speaker. I realise that under the Standing Orders of the House, it would probably be inappropriate to move the closure, bearing in mind that the mover has not finished speaking. Perhaps you could confirm, however, Mr. Deputy Speaker, that a number of other important issues are on the Order Paper, which should be debated. Mr. Speaker decided not to use his discretion in provoking the ten-minute rule but the hon. Member for Bolsover (Mr. Skinner) has now been speaking for 144 minutes. That is a great intrusion on Private Members' time. It is not the hon. Gentleman's debate.

Mr. Madden: On a point of order, Mr. Deputy Speaker. It is now 12 o'clock and I believe that the House should be told whether Mr. Mendis has been deported from Gatwick to Sri Lanka, or whether he is being allowed to remain in this country, so that discussions can take place to find a third country——

Mr. Deputy Speaker: Order. I appreciate the hon. Gentleman's concern, but I believe he recognises that this is not a point of order for me.

Mr. Edward Leigh (Gainsborough and Horncastle): On a point of order, Mr. Deputy Speaker. I hope you might be able to give guidance to the hon. Member for Bolsover (Mr. Skinner). Abortion is a serious matter about which many people feel strongly. Surely the House should have the option to decide on a free vote. This is an abuse——

Mr. Deputy Speaker: Order. I have listened carefully to the hon. Member for Bolsover (Mr. Skinner). Doubtless, he will have regard to the point that has just been made, but so far he has not tested my tolerance to the point of my ruling him out of order.

Mr. Corbyn: On a point of order, Mr. Deputy Speaker. I want to return again to Mr. Viraj Mendis.

Mr. Deputy Speaker: Order.

Mr. Corbyn: May I just explain my point of order?

Mr. Deputy Speaker: It is not a point of order.

Mr. Corbyn: It is a point of order, Mr. Deputy Speaker. I have been deeply and intimately involved in the problem for a long time, especially during the past 24 hours. I have visited Mr. Mendis in prison and I met the Minister concerned last night. We know that negotiations are going on throughout Europe——

Mr. Deputy Speaker: Order. I hope that the hon. Gentleman will tell me what the point of order is for the Chair.

Mr. Corbyn: My point of order for the Chair is that the House received infomation earlier this week that the Government intended to deport Mr. Viraj Mendis. We know that there are negotiations going on with European Governments and others towards getting asylum applications considered and dealt with in order for them to be communicated to the Home Office. My point of order is that Mr. Viraj Mendis is on a plane, which has not yet taken off, and he is threatened with removal from this country. Will you ask a Minister to come to this House now and accept in good faith——

Mr. Deputy Speaker: Order. The hon. Gentleman knows that I have no power—nor has Mr Speaker—to instruct any Minister to make a statement. Doubtless the views expressed in the House will have been heard. If a request for a statement is received, the Chair will consider it in the usual way.

Mr. Corbyn: Have you received such a request?

Mr. Deputy Speaker: Order. I thought that the gist of what I said would have conveyed to the hon. Gentleman that I had received no such request.

Mr. Alistair Darling (Edinburgh, Central): On a point of order, Mr. Deputy Speaker. Can I have your assurance that, if a Minister of State for the Home Department requests permission to make a statement, he will be allowed to do so? Negotiations have been going on all morning. Mr. Mendis is on the plane at the moment and it would be helpful if you could give us that assurance.

Mr. Deputy Speaker: If a Minister asks the Chair for permission to make a statement, the Chair will consider that request in the usual way.

Mr. David Alton (Liverpool, Mossley Hill): On a point of order, Mr. Deputy Speaker.

Further to what the hon. Member for Gainsborough and Horncastle (Mr. Leigh) has said, I seek to press you on how we deal with procedures on Fridays when business

has been named for private Members' motions. After this morning's proceedings have been completed, will you give some consideration to the way in which we go about dealing with business, especially on those days when there is a motion on the Order Paper that has been balloted as No. 1? Effectively that motion has been gazumped by people queue-jumping by introducing a writ this morning.

Mr. Deputy Speaker: Order. The Chair is always anxious to protect private Members' time. If there are matters for concern arising out of today's proceedings, the hon. Gentleman might well consider making a submission to the Procedure Committee.

Sir Bernard Braine (Castle Point): Further to that point of order, Mr. Deputy Speaker.

I make no comment on what has happened thus far this morning, which must be in order otherwise the Chair would have ruled otherwise. I want to reinforce what the hon. Member for Liverpool, Mossley Hill (Mr. Alton) has said. There is important business ahead of us, which many Members have returned to the Chamber to hear. The issue is not just abortion, but procedure.

For a long time, the House has been denied the opportunity to reach any conclusion on procedure. The distinguished Chairman of the Procedure Committee returned from overseas to be present today. In the debate on 30 November, he said that the way in which procedure had been used with regard to abortion was the most worrying feature as it affected Members and that that had been made clear to the Procedure Committee.

What has emerged—I ask you to consider this, Mr. Deputy Speaker, if not now, then later—is that a private Member's Bill that commands a majority in this House —*[Interruption.]*—all its predecessors have commanded a majority in this House and I would go further and say that there is evidence to suggest that they commanded majority support in the country—is being denied any effective progress because of the procedures that we follow, or rather the defects in those procedures.

This is a grave matter and it is particularly so because it touches upon the right of life. For that reason Mr. Deputy Speaker, even if you are unable to intervene now to permit discussion to take place at a reasonable hour on a private Member's day, I beg of you to give careful consideration to the whole matter together with Mr. Speaker so that this scandalous behaviour, which will outrage the country, is seen for what it is.

Several Hon. Members *rose*——

Mr. Deputy Speaker. Order. The House will respect the fact that the right hon. Member for Castle Point (Sir B. Braine) is our most senior Member and Father of the House. I am sure that the House listened with respect to what he said, and, doubtless, Mr. Speaker will read his remarks in the fullness of time.

Mr. Michael Foot (Blaenau Gwent): Further to that point of order, Mr. Deputy Speaker. Of course I listened carefully to what the Father of the House said, but I could not detect any part of his intervention that could be construed as a point of order. What he was seeking to do was to make the case that he would have made had there been a general debate on the matter. Therefore, I submit to you, Mr. Deputy Speaker, that what has happened today is perfectly in order. My hon. Friend the Member for Bolsover (Mr. Skinner) has not been out of order. He has put his case simply and fairly and, I believe, in an agreeable manner to the House. He is operating the proper procedures of the House. The attempt to interfere with the proper procedures of the House came from some Conservative Members who should have known better. That is what is happening. My right hon. Friend the Member for Bolsover—I should say my hon. Friend, but he should be a right hon. Member and, if it were in my power, I should appoint him, or he may be appointed after this—has shown himself to be in order for the two or three hours that he has been speaking, so he has every chance of being in order for the rest of his speech.

Mr. Deputy Speaker: Order. I should say to the House and to the right hon. Gentleman that I extended to the right hon. Member for Castle Point (Sir B. Braine) a tolerance that I believe that the House would expect me to show to the Father of the House and I know that the right hon. Gentleman would be the first to support that. As I said earlier, the hon. Member for Bolsover (Mr. Skinner) has not so far tested my tolerance to the point where I have had to say that his remarks are out of order. I share the right hon. Gentleman's hope that the hon. Member for Bolsover will now be allowed to resume his speech.

Mr. Skinner *rose*——

Miss Widdecombe: On a point of order, Mr. Deputy Speaker. The point of my motion, which was drawn fairly first in the ballot, was to allow the House to decide whether it approved my motion or not, and I was therefore willing to respect and abide by the will of the House, but this dilatory motion is a deliberate attempt to thwart the will of the House and not to allow my motion. Is it fair—even if it is technically in order—for one hon. Member to speak for more than three hours?

Hon. Members: Yes.

Mr. Deputy Speaker: Order. The repeated points of order only serve the very matter that the hon. Lady has criticised. The motion before the House is not technically a dilatory motion. I detected, I hope, that the hon. Member for Bolsover was about to enter his peroration and it may be as well for the House to listen to it.

Ms. Gordon *rose*——

Mrs. Wise *rose*——

Mr. Skinner: It may come as a surprise to some hon. Members who have raised points of order that I believe that one outcome of this morning's debate may be to draw the attention of the authorities of the House, especially all Back Benchers, to the need to ensure parliamentary time for all Back Benchers for all Bills, excluding queue-jumping Bills, and to allow them to proceed so that they can go on to the statute book. My hon. Friend the Member for Islington, North (Mr. Corbyn) has introduced a Bill six times on the subject of pensions and providing the proper wherewithal. I should like to see him get to the top of the list. I believe that the Procedure Committee, in line with what has been said, should examine the question thoroughly. As a Back Bencher, I want to say to all hon. Members that I want the Front Benchers to give the opportunity to enable us to introduce Bills and to bring them to the statute book in a way that gives everyone a chance, and the Government of the day should concede——

Mr. Deputy Speaker: Order. The hon. Gentleman will recognise that he is now opening the door to a different and much wider debate. We should get back to the motion that he is seeking to present to the House.

Mr. Skinner: I thought that it was important to make it clear that many of my hon. Friends would like nothing better than for the matter to be dealt with by the Procedure Committee so that all Bills may be given an opportunity.

Mr. Shersby: Perhaps, in the absence of my hon. Friend the Member for Honiton (Sir P. Emery) who is the chairman of the Procedure Committee, I may help the hon. Gentleman. As a member of the Committee, I know that my hon. Friend listened carefully to the debate earlier and I have no doubt that what has been said this morning will form an urgent item on the agenda of the Procedure Committee. I hope that that will reassure the hon. Gentleman.

Mr. Tony Banks: May I add to that?

Mr. Deputy Speaker: Order. We are now having what I feared the hon. Gentleman was leading us into—a much wider debate than the matter before the House and a debate on procedure. We are not going to have a debate on procedure. Although we have had points of order on it, I repeat that we are not going to have a debate.

Mr. Skinner: I was merely saying, Mr. Deputy Speaker, and this arises from that part of the debate that has been points of order, that the issue behind those points of order should be dealt with. Most hon. Member appreciate that from time to time some of our antiquated procedures must be brought up to modern practice to enable all hon. Members—of all parties—to have equal opportunities.

Mr. Deputy Speaker: Order. The hon. Gentleman must recognise that, if I allow him to continue his speech on that matter, in all equity I must allow other hon. Members to put counter points of view, and I am not prepared to do that. I very much hope that the hon. Gentleman will now get back on the road to Richmond.

Ms. Gordon *rose*——

Mrs. Wise *rose*——

Mr. Deputy Speaker: Order.

Mr. Skinner: That is exactly what I am about to do, Mr. Deputy Speaker. I simply want to remind hon. Members that the Richmond, Yorks constituency is one of the biggest in Britain. A lot of work by all parties will be needed if we are to make sure that the election is properly carried out. The constituency covers about 950 sq miles: it is 50 miles across and 19 miles long. It is one of the most beautiful constituencies in the whole of Britain. I do not want to cause some of my hon. Friends—and other hon. Members—to get up and say that there are other constituencies just as beautiful.

Many issues will be raised upon which which the verdict will be cast—*[Interruption.]* and yes, the Settle-Carlisle railway line is one of them.

Mrs. Wise *rose*——

Mr. Skinner: We shall also have to deal with the question of——

Mrs. Wise: Will my hon. Friend give way?

Mr. Skinner: Yes, I will give way, seeing as my hon. Friend is persisting.

Mrs. Wise: My hon. Friend is now concentrating on the beauty of the constituency. He has at least had the grace to admit the size of the area, but he has not come back to my earlier question of whether he has studied the issue of car ownership and accessibility in that constituency and the ability of women to get to the polls in the sort of weather that may well occur in the next few weeks. My hon. Friend has not dealt with my point at all. I am beginning to think that he is evading it.

Mr. Skinner: Well, as a matter of fact, I have tried to deal with that point several times. When writs are moved many rural constituencies in Britain have transport difficulties. I hope that when my hon. Friend gets an opportunity to travel from Preston to that constituency, across the Pennines, she will raise the question of the inadequacy of the roads, the need for concessionary bus passes and all the rest of it. The car-owning population there is less than the national average. We are dealing with a country constituency, not one in an urban area, which would have a tendency to higher car ownership, so that answers my hon. Friend's point.

Mrs. Wise: No, it does not. I thank my hon. Friend for giving way, but I do not thank him very much for his answer. Visiting that constituency during the election would be too late to meet the point because the election is being held at a time when it is hard for women to express their views through casting their votes.

The problem in this House on this and other matters may well be that there are not enough women Members of Parliament. There are far too many men here and women's considerations and needs are neglected. We have seen that happen often. Indeed, it happened last year in relation to a private Member's Bill that would have been defeated on Second Reading by 26 votes to 11 had the votes been cast only by women Members. I urge my hon. Friend to treat the needs of women in this election much more seriously. I challenge him to do that. It will be more difficult for women to get to the polls if the election is held in the next few weeks.

Mr. Skinner: That consideration has always been in my mind. That is way I said at the beginning—I think that my hon. Friend was listening—that I do not take a dogmatic view on this. If I thought that a sufficient number of hon. Members—especially among my hon. Friends—believed that the writ that is being applied for was not applicable for the time of the year, I might be persuaded. The last think I want to do is to enable it to be defeated. I can assure my hon. Friend, who has been very persuasive, of that. I reassure my hon. Friend—and others—that I shall not pursue that matter in the dogmatic fashion that she assumed. I agree with her about accessibility in the constituency and about the fact that women are affected more than men. There is no question about that and that is why I fleetingly referred to the issue of transport and concessionary fares, upon which the electors will give their verdict when the election finally goes ahead.

Ms. Diane Abbott (Hackney, North and Stoke Newington): I should like to ask my hon. Friend about the relationship of the writ to the conclusion of the Settle-Carlisle railway issue. Many of my constituents have had an opportunity to travel on this railway and have

written to me about it. I have written to Ministers because this route is important. Ministers told me that they were still looking at the Settle-Carlisle railway issue and that we could expect an announcement at any time.

The writ and the railway are important to many of my constituents because everyone knows that this is a marvellous, scenic railway and that complex negotiations have taken place about it. Even now British Rail is looking at private finance to enable the railway to continue if the Government discontinue their funding. Everyone with an interest in transport policy, the environment and the future of small rural communities will be concerned about this writ in that it relates to the Settle-Carlisle railway.

Ms. Gordon: On a point of order, Mr. Deputy Speaker. For 20 minutes I have been trying to ask the House to hold one minute's silence to mark the passing of the cherished tradition of tolerance in the field of human rights and the impact that that could have on any information about a human being whose life might be in danger.

Mr. Deputy Speaker: There are many occasions on which I wish I had the power to command a minute's silence from the House.

Mr. Skinner: I fully understand your response, Mr. Deputy Speaker, but I have to agree with my hon. Friend. It was a moving intervention in terms of the earlier points of order.

There is a rumour going about which may prove to be correct—who knows?—that the announcement about saving the Settle-Carlisle railway will probably occur about the first week of the election campaign proper. That will pose a dilemma for those of us who want to save it, but naturally, we shall support the saving of the railway. My hon. Friend the Member for Bradford, South (Mr. Cryer) who has played a role in this affair will clap his hands. The Government, having gauged the feeling in that constituency and the views of many of the electors about the railway issue, may well make that announcement. I thought for a minute that the Leader of the House was about to rise to his feet and make the announcement there and then, but he has not.

Mr. Ken Livingstone (Brent, East): Will my hon. Friend give way?

Mr. Skinner: I will, but I am trying to finish.

Mr. Livingstone: I do not want to disrupt my hon. Friend's flow, but may I assure him that I visited the constituency about three years ago? I spent the period between Christmas and the new year in the village of Arkengarthdale and I assure my hon. Friend that he is right when he says that this is one of the most beautiful constituencies in Britain. It narrowly falls short of the conditions in Brent, East, but it is a stunning area. For these islands, it is also at a high altitude. I was forcefully struck by the cold there between Christmas and the new year three years ago. I took many walks through fields and took a trip to what I think is the highest public house in the British Isles.

The weather was bitterly cold and in many areas there were several inches of ice, and, shortly after I left, the people that I had stayed with were snowed in. I am worried about a by-election being held in this constituency at a time when many people might be denied the opportunity to participate in the electoral process because of a heavy fall of snow and extremely inclement weather. Has my hon. Friend consulted the meteorological office about weather in the constituency during the by-election? Almost uniquely in this constituency, because of the elevation of many parts of it, the question of weather is more important than anywhere else.

Mr. Skinner: One or two hon. Members are now expressing that point of view. It started off this morning as a little peep from someone and it has now become a great issue.

Although my hon. Friend has tramped all over that constituency and been to that pub at the top where the milk race is held, I should point out to him that many Opposition Members are from Scotland. Those hardy people would resent the fact that a by-election would not be held in the north of England at that time of year when, in Scotland, they have had to put up with by-elections in the bleak mid-winter on many occasions. It is all a question of balance. As my hon. Friend is a man who is prepared—I was going to say "to compromise"—to consider the question as to when a writ should be moved, he will know that we have to take account of the weather, the new register and everything else. As we are considering this from the point of view of balance and not dogma, I shall take into account my hon. Friend's comments. However, I cannot be firm simply because he and other hon. Members have got cold feet about the weather.

Mr. Tony Banks: My point relates to weather in so far as we receive information in the House about the circumstances that govern our consideration of whether a writ should be issued. I draw my hon. Friend's attention to the dangers of supersedeas writs. "Erskine May" states:

"If doubts should arise concerning the fact of the vacancy, the order for a new writ should be deferred until the House may be in possession of more certain information; and if, after the issue of the writ, it should be discovered that the House had acted upon false intelligence"—

that could refer to the weather vanes—

"the Speaker will be ordered to issue a warrant for a supersedeas to the writ."

My hon. Friend should be aware that some of the questions asked by Opposition Members could have implications with regard to false intelligence being offered to the House. However, I assure my hon. Friend that that passage mostly refers to the question whether a Member is dead. It says:

"Thus on 29 April 1765, a new writ was ordered for Devizes, in the room of Mr. Willey, deceased. On 30 April it was doubted whether he was dead, and the messenger of the great seal was ordered to forbear delivering the writ until further directions. Mr. Willey proved to be alive, and on 6 May a supersedeas to the writ was ordered to be made out."

It is difficult to know whether some Conservative Members are alive or dead, but I simply wish to draw my hon. Friend's attention to some of the dangers in the procedure that he is adopting.

Mr. Skinner: I believe that page 29 of "Erskine May" refers to superseders. I think it is a bit dodgy. I do not believe that "Erskine May" has dealt with the matter thoroughly in present-day terms because the provisions regarding the death of a Member were drawn up long before the days of medical evidence regarding clinical death. What with spongiform and all the rest of it, "Erskine May" should be brought more up-to-date. There should be a provision to ensure that we refer to people as clinically dead because that is a grey area in this place and

[Mr. Skinner]

could be open to challenge. As my hon. Friend knows, the last thing we want to do is to call upon Mr. Speaker, who has power under the mental health legislation to declare that someone is dead, when, under the new definition, he or she might not be clinically dead. Here we are again. We have now discovered another possible area where "Erskine May" may have to be brought up to date.

Mr. Corbyn: I am rather disturbed to hear that Mr. Speaker has powers under the mental health legislation. Perhaps my hon. Friend can confirm that. However, he has not answered the point raised by my hon. Friend the Member for Brent, East (Mr. Livingstone) about the weather.

My brother is an expert on weather forecasting and long-range weather patterns. He confirms that in February we are in for a very cold spell, not just in London and the south which normally is frightened by such weather, but in the rest of the country as well. My hon. Friend the Member for Bolsover (Mr. Skinner) should consult my brother and the meteorological office about this serious matter. If my hon. Friend's motion is successful, that weather would occur when the by-election takes place. That cold weather and resultant snowing-in could disenfranchise people and deny them their democratic right to decide who should represent them in the House.

Mr. Skinner: There are experts and there are experts. I have heard about the advice from weather experts in the past. I used to pay some passing allegiance to one or two of them who used to appear on BBC television. However, after that hurricane in October 1987, I do not pay all that much attention to John Kettley and all the rest. That hurricane was around the corner and they did not spot it. I will not accept that there is someone in the land of great eminence who can somehow forecast what the weather will be on Scargill high moor overlooking Richmond, Yorks constituency after the new registers on 15 February. I am just not prepared to accept that notion. Therefore, we have to decide this issue not on the basis of weather forecasts.

Mr. Corbyn: What is wrong with science?

Mr. Skinner: We have to examine this on the basis of whether we believe it is right to have the election for other considerations. If we always doubted things like the weather, as Socialists we would never make any ground at all. We must think about those things that are logically correct as scientiific Socialists.

Mrs. Fyfe: I want to reassure my hon. Friend about the feelings of hon. Members who represent Scottish constituencies. While it is generally true that the weather in Scotland is more severe than it is in England, and that is demonstrated to us every week when we come down to London, which is considerably warmer than Scotland, nevertheless certain parts of England, for example, the Pennines, have more severe weather in winter than anywhere in Scotland. Scotland is wetter, but it cannot match the snowfalls and snowdrifts which might lie for several days and which might snow-in communities in England. Even when the road from Cockbridge to Tomintoul is open, the Pennines are snowed in.

Mr. Holt: That is nowhere near the Pennines, you stupid woman.

Ms. Abbott: On a point of order, Mr. Deputy Speaker. Is it in order for the hon. Member for Langbaurgh (Mr. Holt) to refer to my hon. Friend the Member for Glasgow, Maryhill (Mrs. Fyfe) as a "stupid woman"? Is that parliamentary language?

Mr. Deputy Speaker: In all the hubbub and noise, I find it difficult to hear anything. I certainly did not hear that remark.

Mr. Skinner *rose*——

Mr. Holt: I could not possibly call the hon. Member for Glasgow, Maryhill (Mrs. Fyfe) an intelligent woman.

Mrs. Wise: On a point of order, Mr. Deputy Speaker. The hon. Member for Langbaurgh has just compounded the insult by saying that he could not possibly refer to my hon. Friend as an intelligent woman. Everyone heard that.

Mr. Deputy Speaker: That was grossly discourteous, but I do not think that it is of such an order that I would feel obliged to compel the hon. Gentleman to withdraw his remark.

Mr. Skinner: I was briefly referring to the fact that there are one or two verdicts on different issues which must apply in the by-election when it is held. There will be the dichotomy between those who favour bailing out the farmers over salmonella in Richmond—and there are plenty of those—as opposed to not bailing out pensioners after Barlow Clowes. There will be the big issue of farming generally. Green issues will undoubtedly be played out at length. I expect the election to be exceptionally exciting because it will cover such a large number of areas which form the basis of any decent electoral contest. I know that the odds are stacked against us. It has always been a Tory seat. It was not even opposed in the war years. We can appreciate what kind of constituency it is, but that should not deter those of us who will help to raise issues and provide a verdict on behalf of our candidate Frank Dobson—*[Interruption.]* I am sorry, Frank Robson, who increased his percentage of the vote by 35 per cent. in the 1987 election.

There are some wonderful rivers there. I expect *The Independent* political correspondent to go up there and look at the rivers. I shall give him a few names, as the Government might form river companies. There is the Swayle, the Ure, the Greta, the Blackbeck, and so on. There will be an interesting story there. People will find out not only that the Settle to Carlisle railway is to the western edge, but that a wonderful part of the line stretches from London to Scotland. The railway record was set in the constituency by the Mallard engine. All those issues will be important. There will be questions about roads, hospitals and——

Mr. Corbyn: Will my hon. Friend give way?

Mr. Skinner: No, I must conclude.

Mr. Corbyn: On the question about the-

Mr. Skinner: No, I must finish.

The election will be fought on the question about the protection of the countryside. Market forces will obviously be played to our advantage. We cannot pay service men at Catterick camp and RAF men at Leeming Bar on the basis of market forces, nor can we sustain farmers and people who work on the land if we apply strict market forces. I

drop a few hints in that direction. There will be verdicts on house building, the need for local authorities to build old people's homes instead of building being done by the private sector. No doubt student loans will be part of the constituency's verdict. The plight of pensioners will be raised and how they compare miserably with other pensioners in the Common Market. No doubt there will be reference to why Ministers tell them to go to jumble sales to buy their clothes.

The Chancellor of the Exchequer should go there. If the writ is accepted, instead of being in purdah between now and 14 March, the Chancellor of the Exchequer should pay a long visit to the constituency. He should take note of all the considerations to which I have referred and all the issues that will undoubtedly crop up. Irrespective of the result, the verdict of the people will come down heavily in favour of providing services for the people, social services and better pensions, in favour of and helping those with mortgages, instead of pursuing the high interest rate policy. Instead of spending a few weeks alone, if he does that, he will find out how people in that constituency—that microcosm of north Yorkshire—feel about the issues.

I offer that challenge to the Chancellor. It will be worthwhile. As Back Benchers, Opposition Members have managed to find out something about writs that we were never able to gauge before the debate took place. With those few words, I hope the debate has been helpful.

Mr. Deputy Speaker: Will the hon. Gentleman please bring his motion to the Chair?

12.39 pm

Mr. Andrew MacKay (Berkshire, East): I do not wish to pursue the political arguments that the hon. Member for Bolsover (Mr. Skinner) made in his peroration because this is simply about the principle whether the writ should be moved for the constituency of Richmond, Yorks. I have no wish to delay the House unduly, but wish to concentrate on that issue.

I am surprised that the hon. Gentleman has today chosen to move the writ for the constituency which has been vacated by my right hon. and learned Friend, now Sir Leon Brittan. If I can catch the hon. Gentleman's eye and attention for a moment, I should like to ask the hon. Gentleman to cast his mind back 12 years when his then right hon. Friend, now Lord Jenkins of Hillhead who sits in the other place, was appointed President of the European Commission in about July 1976.

The hon. Gentleman will recall that the right hon. Gentleman took up that post at the beginning of January 1977 and he may recall that no writ was moved for the subsequent by-election in Stechford for several months. It surprises me that the hon. Gentleman, who I am sure would not have wished to see the people of Stechford unpresented for so long—he might have argued, although I would not, that they had been unrepresented for many years before that—did not move the writ for Stechford.

The moving of that writ was delayed and delayed because the Government of the day thought that the position could only get better. If hon. Members recall the state of the economy in 1976-77 and the International Monetary Fund stepping in to take over the Treasury, they will find it hardly surprising that the Government felt that the position could get no worse politically and that perhaps it could get better. As a result, they delayed through January and February until eventually well into March they moved the writ and the by-election took place on 31 March—three full months after the right hon. Gentleman, now Lord Jenkins, had taken up the post as President of the European Commission.

The hon. Gentleman will recall clearly that the Budget took place in the week preceding the by-election. I recall sitting in the Washwood Heath Conservative Club with the press in some fear—as we appeared to be winning the by-election—that the right hon. Member for Leeds, East (Mr. Healey), the then Chancellor of the Exchequer, would pull a few rabbits out of the hat and we would see that lead disappear. While I listened to that Budget broadcast, the journalist next to me turned and shook my hand, saying, "You're the next Member for Stechford after that Budget. It is deeply unpopular and there is no way that the people of Stechford will vote for the Labour candidate." That Labour candidate is now the hon. Member for Birmingham, Hodge Hill (Mr. Davis).

What we and perhaps even the hon. Member for Bolsover did not know at that time—he can correct me if I am wrong—was that the right hon. Member for Leeds, East was not in control of the Treasury. It was being run by the IMF. Even if he had wanted to help the Labour candidate retain Stechford, he could not have done so because matters were beyond his control.

There was a second reason why the people of Stechford did not vote in sufficient numbers for the Labour candidate. It had nothing to do with him but was because they felt that they had been disfranchised for a long time, and they resented that their Member of Parliament, who had not been the most assiduous attender in the constituency of Stechford since it was formed in 1950, had gone to Brussels and his party had not seen fit to move the writ. I am pleased that the hon. Member for Bolsover is a reformed character and now believes that writs should be moved more quickly, especially those involving European Commissioners.

The hon. Member for Bolsover said that he was seeking opinions. Like me, he is aware that, if the motion is defeated, another motion cannot be moved for three months, which would as unfairly disfranchise the people of Richmond, Yorks as the Labour party unfairly disfranchised the people of Stechford in 1977. I hope that, in the light of my comments and those of other hon. Members—some of whom have intervened and others of whom will try to catch your eye, Mr. Deputy Speaker—the hon. Gentleman will decide that a majority in the House oppose the motion and that he will withdraw it.

There are three reasons why the writ should not be moved. One is the new register, to which the hon. Member for Bolsover referred. He acknowledged, rightly, that it would be undemocratic to follow the old register because a large number of people who now live in Richmond, Yorks would be disfranchised. I think that most hon. Members would agree that we should follow the new register. It will not be published until next month and must be checked, so we will not be able to work off it until the end of February. I think that the hon. Member for Bolsover agrees that all candidates in the campaign would want the new register to be confirmed from the campaign's outset so that they could canvass and issue leaflets throughout the election, knowing full well they were targeting the existing residents of the constituency. I submit that there is no need to move the writ in the middle of January, because the by-election should take place on the basis of the new register. The convention is that

[Mr. Andrew MacKay]

campaigns may take place over a three-week period, so it would seem more appropriate for the writ to be moved next month, with the by-election being in early March.

Ms. Abbott: I am astonished at the hon. Gentleman. We are talking about a serious matter—when the by-election in Richmond, Yorks will be held and who will represent the residents, possibly for many years to come. It is appalling for the hon. Gentleman to say that the matter should be decided on the mere technicality of the state of the register. That shows a lack of seriousness about the political issues. We should not have regard to technicalities, the register, number crunching and procedure. We should decide the date of the by-election on the serious political issues and other issues, such as the weather——

Mr. Deputy Speaker: Order. I thought that the hon. Lady was making an intervention, not a speech.

Mr. MacKay: The only point on which I can agree with the hon. Member for Hackney, North and Stoke Newington (Ms. Abbott) is that William Hague will represent Richmond, Yorks for many years to come. I am sad that the hon. Lady disagrees with the hon. Member for Bolsover and other Labour Members who, in earlier interventions, made it clear that they thought that the register was important. It cannot be right that people are unable to vote. It is important in our democracy that we encourage as many people as possible to vote in elections. The easiest way to do that is to ensure that the register is kept up-to-date. If it is a matter of the constituency of Richmond, Yorks, or any other consitituency, being unrepresented for a few weeks before a new register is available, I think that most hon. Members would willingly agree to wait.

Mrs. Wise: We would not all agree with my hon. Friend, although I normally agree with her. Number-crunching is precisely what elections are about: that is the essence of them. I feel that it would be improper for the House to try to decide by-election dates on judgment of the issues. The priority ought to be the interests of the electors, in which context the new register is an important consideration.

Mr. MacKay: It is unusual for the hon. Member for Preston (Mrs. Wise) to come to my support, but I hope that this is the first of many such occasions.

Mr. Cohen: I hear what the hon. Gentleman says about the use of the new register, and I agree that it is best to use it so that the majority of people have an opportunity to vote. But his remarks were somewhat hollow, coming from someone who supports the poll tax, which will take many people off the register—perhaps not in Richmond, but later on. They will then lose the right to vote.

Mr. Deputy Speaker: Order. It is the by-election in Richmond that we are debating.

Mr. MacKay: I am tempted to answer back, because I entirely disagree with the hon. Gentleman's bogus point, but I shall not do so because I would be out of order. There will be other occasions on which to explain to the hon. Gentleman that the community charge will have no adverse effect whatever on the register.

The hon. Member for Bolsover has mocked many of his colleagues who have talked about the weather. He was particularly unfair when responding to the hon. Member for Islington, North (Mr. Corbyn), He said that there would be no problem: if by-elections in Scotland were held in the winter, why should they not be held in the winter in other constituencies?

This is the second reason why I should like the hon. Gentleman to think again. There is, I think, a subtle difference between rural and urban constituencies. Let us say for the sake of argument that there is a massive snowfall in Govan, where the hon. Gentleman's party had such a disastrous result in the most recent by-election. In the event of such a snowfall in the centre of a large city, I think that the majority of people would still be able to go to the polls. It would be different in a rural constituency area—of massive dimensions, as the hon. Member for Bolsover and others have mentioned today.

An election on a very snowy day in Richmond would be a complete mockery. I agree with the hon. Member for Denton and Reddish (Mr. Bennett) and other Opposition Members who have said that it would be wrong to hold a Richmond by-election at a time when it is likely to be very snowy and many people will be unable to go to the polls.

Mr. Richard Holt (Langbaurgh): Will my hon. Friend give way?

Mr. MacKay: I will, because I know my hon. Friend's experience of the area.

Mr. Holt: As the Member of Parliament present who lives closest to the constituency—and bordering on the north side—let me take the argument to its logical conclusion. We had snow in November, and we frequently have snow in May. Is my hon. Friend suggesting that the only time at which a by-election is possible is in August?

Mr. MacKay: I do not wish to become involved in an argument about the depth of the snow, although I suspect that in the peripheral of months of May and November it is quite light. All that concerns the hon. Member for Denton and Reddish (Mr. Bennett) and myself is the possibility of a snowstorm that would close the roads and stop people from going to the polls. I suspect that that is likely to happen in February and early March, which is why I am encouraging the hon. Member for Bolsover to consider not moving the writ until a by-election can take place in late March or early April.

Mr. James Couchman (Gillingham): Does my hon. Friend agree that what the hon. Member for Hackney, North and Stoke Newington (Ms. Abbott) said earlier was absolute nonsense? It is terribly important that the by-election should be on the new register, especially in view of the substantial number of service men who live in Richmond and presumably vote there. Service men are particularly mobile, and a register 18 months out of date would disfranchise many of those in Richmond.

Mr. MacKay: I hope that the hon. Member for Bolsover will take particular note of what my hon. Friend has said, as he has a large service vote and understands the way in which the service vote moves around the country, so that the service men can easily be disfranchised. I suspect that in the light of the intervention from her hon.

Friend the Member for Preston the hon. Member for Hackney, North and Stoke Newington will reconsider what she said earlier.

My final reason for believing that the writ should not be moved is my view that conventions, if they work well, need not be changed. I know that the hon. Member for Bolsover is no reactionary and considers himself a radical Member of the House, but the convention of the party that has held the seat moving the writ seems to have worked tolerably well for a long time. The hon. Gentleman quoted "Erskine May", and it was clear that it is the norm for the party holding the seat to move the writ, although it is perfectly in order for any other hon. Member to move it. That, of course, is why we are having today's debate. That convention has served the hon. Gentleman's party and the minority parties perfectly well. To break it will set an unfortunate precedent that will hurt right hon. and hon. Members in all parts of the House.

As I said at the outset, it is not my intention to delay the House and to prevent others from speaking. However, I again ask the hon. Member for Bolsover to consider carefully my remarks and the interventions both from the Opposition and Government Benches. When the time comes to decide whether to press his motion, I hope that the hon. Gentleman will bear in mind that the majority of right hon. and hon. Members in all parts of the House are against the writ being moved now. There is clearly also an overwhelming majority of right hon. and hon. Members who do not want to see a vote that will lead to the disfranchisement of the people of Richmond for at least three months.

Mr. Leigh: I beg to move, That the Question be now put.

Mr. Deputy Speaker: A number of right hon. and hon. Members still wish to catch my eye, and I believe that the House wishes to hear their views.

Mr. Leigh: On a point of order, Mr. Deputy Speaker. I respect your judgment, but the debate has continued for three and one-half hours. Those who wish to frustrate the right of a hon. Member whose motion has come first in the ballot——

Mr. Deputy Speaker: Order. The hon. Gentleman is dangerously near to challenging my ruling. I know that he will not persist. I call Mrs. Audrey Wise.

Mr. Brazier: On a point of order, Mr. Deputy Speaker. I refer to your earlier ruling, when you referrred the hon. Member for Liverpool, Mossley Hill (Mr. Alton) to the Chairman of the Select Committee on Procedure, who is now in the Chamber. I remind you, Mr. Deputy Speaker, that the Select Committee made several recommendations to curb abuses of the kind that is now occurring. The House has not yet been given an opportunity to debate those recommendations. The House has debated the writ for three and one-half hours. Will there be an opportunity to reach the motion in the name of my hon. Friend the Member for Maidstone (Miss Widdecombe), which came top in the ballot? Many people throughout the country will be disappointed that their elected representatives are unable to debate a subject on which there is such strong feeling.

Mr. Deputy Speaker: Whatever may be the Select Committee's recommendations, it is not for me to anticipate the view of the House on those recommendations. I cannot be seen to pre-empt the House in that way. As to the hon. Gentleman's request for an assurance that his hon. Friend's motion will be reached, clearly I cannot predict the course of events. If the hon. Gentleman is concerned to make progress it will help if right hon. and hon. Members do not persist in raising points of order.

Mr. Alton: Further to that point of order, Mr. Deputy Speaker, I join the hon. Member for Canterbury (Mr. Brazier) in making a plea to you that the matter will be expeditiously placed before the Select Committee on Procedure. Many people in the country, learning of these proceedings——

Mr. Deputy Speaker: Order. Perhaps the hon. Gentleman did not catch my earlier ruling. I advised that if he is sufficiently concerned about today's events, he should consider making a submission to the Select Committee on Procedure himself, rather than have me do so on his behalf.

Mr. Alton: I am grateful to you, Mr. Deputy Speaker, I heard your earlier ruling, but I wish to press you on this point. Although I am prepared to make representations to the Chairman of the Select Committee on Procedure, who is in his place, I hope that the Chair will ponder on what has occurred today. It is not right hon. and hon. Members who must be satisfied about the way in which we conduct ourselves, but the general public—who may come to believe that our proceedings are a circus, and that we make a travesty of democracy.

Mr. Deputy Speaker: I assure the hon. Gentleman that Mr. Speaker will be in the Chair for the latter part of today's proceedings. In any case, I know that he will study carefully the record of today's proceedings. I am certain also that the Chairman of the Select Committee on Procedure will note what has been said.

Mr. Holt: Further to the point of order, Mr. Deputy Speaker. You said that your ruling was based on the number of hon. Members who were rising. On other similar occasions during my few years in the House Mr. Speaker has made his rulings according to whether he considers that the issue has been sufficiently debated——

Mr. Deputy Speaker: Order. I fear that the hon. Gentleman did not listen with sufficient care to what I said. I said that a number of hon. Members were rising and furthermore that I thought that the House would wish to hear other voices before reaching a conclusion.

Mr. Tony Banks: On a point of order, Mr. Deputy Speaker. As a member of the Procedure Committee myself, I have learnt a great deal about the inadequacy of our procedures by sitting through today's proceedings. The debate has certainly not been wasted on me. I would ask you, Sir, to remind hon. Members that they should not refer to the moving of a writ as an abuse or a dilatory motion. It is a matter of privilege, which is why it has precedence over the other business.

Mr. Deputy Speaker: I said earlier that it was not a dilatory motion.

Mr. Flannery: Further to the point of order, Mr. Deputy Speaker. It ill-becomes hon. Members who have

[Mr. Flannery]

tried to jump the queue and to stop other hon. Members' Bills coming in their proper order to try to stifle democracy by stopping us speaking.

Mr. Deputy Speaker: The hon. Gentleman is opening the door to a much wider debate, and to a debate different from that which we ought to be having.

Mr. Nicholas Bennett (Pembroke): On a point of order, Mr. Deputy Speaker. I seek your guidance as to when we might put the closure motion——

Mr. Deputy Speaker: Order. The hon. Gentleman should be well aware by now that the Chair never does that. It would be quite improper for the chair to seek to give an indication of when it might be wise or unwise for an hon. Member to move the closure. The Chair has to judge the matter when it arises and in the light of the circumstances.

Miss Widdecombe: On a point of order, Mr. Deputy Speaker. I have held back from making this point of order because I was hoping that we would eventually move on to discuss my motion. At least half a dozen allegations of queue-jumping have been made. [HON. MEMBERS: "Correct allegations."] Whatever else the motion was intended to achieve, it was not intended to achieve that——

Mr. Deputy Speaker: Order.

Miss Widdecombe: If hon. Members——

Mr. Deputy Speaker: Order. The hon. Lady must resume her seat when I am on my feet. I am sure that she will understand straight away from the response to what she has already said the difficulties to which she is exposing the Chair. If hon. Members make provocative statements in the guise of point of order, the Chair feels that it is under a heavy obligation to allow others to put a contrary point of view, which takes us into a very different debate. I think that we should return to the writ for the Richmond by-election.

Mr. Nicholas Bennett *rose*——

Miss Widdecombe *rose*——

Mr. Deputy Speaker: Order. If hon. Members complain that we are not moving with sufficient haste towards other matters that are down for debate, they are not strengthening their case by persistently raising points of order, some of which have very little substance.

Miss Widdecombe: Further to the point of order, Mr. Deputy Speaker. I am persisting because the allegation of queue jumping has been made and it reflects on me. That is why I seek the leave of the House briefly to explain why, in my view those allegations are not substantiated——

Mr. Deputy Speaker: Order. I thought that I had made it clear to the hon. Lady that that is exactly what she cannot do. I think that I have shown her a fair amount of tolerance by allowing her to refute the point and I hope that she will not persist. As I have already said to her, if I allowed her to make the statement that she seeks to make I should have no option but to allow other hon. Members to put a contrary view. I hope that we can get on with the debate.

Mr. Nicholas Bennett: Further to the point of order, Mr. Deputy Speaker. You will agree that during the past three and half hours we have had a substantial debate on the question of the writ. In seeking to hear the different voices will you, Sir, rule hon. Members out of order if they repeat time and time again points that have already been made?

Mr. Deputy Speaker: Hon. Members will be aware that repetitiveness is a ground of reproach from the Chair, but I have not so far detected repetitiveness to the point at which such reproach would be justified.

1.04 pm

Mrs. Audrey Wise (Preston): Normally I would consider that a by-election should be called as quickly as possible after the occurrence of the vacancy. As a general principle, we want people to be unrepresented for as short a time as possible. The keen interest which has been shown in this debate illustrates that I am not alone in my anxiety that it should be dealt with carefully. Generally speaking, the calling of a writ is not dealt with with sufficient seriousness by Back Benchers, nor is there sufficient participation by Back Benchers, who can represent the interest of electors at large. It is too commonly thought to be a routine matter which should be left entirely to those on the Front Benches. That is not a view that I hold. Incidentally, I would draw hon. Members' attention to the fact that an extraordinarily large number of private Members have participated in today's proceedings. Those who apparently seek to defend the interests of private Members are ignoring the fact that many private Members on both sides have spoken on this procedural motion. This is an odd Friday, because all the business before us is procedural. Some Members, however, seek to give preference to one procedural motion over another, but that can be no more than an expression of their opinions.

Mr. Michael Brown (Brigg and Cleethorpes): The only reason that I am here today is that I optimistically hoped that we would reach motion No. 2 on the Order Paper in the name of my hon. Friend the Member for Sheffield, Hallam (Mr. Patnick), because his motion refers to South Yorkshire and Humberside, in which my constituency is situated.

Mrs. Wise: The hon. Gentleman is optimistic, but I believe it will have done him no harm to be present in the House on a Friday. I am not averse to the idea that private Members should from time to time be present on a Friday even if, as I do, they represent provincial constituencies. It is a day when the private Members have the Floor and we should take advantage of that.

Mr. Irvine Patnick (Sheffield, Hallam): As a Back Bencher on the Government side, I took part in a ballot to secure an opportunity to bring forward our problems in South Yorkshire. I believed that I would have an opportunity of discussing those problems. If I was my usual self, I would say that the House has spent a long time on motion No. 1. I believe that there are other subjects that are of interest to my constituents—as well as to the country—which should be debated.

Mrs. Wise: Of course, there are many other subjects. However, we are not dealing with other subjects, we are dealing with the business in front of the House. Although

hon. Members may wish to press their constituency interests before the procedural needs of the House and the country, they are not entitled to any special consideration.

I shall now return to the narrow matter on which I started. As a general principle, I am in favour of by-elections being held quickly. Sir Leon Brittan, who has vacated the seat at Richmond, would have done his electors a favour if he had made his decision earlier. If he had done so, we could have had this election back in October and none of us would have needed to get to our feet today—or had the right to do so. If hon. Members wish to complain, they should complain to Sir Leon Brittan, who has placed the House and his former constituents in an invidious position.

A lot of comments have been made about the procedures of the House. I believe that my hon. Friend the Member for Bolsover (Mr. Skinner) has done the House a favour in exposing certain peculiarities which I did not know existed, and of which, certainly, the people of this country are unaware. It is a matter of considerable interest, for example, that European Community rules and not rules of the House provoked the by-election.

We should consider carefully the list of disqualifying offices. One of the oddities that baffles the public is the procedure for applying for Northstead or whatever it is —[HON. MEMBERS: "The Manor of Northstead."] I am back in the days of the Chiltern Hundreds, which was hard enough to comprehend. Once the Chiltern Hundreds was left, I and most of the population were left behind. The House has a duty to ensure that the list of disqualifying offices and the procedures whereby Members of Parliament can resign from the House should be made much clearer.

Mr. Couchman: I am sure that the hon. Lady will be interested to know that on my second day in this House, after being elected in June 1983 I was urgently summoned by the Deputy Chief Whip. I thought that it was a bit early to be in trouble with him, but he had read that I was the chairman of a health authority, which had appeared in the small biographical details published in *The Times* on the Saturday after a general election. There was great concern that I was still chairman of that health authority and, therefore, disbarred from taking my seat.

I was able to assure the Deputy Chief Whip that I had resigned in time, and had been perfectly entitled to stand as candidate for election and take my seat in the House. Due to a slip-up by *The Times*, it had failed to note that I had resigned from that position. It was only by luck that I knew that I had to do so to take a seat in this place. I agree with the hon. Lady that the list of disqualifying offices should be made more public and comprehensive. People who hold such positions should understand that they may not take a seat in this House.

Mrs. Wise: I am grateful to the hon. Gentleman for recounting his experience, and he is right. I hope that this matter will be considered closely by the House because it is important. It would have been extremely embarrassing for the Conservative party if the hon. Gentleman had not discovered—by luck—that he had to resign from the health authority. He may have had a short life in this House. I would not have regretted that, but I am sure that he and his colleagues would have done. If we allow such important matters to be decided by luck, it demonstrates the careless way in which we conduct our procedures.

We must use our prerogative as Back Benchers to intervene in this matter rather than leaving it to the Front Bench spokesmen. We must decide as objectively as possible the proper way in which to proceed. We must also consider the interests of the electorate in the most careful and objective way possible. For that reason I am departing from my normal view that speed is the overriding factor in by-elections.

I believe that in the constituency of Richmond, Yorks there are people whose interests would be disadvantaged by an early election—the female electorate. I tried to make that point in earlier interventions, but, I fear, without much success. It is difficult for this House to consider women's interests because the vast majority of hon. Members—through no fault of their own—are men. They must try to overcome that disadvantage and look at matters through our eyes now and again. If I were an ordinary voter in Richmond, I have no doubt that I would be extremely keen that an election should be held quickly, but I would also be keen to ensure that that election would take place at a time when its conduct and the weather conditions would be as conducive as possible to political discussions.

Mr. Michael Brown: The hon. Lady is making the point about women representing Richmond. I can tell her that I understand that the Social and Liberal Democrats have selected a female candidate. The only problem for them is that she appears on the electoral register in my constituency. If the writ is issued, the SLD will say that it has the local candidate who lives in the constituency whereas she is actually on the new electoral register in my constituency and lives about two miles from me.

Mrs. Wise: Obviously, that is not a matter for me to comment on, but one to be sorted out in the hurly-burly of the election when it comes. I would not like to be misinterpreted in my remarks because I am not seeking to favour one candidate over another, even though one of them happens to be a women. I believe that the disadvantages attached to being an SLD candidate outweigh even the advantage of being a women candidate. My concern is for women in general in the constituency and the attitude that the House shows to women. Many hon. Members get up and say what women should do, how they should behave and how they should be represented, yet they do not take into account even the views expressed by the majority of women in the House. I have taken grave exception—although I have been careful not to rise to the bait—to the accusations that we are engaging in scandalous conduct. We are seeking this morning to protect the interests of women voters and we shall have the support of women voters in Richmond and elsewhere in our attempt to do that.

The right for Back Benchers to intervene on the matter of whether a writ should be moved should be regarded as a precious right. There could be many occasions when there was collusion among Front Benchers that needed to be challenged by Back Benchers. I believe in the rights of Back Benchers, but I do not believe that those rights are expressed only, or even best, by considering who has won the raffle on a particular occasion. There are other rights and procedures, such as the one being invoked today, that are equally a part of Back Benchers' rights.

I have endeavoured to persuade my hon. Friend the Member for Bolsover that he would be wrong to pursue

[Mrs. Wise]

the matter to a vote. I understand his feeling that there may be political advantage for us in having an early election, but I urge him to reconsider even that point because it could be held that the longer the campaign goes on and the longer there can be heightened interest in the constituency and the country at large, the better it will be for us because in the next few weeks, there will be more disclosures about electricity and water such as the interesting disclosures we have heard in the past week. However, that should not be our main consideration. Hon. Members on both sides may bring forward points of political advantage. We should be considering what will be helpful to the people of Richmond. The weather, the difficulties of transport in a rural area, the age of people on the voting register, the difficulty in ensuring that people have had a proper opportunity for postal votes, the problems not only of women but of elderly people and the fact that in a rural area people without cars are highly disadvantaged should lead my hon. Friend the Member for Bolsover to withdraw his motion. I hope that he will do so and although I hope that he will not take us into the Lobby, in asking him to withdraw his motion I congratulate him on ensuring that extremely important and interesting issues that are not usually aired have been disclosed to us this morning.

1.19 pm

The Lord President of the Council and Leader of the House of Commons (Mr. John Wakeham): We are dealing with the motion for the granting of a writ for the Richmond, Yorks by-election. It is clear that extensive comment, directed solely to the character and career of Sir Leon Brittan would not be in order. I shall therefore confine myself to saying that the electors of Richmond——

Mr. Dalyell: I know that that is the Chair's view, but may I ask by what reference we cannot consider the career and credentials of Sir Leon Brittan? I am willing to believe that that is so, but where is the reference?

Mr. Wakeham: I have no doubt that the hon. Gentleman has considered the career and credentials of my former right hon. Friend Sir Leon Brittan, but this is not the place to do so.

Mr. Dalyell: Is it the assertion of the right hon. Gentleman—with all the authority of his great office speaking from the Dispatch Box—that we cannot consider the background of Sir Leon Brittan? I am simply asking by what authority the House of Commons, in discussing a writ, cannot consider an aspect of the background of Sir Leon Brittan and, especially, why certain things should not be brought before a tribunal under the Tribunals of Inquiry (Evidence) Act 1921 before we agree to do anything.

Mr. Wakeham: The hon. Gentleman is entitled to his view, but I am also entitled to mine. I do not believe that this motion is suitable for this occasion. However, whether or not the motion is suitable for the occasion and whether or not the hon. Gentleman seeks to raise matters under it will be a matter for you, Mr. Deputy Speaker, should the hon. Gentleman catch your eye and seek to widen the debate in that fashion. I shall content myself by saying that the electors of Richmond have been fortunate. For the past 14 years they have been represented by a most distinguished Member of this House. His long career on the Front Bench, both in Opposition and in Government, never prevented him from taking an assiduous interest in his constituents and working effectively on their behalf. We wish him and his colleague, the other new British Commissioner in the European Community, Mr. Bruce Millan, well in their new roles.

Mr. Andrew F. Bennett: On too many occasions by-elections are caused by deaths, over which no one has any control at the time, but on this occasion the by-election is caused by resignation. Surely Sir Leon Brittan should have taken into account the problems that would be faced by electors in his constituency. By staying on until Christmas he has left them with the prospect either of a by-election in some of the most difficult weather that we are likely to experience or of being unrepresented until April or May.

Mr. Wakeham: I have absolutely no doubt that my friend Sir Leon Brittan considered carefully all the issues facing him when he was offered his new job and had to decide the best course of action and the best way in which he could be of service to his country and to his constituents. He decided—rightly, I believe—to accept the important position that he now holds in Brussels and in which he will do an excellent job.

Mr. Dalyell *rose*——

Mr. Wakeham: No, I have said enough on that subject. I have another reference to the hon. Gentleman. If he will allow me, I will come to that in a moment.

It would be churlish, on whatever side of the argument one is, not to congratulate the hon. Member for Bolsover (Mr. Skinner) on his feat in moving the motion earlier today. It was a parliamentary occasion of particular significance and I am bound to say that it was very good. It reminded me of the last time I sat through an occasion of similar significance. It was when I was first elected to this House. My right hon. Friend the Member for Castle Point (Sir B. Braine) addressed the House for about four and a half hours on something about which he felt strongly. I did not rise higher than the position of glass carrier on that occasion. The hon. Member for Bolsover has achieved about 66 per cent. of the record of my right hon. Friend the Member for Castle Point. On that basis, I reckon that some time during the next 20 years or so he will be a serious candidate for the role of father of the House.

Sir Bernard Braine: I would not want my right hon. Friend to be inaccurate. I spoke for three hours and 16 minutes and was told at the time that that was the longest speech by a Back-Bench Member since 1828. It has since been surpassed. The point to be made—I should prefer my right hon. Friend make it rather than me—is that I was fighting for the safety of my constituents, a one-man battle on behalf of one constituency. The government of the day, a Labour Government, listened and set up an inquiry of a kind which led step by step to the greater safety of my constituents. There was a purpose in what I did.

Mr. Wakeham: I fully accept what my right hon. Friend says. For many years I represented a part of Essex that he had represented before me for 25 years. Even when the

boundaries changed and I moved to a different part of Essex slightly north of where I had been before, more people still thought that he was the Member of Parliament for the constituency that I had represented for 10 years than recognised that I had come and gone from the area. My right hon. Friend is distinguished in many fields, but no Member for Parliament——

Mrs. Gorman: Will my right hon. Friend give way.

Mr. Wakeham: I give way to nobody when I am paying a tribute to my right hon. Friend the father of the House. My right hon. Friend is distinguished for many things, and the vigorous way in which he fought for his constituents over the Canvey Island problem as he saw them and achieved substantial improvements over many years are a lesson for all of us.

Mrs. Gorman: The Leader of the House has brought an interesting matter to our attention, but before we sink into a slough of self-congratulation it is worth telling the House that Mr. Gorbachev often speaks in the Praesidium for eight hours while in Cuba speeches often go on for eight days non-stop. We have many targets yet to reach.

Mr. Wakeham: If my hon. Friend is recommending speeches of five hours or eight hours, good luck to her. I am not in favour of that, but when a Member makes a speech of some significance it is right not to be churlish.

I have one other important point to make about procedure. It is quite wrong to say, as some hon. Members have said, that the procedure Committee suggested any changes in procedure about the moving of writs. While I recognise that the Procedure Committee report has not yet been put to the House for decision, these matters were around not very long ago and I can only assume that the Procedure Committee was satisfied with the existing procedures of the House.

Mr. Tony Banks: As a member of the Procedure Committee I can confirm everything that the Leader of the House says. It has been an interesting exercise and members of the Procedure Committee who have been in their places during this debate will have learnt some valuable lessons. The right hon. Gentleman touched on the Procedure Committee report. Will he take this opportunity to tell us when we are to have a debate on it?

Mr. Wakeham: I cannot tell the House the date for a debate, but if there is a general desire to have one I shall arrange it. I hope that when we have it hon. Members will read the report before they take part. The report does not contain proposals as revoluntionary as some people seem to think. As I understand it, the report said in summary that two of the Fridays at present used for the remaining stages of private Bills should be lost and that two Mondays should be substituted. That is three extra hours for private Members. The report also said this was referred to in the debate—that private Members' business should not go on beyond 2.30 pm on a Friday.

Mr. Alton: The Leader of the House will recall that there is a precedent for what has happened today. On that occasion, the hon. Member for Bolsover (Mr. Skinner) decided to move the writ for the Brecon and Radnor by-election because there was a motion before the House allowing time for consideration of Mr. Enoch Powell's Bill to protect human embryos. Is it mere coincidence that, when there are motions before the House to protect life, such writs are moved to take up time and to prevent Parliament considering these life and death matters? Does the right hon. Gentleman agree that this is a travesty, it turns our proceedings into a circus and that many people outside this place will be bewildered by the way in which our proceedings are conducted?

Mr. Wakeham: I am not sure that I can totally agree with the hon. Gentleman, but if the Procedure committee could give the House some guidance as to whether it believes that this is the best way to proceed, that would be helpful to the House. I recognise the hon. Gentleman's concern.

The hon. Gentleman who moved the issue of the writ did so in a speech that touched on a variety of aspects of the question before the House. A number of other hon. Members, in their interventions, made points that are often passed over in terms of discussion in the House when the issue of a writ is decided.

We also heard the more predictable intervention of the hon. Member for Linlithgow (Mr. Dalyell). My response to his question is equally predictable—I have nothing further to add to what I have already said. Instead, I shall briefly set out the Government's position for the motion itself. As the House knows, although there are no fixed rules in these matters there are firm conventions and guidelines which I believe are generally accepted. It is perhaps ironic that the more the House becomes familiar with these conventions through their discussion during debates on the moving of writs, the more important it is to reassert them because the debate very often arises, as is the case today, as a result of a deviation from them.

The first set of conventions relates to the timing of the motion for a writ. These were set out in a letter from Mr. Speaker Lloyd to the then Prime Minister on 26 November 1973 following the Speaker's Conference on electoral law. The main conclusion was that the motion for a writ for a by-election should normally be moved within three months of a vacancy arising. The reason for this recommendation is clearly that no constituency should be unrepresented for an undue length of time. In the present case, of course, the vacancy arose less than one month ago when Sir Leon Brittan accepted the office of steward or bailiff of the Manor of Northstead.

Mr. Andrew F. Bennett: Does the Leader of the House agree that the reason for that Speaker's Conference in 1973 was the undue delay in calling by-elections on some occasions? Does he not think it time for the matter to be discussed at another Speaker's Conference? There is a difference between the holding of a by-election as a result of a person's intention to resign and the holding of a by-election as a result of a death. Would it not be much more appropriate to have a shorter period between a person announcing his intention to resign and the holding of a by-election?

Mr. Wakeham: I do not wish to make a snap judgment about whether these matters should be reconsidered. If there were a general desire to do so, they should be reconsidered, but the implication that a Member who has indicated his intention to resign or not to stand at the next election could not and does not discharge fully his duties to his constituents until the time he leaves the House is not an assertion that the hon. Gentleman would wish to push too far.

Mr. Bennett: I am not pushing that point. I am suggesting that the political parties could arrange for a by-election to take place quickly after a resignation when they know that it is about to happen. A three-month delay is unreasonable because the procedure can be arranged to ensure quicker continuity.

Mr. Wakeham: The convention is not that there shall be a three-month delay, but that the maximum period shall be three months. In some circumstances, it may be desirable and possible to move more quickly. We intend to abide by the first convention and to move the issue of the writ before the three months have elapsed. We are keen that the voters of Richmond, Yorks should speedily have the opportunity to return a Conservative Member of Parliament, as they have done in every general election since 1918. We have an excellent candidate and we look forward to a good campaign.

It is certainly our intention to abide by the second convention, which states that such motions should be moved by the party whose hon. Member formerly occupied the seat and that it should have priority choosing the date of the by-election. In practice, the motion for the issue of the writ is usually moved by the Chief Whip of the party concerned. We intend to abide by that second convention although the hon. Member for Bolsover (Mr. Skinner) seeks to disregard it.

Although there is widespread respect in the House for the judgment and knowledge of the hon. Member for Bolsover in relation to matters of procedure, in this instance I should prefer to rely on the judgment of my right hon. Friend the Patronage Secretary.

As the House will recognise, if we simply vote against the motion moved by the hon. Member for Bolsover the House will have resolved not to issue the by-election writ and the electors of Richmond, Yorks will continue to be unrepresented. I therefore beg to move, That the Question be not now put.

Mr. Alton: I beg to move, That the Question be now put.

Mr. Speaker: Order. I have not put the Question yet. The question is, That the Question be not now put.

Mr. Alton *rose*——

Mr. Speaker: Order. I cannot accept a closure motion at the beginning of the motion that I have just put. I call Mr. Dobson.

Mr. Dobson: I rise to support the motion moved by the Leader of the House that the Question be not now put.

This morning we heard a tour de force from my hon. Friend the Member for Bolsover (Mr. Skinner) in moving the writ for the Richmond, Yorks by-election. Those of us who were privileged to be present in the Chamber will be aware that he made skilled use of the procedures of the House, but relied even more on the singularity of his own wit in a way which everyone who heard him will remember for a long time.

My hon. Friend the Member for Bolsover raised a number of significant issues for the House to consider. He did us a service, although he did not talk very much about the circumstances of the departure of the former right hon. and learned Member for Richmond, Yorks, Sir Leon Brittan, or the circumstances in which the election will take place. In summary, we could say that Sir Leon Brittan's relationship with his constituency involved him being parachuted in and helicoptered out. However, we do not want to talk about that at any great length.

I want to consider some of the very important issues raised by my hon. Friend the Member for Bolsover.

Mr. Dalyell: Did my hon. Friend notice the Parliamentary invention of the Leader of the House? The Leader of the House said that we must not discuss Sir Leon Brittan because that would be out of order. He then proceeded to give his views. I asked as politely as I could what authority was used and I was told that the Leader of the House did not know. Will my hon. Friend confirm that the Leader of the House used an invention of convenience which we often see used to the disadvantage of Back Benchers when a Minister goes to the Dispatch Box and off the top of his head, for the convenience of the moment, invents an authority which simply does not exist?

Mr. Dobson: I am not aware of anything in "Erskine May" or from anything else that I have read or heard which suggests that in moving a writ, right hon. and hon. Members may not say things about the departing Member no matter whether that Member may have died or resigned. The Leader of the House seemed to invent a wonderful compromise precedent. He said that we could not discuss anything about Sir Leon Brittan, but he would like to say a few nice words about him. It is apparently a precedent with a ratchet—everything that is good can be said, and nothing that is bad is to be heard. If he catches your eye, Mr. Speaker, perhaps my hon. Friend the Member for Linlithgow (Mr. Dalyell) will seek to remedy the imbalance that has already crept into the debate.

One of the major points made by my hon. Friend the Member for Bolsover was that the rules state that, when a Member accepts a disqualifying office, he will in effect be disqualified from membership of the House. Unless I have been supplied by the Library with an outdated version of the House of Commons Disqualification Act 1975 as amended, or I cannot read it properly, membership of the European Commission does not of itself appear to be a disqualifying office. Under our law, there was no obligation for Sir Leon Brittan to resign, either when he accepted the post of European Commissioner, which was clearly in July of last year, or when he took it up, which was on 1 January of this year.

We seem to be in a rather remarkable situation. It appears that we are not bound by our own domestic law but by European Community law on the matter, because European Commissioners must swear an oath of loyalty to the European Commission and all its works. Moreover, they forswear any loyalty to the country from which they come. Clearly, that would be inappropriate for a Member of this House.

Rev. Ian Paisley (Antrim, North): If the matter is as the hon. Gentleman interprets it, will he explain how a Privy Councillor may take such an oath?

Mr. Dobson: As is sometimes the case, the hon. Member for Antrim, North (Rev. Ian Paisley) has raised a question to which I have no answer. Perhaps he should address it to those Privy Councillors who take up such positions or those Privy Councillors who appoint them. It seems to be an oddity.

My hon. Friend the Member for Bolsover has done us all a favour and a service by raising this important point.

If we are to disqualify 10 or a dozen closely printed lists of people from membership of the House, European Commissioners, who forswear any loyalty to this country to take up their office, should be on the list. I do not think that they are covered by the exclusion which refers to any member of the Foreign Compensation Commission, which is a disqualified office. Many Opposition Members consider that we have still not received sufficient foreign compensation for our membership of the EEC.

Mr. Andrew F. Bennett: I should like to pursue the matter relating to the Privy Council. It is rather interesting that Roy Jenkins went to the Commission. When he returned to the House, he kept his title, and he certainly kept his privileges. It was suggested that he wanted also to keep a particular seat. That is pushing it a bit too far.

Mr. Dobson: To some of us, there certainly seemed to be a touch of having his cake and eating it or, as it turned out, later, his own cake and eating it, when "Jock" Jenkins was returned for the seat of Glasgow, Hillhead. He then came back and claimed all the privileges of a Privy Councillor. My hon. Friend the Member for Denton and Reddish (Mr. Bennett) raised an important point.

The other point that my hon. Friend the Member for Bolsover raised, to which we clearly need to pay some attention, is the distinction between the two sets of circumstances which disqualify people from membership of the House. The disqualifying offices relate to someone who is not a Member and prevent him becoming a Member, but the disqualifying offices also disqualify people who are Members if they take up one of the disqualifying offices once they have become a Member. From the procedures followed in this case it appears that, strictly speaking, even then they are not disqualified immediately from membership of the House, but are expected to take up one of the mythical posts of steward or bailiff of the Chiltern Hundreds or steward or bailiff of the Manor of Northstead, which is what has happened in this case.

The main reason why my hon. Friend moved the motion in favour of issuing the writ was that the House could consider these important matters. Broadly speaking, that purpose has been served. But it would not serve the House or the electors of Richmond for us to proceed any further because, as most hon. Members will be aware, if the motion were passed today, the immediate consequence would be a by-election which would not have been called at the time most convenient to the party whose member previously represented the seat—in this case the Tory party. Given the weather and geography it may not be a reasonable time for the electors to be expected to get around.

I know that the hon. Member for Langbaurgh (Mr. Holt) is no longer present. For some obscure reason he has been insisting that the Pennines are not involved in this. He must think that the constituency is truncated and runs from near his constituency to the town of Richmond, but does not cover Wensleydale and Swaledale into the high Pennines, as it does. If the nearest local Tory Member is unaware of the geography of the constituency, it shows what close attention the Tory party is paying to the interests of the farmers in the dales.

Mr. Tony Banks: I am disappointed with what my hon. Friend is saying. We should move as speedily as possible to ensure that the people of Richmond, Yorks and those of Pontypridd—my hon. Friend knows that I am sitting waiting to move the writ for Pontypridd—are represented in this place as fast as possible. I am surprised that he wants to deprive the people of Richmond, Yorks, of that right.

Mr. Dobson: With due deference to my hon. Friend, most hon. Members agree that the sooner the by-election, the better. But the convention is that a by-election should be called within three months of the event which necessitated it, and it is the Government's stated intention to comply with that. We shall comply with that convention and we expect them to do so. To press them for swifter progress than that may be unfair, particularly in the geographical and climatic circumstances which can prevail in Swaledale and Wensleydale in February and March.

Several hon. Members have drawn attention to their shivering experiences at Catterick camp during the winter. They know how cold it can get there. Even my hon. Friend the Member for Glasgow, Maryhill (Mrs. Fyfe) pointed out that some times when the weather is not too inclement in Scotland it is still starkly cold in that part of the Pennines. Considerations in the interests of the voters are important.

All those consequences would result from the motion being passed today and what the Government might describe as a precipitate by-election. If the motion were not passed, the electors of Richmond, Yorks would not have the opportunity to cast their votes or to be represented by anyone until the next parliamentary Session. It would not be right for the electors of Richmond, Yorks to be deprived of representation that long.

In his brilliant speech on the motion, my hon. Friend the Member for Bolsover raised a number of significant issues relating to the issuing of writs, the calling of by-elections and, especially, the relationship of the House to well-paid appointees in the European Community—a matter which the House had not previously addressed or properly clarified and to which we should pay some attention. We owe my hon. Friend a debt of gratitude for raising those issues and for providing a well-informed and entertaining speech to occupy a substantial part of the morning. All of that was done when his throat was not in the best of condition. Over the past few days he has had a bit of a cold, so his speech is all the more to his credit.

Although I was delighted to listen to my hon. Friend raise these major issues, I am not delighted at the prospect of his motion being put to the vote. That would be in breach of the general conventions on the calling of by-elections as agreed between the two parties—or, as my hon. Friend might see it, between the two Front Benches. It could result in a breach of that convention or in the by-election not being called in this parliamentary Session.

Mr. Bob Cryer (Bradford, South): There is one aspect on which my hon. Friend has not elaborated. Will he bear in mind that, before departing for the Common Market, Leon Brittan claimed that he would represent the nation's interests in the Common Market? No doubt that would have been noted in some detail by the electorate in the Richmond area because he was the local Member of Parliament. We know that he has to make a comprehensive oath to the College of the Commission which precludes the representation of national interests in

[Mr. Bob Cryer]

that College. Therefore, surely some time is necessary for this information to be disseminated in the Richmond area before a by-election can take place.

Mr. Dobson: I look forward to participating in the dissemination of that information. Indeed, I have been to Richmond a couple of times since the appointment of Leon Brittan was first mentioned.

In deference to the convention introduced by the Leader of the House, I shall say nothing against our candidate, Mr. Frank Robson, in the Richmond, Yorks by-election, but I shall say a few things in his favour. He is a local man, a farmer, a man of great talent and wit and —this may be of some significance in relation to Catterick camp—a man with a startling war record. Many people are proud of what they did in the second world war, but our candidate has cause to be proud——

Mr. Nicholas Bennett: Will the hon. Gentleman give way?

Mr. Dobson: I will certainly not give way on this matter. Perhaps the hon. Gentleman can keep his seat for a moment.

We think of the efforts and sacrifices made by people like Frank Robson, who did not run up Gold beach on D Day but was one of those paratroopers who parachuted behind the German lines to capture bridges so that they were not blown up to stop the allies establishing a beachhead on Normandy. Frank Robson is a man of great heroism, with an outstanding war record, which I am convinced will appeal to the people of Richmond, Yorks and, not least, to the soldiers at Catterick camp and those in the Air Force at RAF Leeming.

Having rightly paid tribute to our candidate, I shall now give way to other hon. Members. Once again, I commend my hon. Friend the Member for Bolsover on his motion, but I hope that he will not put it to the vote.

1.54 pm

Sir Peter Emery (Honiton): It is with considerable sadness that I rise to speak. In the realm of parliamentary procedure, the steps taken today make for an unhappy situation. It seems to me rather like an old and broken love affair—the rejected supplicant devoted, keen and eager, willing to do anything to further

"the dedicated intent whilst the emotions against are relaxed and elated, knowing that whatever unusual or even unkind steps are taken the position will be secure."

First, let me make it clear—as there appears to be doubt in the media—that you, Mr. Speaker, had no alternative but to call the moving of the writ as today's first business. The Chair showed no favouritism; procedure made it clear that the first order of business had to be the calling of the writ, if it was to be moved.

People outside must also know that at no time today, irrespective of what had happened, would it have been in order to debate the Abortion Bill *[Interruption.]* Today's debate is concerned entirely with procedural matters concerning whether a writ should be moved, or concerning private Members' time.

Mr. Tony Banks: I apologise to the Chairman of the Select Committee on Procedure. He is raising some important points, and those of us who are following the debate to the end want to hear the conclusions that he is drawing from his own experience. I should be most grateful, as, I am sure, would other hon. Members, if conversations both inside and outside the confines of the Chamber would cease.

Mr. Speaker: Order. I can hear, but admittedly I have two microphones.

Mr. Cryer: I am trying to concentrate on what the hon. Member for Honiton (Sir P. Emery) is saying, because as Chairman of the Procedure Committee he has a good deal to say, and I want to encourage his hon. Friends to concentrate on his speech as well.

Sir Peter Emery: Perhaps if I did not speak so loudly people would be quieter.

As I was saying, at no time have matters other than procedural matters been before the House today. What makes members of the Procedure Committee sad is this. The Committee is constantly fighting Governments of both parties to try to obtain more time for private Members' motions and private Members' Bills, and it cannot benefit the House for private Members' time—whatever the motion, and whether or not one is in favour of it—to be frustrated.

Today we are seeking the establishment of another precedent that I do not think the House will welcome. I think that the use of dilatory motions should be strictly limited. Otherwise it seems that it will be good practice to use such motions to stop the debate of a Labour Member's motion, perhaps about unemployment or the Health Service, which Conservative Members do not like.

Mr. Flannery: Will the hon. Gentleman give way?

Sir Peter Emery: Not for the moment. The hon. Gentleman has interrupted many times. Will he forgive me if I do not give way in the middle of my sentence?

I do not think that the position that I have described would please the Opposition, or that it is good parliamentary practice or procedure.

Mr. Alton: I agree with the hon. Gentleman that the rights of all Back Benchers are at stake today. The public may come to regard the private Member as someone who is unable to introduce legislation and have it placed on the statute book. I refer to what occurred in this House one Friday, one year ago to the day, when, by a majority of 45, the Abortion (Amendment) Bill was given a Second Reading. Subsequently, that Bill was talked out. I refer also to Mr. Enoch Powell's Bill concerning human embryo experimentation, and to what is occurring today in respect of the motion in the name of the hon. Member for Maidstone (Miss Widdecombe). Surely the Chairman of the Select Committee accepts that the matter should be urgently considered at its next meeting.

Sir Peter Emery: Frankly, I do not see the situation to the same extent as the hon. Member for Liverpool, Mossley Hill (Mr. Alton). When, on the last occasion, petitions were used to frustrate our proceedings, the Select Committee recommended that we should do away with that device. That motion was on the Order Paper for weeks or months at the end of last Session. We have not been given an opportunity to debate and pass that recommendation. It may be that we ought to consider matters other than the moving of petitions, including the moving of writs. I have no doubt that the Select Committee will consider that point.

When a right hon. or hon. Member tries to make a wangle and to wriggle around the normal, accepted procedure, others will be clever enough to find ways of countering that attempt. I condemn both sides in this argument. I do not believe that either of them are right. The reason for today's debate on the writ is that someone tried to give preference to the Bill of my hon. Friend the Member for Maidstone (Miss Widdecombe), beyond that which Standing Orders allow.

Miss Widdecombe: Will my hon. Friend give way?

Sir Peter Emery: Perhaps my hon. Friend will allow me to finish my sentence. However intent the House may be on the passing of the writ—and, observing you moving to the front of your seat, Mr. Speaker, I know that I must keep in order—or however intent one may be on trying to ensure a debate on the private Member's motion, the House's normal Standing Orders and precedent must be observed. If they are not, we run into the kind of nonsense that confronts us today——

Mr. Leigh: I beg to move, That the Question be now put.

Mr. Speaker: Order. I shall consider that proposal when the hon. Member for Honiton (Sir P Emery) concludes.

Mr. Tony Banks: Speaking as a member of the Select Committee on Procedure, I admire the way in which the hon. Member for Honiton (Sir P. Emery) chairs it, and I enjoy working with him. Does he agree that we have learned one good thing today, which is the importance of that Committee? In this House, procedure is all-important. Right hon. and hon. Members should add their support to the pressure that both the hon. Gentleman and myself, and other members of the Select Committee exert on the Leader of the House for an early debate on its report.

Sir Peter Emery: The hon. Gentleman reiterates what his right hon. and hon. Friends and mine have been saying for months, if not years—that there is little point in having a Procedure Committee, in which many senior right hon. and hon. Members spend hours attempting to modernise slightly, but not revolutionise, the procedure of the House and drag it gently into the 20th century—let alone 1992—if, when the Committee has reported, the Government do not allow time to debate its recommendations. May I again make it absolutely clear—I know that I do not please certain hon. Friends—that there is no doubt in the mind of anybody who is trying to be unbiased about it, that the use of private Members' motions on procedural items is unusual and should not be encouraged. When it is used to try to avoid procedure—that the House has defined—it does nobody any good, and stimulates exactly what has happened today. All hon. Members should learn that lesson, if they learn nothing else from today's happenings.

Sir Bernard Braine: Let us forget the shadow boxing and concentrate on the real issue which is, surely, the continued use of procedures in this House to block the passage of Bills that command a majority. Will the Chairman of the Select Committee on Procedure at least ask his Committee to address itself to that?

Sir Peter Emery: With great trepidation I suggest that what my right hon. Friend the Father of the House said was not as accurate as I would like it to be. The majority that such Bills take is not the majority of the House but a majority that is taken on a Division. *[Interruption.]* I know that right hon. and hon. Members do not like it but they must consider the facts. Any hon. Member who introduces private Members' legislation must know that the chance of getting it through is next to nothing unless it commands the majority of both sides of the House.

The hon. Member for Mossley Hill knows that unless there is major agreement on both sides of the House, the chances of success are negligible and it has always been so. If certain of the legislation of the previous Parliament had been agreed by some opponents in a modified form I believe it would have been passed. If the hon. Gentleman does not meet the criticism he must expect to be defeated.

Dame Elaine Kellett-Bowman (Lancaster): My hon. Friend talks about hon. Members successfully introducing private Members' legislation. Does he not recall that a previous Labour Government allowed special time for the Abortion Act 1967 to be passed? Our Government are not giving similar time to enable Back Benchers to have a vote of the House.

Sir Peter Emery: Rather than pursuing her arguments——

Mrs. Wise: On a point of order, Mr. Speaker. I have been reluctant to intervene on issues that are not before the House but I must draw attention to the fact that several interventions—by the hon. Member for Liverpool, Mossley Hill (Mr. Alton) and others, in particular the latest one from the hon. Member for Lancaster (Dame E. Kellett-Bowman)—were not related to the issue before us. They were criticisms of the Government's attitude on Government time and various other matters unrelated to the business before us. If they are to be allowed, the Opposition should be allowed to retaliate

Mr. Speaker: The interventions occurred during the speech of the hon. Member for Honiton (Sir P. Emery), who was speaking as Chairman of the Procedure Committee and they were taking up points that he had made.

Sir Peter Emery: What I would always suggest, whether on the moving of writs or otherwise, is that, if hon. Members cannot get their way they should persuade the Government to do something to support them. When the Warnock legislation comes through, I hope that that will be an opportunity to do what is wanted by a number of my hon. Friends——

Mr. Nicholas Bennett: Will my hon. Friend give way?

Sir Peter Emery: No, I shall not give way to my hon. Friend. He has intervened many times.

Mr. Bennett: No, I have not.

Sir Peter Emery: My hon. Friend has made many interventions today.

Mr. Bennett Order On a point of order——

Mr. Speaker: That may be a point of frustration, but I doubt whether it is a point of order.

Sir Peter Emery: My hon. Friend has not intervened during my speech, but he has intervened many times today.

Mr. Flannery: He is a congenital intervener.

Sir Peter Emery: I must defend my hon. Friend. There is nothing congenital about him.

Mr. Speaker: Order. Carry on.

Sir Peter Emery: Nobody can take credit for today's procedures. I am sorry that the Government did not make it clear—then we would not necessarily have had to have the writ—that they would take head-on the private Members' motions which were trying to extend a benefit for a private Member in a particular case. If that had been done, I believe that none of this would have happened and we would have had a full debate on the motion. I warn the Government that, unless they take it head-on some time, we will have this recurring time and time again. That must be a nonsense in the overall concept of procedure.

I and my Procedure Committee wish to defend the rights of the six Members who came at the top of the ballot to try to get their legislation through. We wish to defend the rights of those who have private Members' motions to have those motions debated and decisions taken on them. If we can achieve that from today's fiasco, something good will have come out of it. I only hope that we can do it quickly and we do not have more illustrations of nonsense in this House before we get some sense.

Mr. Leigh: I beg to move, That the Question be now put.

Mr. Banks: On a point of order, Mr. Speaker.

Mr. Speaker: No, I shall not take a point of order. I shall take the closure motion. I ask the House to listen carefully to the Question. The Question is, That the Question, That the Question be not now put, be now put.

The House proceeded to a Division.

Mr. Tony Banks *(seated and covered)*: On a point of order, Mr. Speaker. I am in possession of a new writ for the constituency of Pontypridd. As it does not look as though I will have the opportunity of moving this writ, I ask you, Mr. Speaker, whether I will be able to move this writ at another time. Is the period during which I can present it to the House closed or can I come in with it some time during next week, without notice, and move it?

Mr. Speaker: I am sorry to disappoint the hon. Gentleman, but he cannot do that. That writ was issued for today.

The House having divided: Ayes 207, Noes 17.

Division No. 41] **[2.12 pm**

AYES

Abbott, Ms Diane
Alton, David
Amess, David
Amos, Alan
Archer, Rt Hon Peter
Armstrong, Hilary
Arnold, Jacques *(Gravesham)*
Ashdown, Rt Hon Paddy
Barnes, Harry *(Derbyshire NE)*
Barron, Kevin
Beith, A. J.
Benyon, W.
Bermingham, Gerald
Bidwell, Sydney
Blair, Tony
Blaker, Rt Hon Sir Peter
Boateng, Paul
Body, Sir Richard
Boscawen, Hon Robert
Bottomley, Peter
Boyson, Rt Hon Dr Sir Rhodes
Braine, Rt Hon Sir Bernard
Brazier, Julian
Bright, Graham
Brown, Gordon *(D'mline E)*
Brown, Michael *(Brigg & Cl't's)*
Buckley, George J.
Burns, Simon
Burt, Alistair
Butler, Chris
Callaghan, Jim
Canavan, Dennis
Carrington, Matthew
Cash, William
Chapman, Sydney
Clark, Hon Alan *(Plym'th S'n)*
Clark, Dr David *(S Shields)*
Clark, Sir W. *(Croydon S)*
Clay, Bob
Clelland, David
Clwyd, Mrs Ann
Coombs, Simon *(Swindon)*
Corbyn, Jeremy
Couchman, James
Cousins, Jim
Cox, Tom
Dalyell, Tam
Darling, Alistair
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Ron *(Caerphilly)*
Day, Stephen
Devlin, Tim
Dixon, Don
Dobson, Frank
Doran, Frank
Dorrell, Stephen
Dunwoody, Hon Mrs Gwyneth
Durant, Tony
Dykes, Hugh
Eastham, Ken
Emery, Sir Peter
Fatchett, Derek
Fearn, Ronald
Fenner, Dame Peggy
Fields, Terry *(L'pool B G'n)*
Fisher, Mark
Flannery, Martin
Foot, Rt Hon Michael
Forman, Nigel
Foster, Derek
Fox, Sir Marcus
Freeman, Roger
French, Douglas
Fyfe, Maria
Garel-Jones, Tristan
Garrett, John *(Norwich South)*
George, Bruce
Gilbert, Rt Hon Dr John
Golding, Mrs Llin
Goodhart, Sir Philip
Goodson-Wickes, Dr Charles
Gordon, Mildred
Gorman, Mrs Teresa
Gould, Bryan
Grant, Bernie *(Tottenham)*
Greenway, Harry *(Ealing N)*
Griffiths, Win *(Bridgend)*
Ground, Patrick
Gummer, Rt Hon John Selwyn
Hanley, Jeremy
Hargreaves, A. *(B'ham H'll Gr')*
Hargreaves, Ken *(Hyndburn)*
Harman, Ms Harriet
Haselhurst, Alan
Hayes, Jerry
Hayhoe, Rt Hon Sir Barney
Haynes, Frank
Heathcoat-Amory, David
Heffer, Eric S.
Henderson, Doug
Hinchliffe, David
Hind, Kenneth
Holland, Stuart
Holt, Richard
Howarth, Alan *(Strat'd-on-A)*
Hughes, John *(Coventry NE)*
Hughes, Robert G. *(Harrow W)*
Hunt, David *(Wirral W)*
Irving, Charles
Jack, Michael
Janman, Tim
Janner, Greville
Jessel, Toby
Johnson Smith, Sir Geoffrey
Kellett-Bowman, Dame Elaine
Lawrence, Ivan
Leadbitter, Ted
Lennox-Boyd, Hon Mark
Lestor, Joan *(Eccles)*
Lightbown, David
Lilley, Peter
Litherland, Robert
Lloyd, Peter *(Fareham)*
McAllion, John
McAvoy, Thomas
McCrea, Rev William
MacKay, Andrew *(E Berkshire)*
McKelvey, William
Maclean, David
Mahon, Mrs Alice
Major, Rt Hon John
Malins, Humfrey
Mans, Keith
Maples, John
Marlow, Tony
Mawhinney, Dr Brian
Mayhew, Rt Hon Sir Patrick
Meacher, Michael
Mills, Iain
Moate, Roger
Moore, Rt Hon John
Morgan, Rhodri
Mowlam, Marjorie
Oakes, Rt Hon Gordon
Onslow, Rt Hon Cranley
Orme, Rt Hon Stanley
Paisley, Rev Ian
Patnick, Irvine
Patten, John *(Oxford W)*
Pawsey, James
Pike, Peter L.
Primarolo, Dawn
Quin, Ms Joyce
Redmond, Martin
Rees, Rt Hon Merlyn
Reid, Dr John
Rhodes James, Robert
Richardson, Jo
Robinson, Peter *(Belfast E)*
Rossi, Sir Hugh
Ruddock, Joan
Ryder, Richard
Sackville, Hon Tom
Sayeed, Jonathan
Shaw, Sir Michael *(Scarb')*
Shelton, Sir William *(Streatham)*
Shersby, Michael
Shore, Rt Hon Peter
Short, Clare
Sims, Roger
Skeet, Sir Trevor
Smith, C. *(Isl'ton & F'bury)*
Speed, Keith
Spicer, Michael *(S Worcs)*
Stanbrook, Ivor
Stanley, Rt Hon Sir John
Steel, Rt Hon David
Steinberg, Gerry
Stern, Michael
Stewart, Allan *(Eastwood)*
Sumberg, David
Summerson, Hugo
Taylor, John M *(Solihull)*
Taylor, Teddy *(S'end E)*
Thompson, Patrick *(Norwich N)*
Thorne, Neil
Thurnham, Peter
Tracey, Richard
Tredinnick, David
Turner, Dennis
Waddington, Rt Hon David
Wakeham, Rt Hon John
Wall, Pat
Waller, Gary
Walley, Joan

Wareing, Robert N.
Welsh, Michael *(Doncaster N)*
Wheeler, John
Whitney, Ray
Widdecombe, Ann
Wiggin, Jerry
Wigley, Dafydd
Wilkinson, John
Williams, Rt Hon Alan
Winnick, David
Winterton, Mrs Ann
Wise, Mrs Audrey

Tellers for the Ayes:
Mr. Nicholas Bennett and
Mr. Edward Leigh.

NOES

Allen, Graham
Banks, Tony *(Newham NW)*
Benn, Rt Hon Tony
Bradley, Keith
Cohen, Harry
Flynn, Paul
Fraser, John
Livingstone, Ken
Loyden, Eddie
Madden, Max
Michie, Bill *(Sheffield Heeley)*
Moonie, Dr Lewis
Nellist, Dave
Ross, Ernie *(Dundee W)*
Skinner, Dennis
Snape, Peter

Tellers for the Noes:
Mr. Andrew F. Bennett and
Mr. Bob Cryer.

Question accordingly agreed to.

Question put accordingly, That the Question be not now put:—

The House divided: Ayes 155, Noes 23.

Division No. 42] **[2.25 pm**

AYES

Alton, David
Amess, David
Amos, Alan
Anderson, Donald
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Barnes, Harry *(Derbyshire NE)*
Barron, Kevin
Bendall, Vivian
Bennett, Nicholas *(Pembroke)*
Benyon, W.
Bidwell, Sydney
Blaker, Rt Hon Sir Peter
Boateng, Paul
Body, Sir Richard
Boscawen, Hon Robert
Bottomley, Peter
Boyson, Rt Hon Dr Sir Rhodes
Braine, Rt Hon Sir Bernard
Brazier, Julian
Brown, Michael *(Brigg & Cl't's)*
Burt, Alistair
Butler, Chris
Canavan, Dennis
Carrington, Matthew
Cash, William
Clark, Hon Alan *(Plym'th S'n)*
Clark, Sir W. *(Croydon S)*
Clay, Bob
Cook, Robin *(Livingston)*
Coombs, Simon *(Swindon)*
Couchman, James
Cox, Tom
Dalyell, Tam
Day, Stephen
Devlin, Tim
Dixon, Don
Dobson, Frank
Dorrell, Stephen
Dunwoody, Hon Mrs Gwyneth
Durant, Tony
Dykes, Hugh
Emery, Sir Peter
Fenner, Dame Peggy
Foot, Rt Hon Michael
Forman, Nigel
Fox, Sir Marcus
Fraser, John
Freeman, Roger
French, Douglas
Gardiner, George
Garel-Jones, Tristan
Garrett, John *(Norwich South)*
Golding, Mrs Llin
Goodhart, Sir Philip
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Grant, Bernie *(Tottenham)*
Greenway, Harry *(Ealing N)*
Ground, Patrick
Gummer, Rt Hon John Selwyn
Hamilton, Hon Archie *(Epsom)*
Hanley, Jeremy
Hargreaves, Ken *(Hyndburn)*
Harman, Ms Harriet
Haselhurst, Alan
Hayes, Jerry
Hayhoe, Rt Hon Sir Barney
Haynes, Frank
Heathcoat-Amory, David
Hind, Kenneth
Holt, Richard
Hughes, Robert G. *(Harrow W)*
Hunt, David *(Wirral W)*
Hunt, John *(Ravensbourne)*
Irving, Charles
Jack, Michael
Janman, Tim
Janner, Greville
Jessel, Toby
Kellett-Bowman, Dame Elaine
Lawrence, Ivan
Leigh, Edward *(Gainsbor'gh)*
Lennox-Boyd, Hon Mark
Lightbown, David
Lilley, Peter
Lloyd, Peter *(Fareham)*
Lyell, Sir Nicholas
McAvoy, Thomas
McCrea, Rev William
MacKay, Andrew *(E Berkshire)*
Maclean, David
Major, Rt Hon John
Malins, Humfrey
Maples, John
Marshall, John *(Hendon S)*
Mawhinney, Dr Brian
Mayhew, Rt Hon Sir Patrick
Meacher, Michael
Mills, Iain
Moate, Roger
Moore, Rt Hon John
Morgan, Rhodri
Oakes, Rt Hon Gordon
Onslow, Rt Hon Cranley
Paisley, Rev Ian
Patnick, Irvine
Patten, John *(Oxford W)*
Pawsey, James
Pike, Peter L.
Rhodes James, Robert
Richardson, Jo
Robinson, Peter *(Belfast E)*
Rossi, Sir Hugh
Ruddock, Joan
Rumbold, Mrs Angela
Ryder, Richard
Sackville, Hon Tom
Sayeed, Jonathan
Sedgemore, Brian
Shaw, Sir Michael *(Scarb')*
Shelton, Sir William *(Streetham)*
Shersby, Michael
Shore, Rt Hon Peter
Sims, Roger
Skeet, Sir Trevor
Smith, C. *(Isl'ton & F'bury)*
Speed, Keith
Spicer, Michael *(S Worcs)*
Stanbrook, Ivor
Stanley, Rt Hon Sir John
Steinberg, Gerry
Stern, Michael
Stewart, Allan *(Eastwood)*
Sumberg, David
Summerson, Hugo
Taylor, John M *(Solihull)*
Taylor, Teddy *(S'end E)*
Thompson, Patrick *(Norwich N)*
Thorne, Neil
Thurnham, Peter
Tracey, Richard
Tredinnick, David
Waddington, Rt Hon David
Wakeham, Rt Hon John
Wall, Pat
Waller, Gary
Wheeler, John
Whitney, Ray
Widdecombe, Ann
Wiggin, Jerry
Wigley, Dafydd
Wilkinson, John
Winnick, David
Winterton, Mrs Ann

Tellers for the Ayes:
Mr. Alan Howarth and
Mr. Sydney Chapman.

NOES

Abbott, Ms Diane
Allen, Graham
Ashdown, Rt Hon Paddy
Banks, Tony *(Newham NW)*
Beith, A. J.
Cohen, Harry
Corbyn, Jeremy
Davies, Rt Hon Denzil *(Llanelli)*
Fearn, Ronald
Gordon, Mildred
Heffer, Eric S.
Hughes, Simon *(Southwark)*
Johnston, Sir Russell
Livingstone, Ken
Loyden, Eddie
Madden, Max
Michie, Bill *(Sheffield Heeley)*
Nellist, Dave
Parry, Robert
Skinner, Dennis
Snape, Peter
Steel, Rt Hon David
Wise, Mrs Audrey

Tellers for the Noes:
Mr. Bob Cryer and
Mr. Andrew F. Bennett.

Question accordingly agreed to.

Several Hon. Members *rose*——

Mr. Speaker: I am on my feet and I shall take the Business of the House motion first.

BUSINESS OF THE HOUSE

Ordered,

That, at the sitting on Monday 23rd January, notwithstanding the provisions of Standing Orders No. 14 (Exempted business) and No. 15 (Prayers against statutory instruments, &c. (negative procedure), Motions in the name of Mr. Secretary Rifkind or of Mr. Neil Kinnock relating to Housing (Scotland) may be proceeded with, though opposed, for three hours after the first of them has been entered upon; and if proceedings thereon have not been previously disposed of, Mr. Speaker shall, at the expiration of that period, put successively the Question already proposed from the Chair and the Question on the remaining Motion which may then be made.—*[Mr. John M. Taylor.]*

Several Hon. Members *rose*——

Mr. Speaker: Order. I shall take Miss Widdecombe first.

Miss Widdecombe: On a point of order, Mr. Speaker. I consider that the proceedings in the Chamber today whereby I, in whose name the main motion of the day stood, have not been allowed to speak at all, have brought Parliament and the democratic workings of this place into

[Miss Widdecombe]

disrepute. I have only one thing to say as a message to all those who have held up this motion today—we shall be back, and back, and back.

Several Hon. Members *rose*——

Mr. Speaker: Order. I will deal with all the points of order at once.

Mr. A. J. Beith (Berwick-upon-Tweed): Will the Leader of the House reflect on whether he can say anything by way of a brief statement today or later about how the House can be enabled to arrive at a decision on matters that have been before it for many hours, without private Members' business being disrupted?

Mr. Cryer: Further to that point of order, Mr. Speaker. In view of the remarks that have been bandied about by the hon. Member for Maidstone (Miss Widdecombe) in respect of our proceedings will you confirm that you and your Deputies have conducted the proceedings entirely within the framework of the Standing Orders of the House and that there has been no parliamentary mugging or filibustering? My hon. Friend the Member for Bolsover (Mr. Skinner) was never once called to order throughout his speech. I should be grateful if you would confirm that Parliament has been conducted entirely properly today.

Several Hon. Members *rose*——

Mr. Speaker: Allow me to deal with this point now.

I was here for the beginning of the debate and, as the House knows, for the last hour. While I was in the Chair —and, I am sure, while my Deputies were in the Chair —the debate proceeded in order. When occasionally that was not so, the hon. Members concerned were called to order.

I regret that the hon. Member for Maidstone (Miss Widdecombe) was unable to put her motion today, as it was first on the Order Paper, but it was a procedural motion. I strongly endorse what the Chairman of the Procedure Committee has said and hope that we shall not go through this kind of thing again.

Sir Bernard Braine: What has emerged today is not that anything was out of order; the Chair would not have permitted that in any case. What was said was perfectly permissible and had to be listened to. However, it is clear from today's experience, and all that has gone before, that procedures which are firmly rooted in the 19th century are totally incapable of permitting Bills that have passed through several stages in the House with a substantial majority to make any further progress. There is something so wrong in that that we can expect a considerable public backlash.

Perhaps you, Mr. Speaker, as the guardian of our liberties and I, as Father of the House, can say—not necessarily better than anyone else, but because it is based on many years of experience—that the reputation of Parliament is now seriously at stake. Mr. Speaker, I hope that somehow or other you will be able with your advisors, the Government and Opposition Leaders, to ensure that the Procedure Committee takes action. We should take note of that here and now before greater harm is done to the reputation of the House.

Mr. Speaker: It is for the Leader of the House, who has a very influential and respected position, to put his proposals to the Procedure Committee. I am sure that it will consider them and I hope that it will.

Mr. Alton: When the Procedure Committee reflects on what has happened today I hope that it will also consider that 20 years ago when the original legislation to create an Abortion Act was passed in the House, 25 hours of Government time were provided. Therefore, this legislation is about procedure—it is not truly private Member's legislation—and it is becoming virtually unamendable. For that reason, people outside this place might say that the procedures were adhered to today, but they could be forgiven for thinking, if they entered our Strangers Gallery, that they had attended some kind of west end farce.

Mr. Brazier: As one of the youngest hon. Members of the House may I state, following my right hon. Friend the Member for Castle Point (Sir. B. Braine), who is the Father of the House, that whether the procedures are adhered to or not, or amended, nearly 20 attempts have been made to put an Abortion Bill through the House and so far as the man in the street is concerned [HON. MEMBERS: "Man?"] each one has fallen not on a vote—but on wrangling of one form or another. The Government must consider bringing forward a measure on a free vote so that the matter can be decided once and for all.

Several Hon. Members *rose*——

Mr. Speaker: Order. We are getting on to the merits of the Bill to be introduced by the hon. Member for Maidstone (Miss Widdecombe), which is not due to have its Second Reading, if it is reached, until Friday 3 March. It is very important for people outside to appreciate what has happened today and that the motion in the name of the hon. Member for Maidstone was a procedural motion and not about the merits of her Bill.

Several Hon. Members *rose*——

Mr. Speaker: Order. I must protect the time for the Adjournment. I will call Mrs. Wise.

Mrs. Wise: On a point of order, Mr. Speaker. Will you confirm not only that what has happened today is in order, but that most private Members do not get an opportunity to bring forward a Bill? No particular priority should be attached to the hon. Member for Maidstone (Miss Widdecombe) who has tried to do so through a procedural wrangle as it was described today. It ill-becomes one side of an argument to claim moral rectitude and to claim to represent the whole of the population on this topic when Second Reading would have been defeated if the vote had been held among women Members only, who voted 26 to 11 against it——

Mr. Speaker: Order. We are now getting on to the merits. I think that we have disposed of this matter. We have had a long time on it. I will hear Mr. Madden on another matter.

Mr. Madden: Just over two hours ago, Mr. Viraj Mendis was deported from this country to Sri Lanka to a most uncertain destiny. It must be bad for the reputation of Parliament that that fact was not reported to the House

before midday today. Nor have Ministers come to this place to explain their actions or decisions, still less to account for or justify them.

Even at this late stage, will the Leader of the House make a statement about the Government's actions in relation to Mr. Mendis? If on Monday the Government have not seen fit to make a statement to the House, in those circumstances would you consider granting a private notice question on the Mendis case and not apply the time limit on matters for consideration for a private notice question because clearly the matter has arisen today? Therefore, Mr. Speaker, will you consider a private notice question if the Government do not make a statement on the Mendis case on Monday, so that the House can call Ministers to account for their activities, to explain why they did not allow proper negotiations to find Mr. Mendis a refuge, and to deal with the questions that many hon. Members wish to put to the Executive about this deplorable case?

Mr. Corbyn: On a point of order, Mr. Speaker.

Mr. Speaker: Is it on the same matter?

Mr. Corbyn: It is on the same matter, Mr. Speaker.

I join my hon. Friend the Member for Bradford, West (Mr. Madden) on this matter. It is important that a Minister should come to the House, or at least understand the feelings of the House about the disgraceful actions that happened today. An innocent man has been thrown out of this country to an uncertain future. At this very moment, he is on a plane bound for Sri Lanka in the company of a priest. It is incumbent on the British Government, who have thrown him out of the country, to do their best to ensure his safety in Sri Lanka. Therefore, it is right that, in addition to hearing from a Home Office Minister on Monday, we should hear from a Foreign Office Minister about what actions have been taken by the British high commission in Colombo to ensure that he is in a haven until negotiations on his asylum in another European country are completed. As the Home Office well knew at the penultimate moment this morning, such negotiations were going on with some hope that a more liberal-minded European Government would be prepared to grant him the safety and asylum that have been so callously refused by the British Government.

Mr. Holt: On a point of order, Mr. Speaker. If you are approached by the leaders of the Opposition to change their Supply day next week for a debate on this subject, under pressure from Labour Back Benchers, will you concede that request? They are silent on the matter. We are hearing humbug from the Opposition.

Mr. Speaker: I am sure that what has been said has been heard by the Leader of the House. It is not for me to decide whether a statement is made. As to a private notice question, the hon. Member for Bradford, West (Mr. Madden) knows that I would not pronounce on that, certainly not some days in advance of it. Of course, the Opposition's debate on Tuesday could be changed up until the rising of the House on Monday.

Mr. Nicholas Bennett: On a point of order, Mr. Speaker. Yesterday I asked the Leader of the House whether, if matters today did not proceed as on the Order Paper, the Government would give time to consider them further. As the proceedings on the Order Paper did not take place, I ask the Leader of the House through you, Mr. Speaker, whether the legislation stemming from the Warnock report will have an item on abortion, with a conscience clause. The Government have announced that there will be a conscience clause in the abortion legislation.

Mr. Speaker: That would be a very good question to ask the Leader of the House next Thursday at business questions.

Plessey plc

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. John M. Taylor.]*

2.47 pm

Mr. Neil Thorne (Ilford, South): Last Easter, my hon. and noble Friend the Secretary of State for Trade and Industry issued an important blue paper on mergers policy. He followed it with a speech at the stock exchange conference at the Queen Elizabeth II conference centre on Thursday, 22 October last year.

Two and a half years ago, the Office of Fair Trading recommended that the hostile bid by the General Electric Company for Plessey should be referred to the Monopolies and Mergers Commission. That advice was accepted by the then Secretary of State, who ultimately accepted the commission's recommendation that the proposal should not proceed. It concerns me that, two and half years later, another hostile bid can be mounted by essentially the same company.

As delighted as I am that it has also been referred to the Monopolies and Mergers Commission, I am unhappy, not only at the wastage of management effort of between four and six months infighting the bid instead of going out to win orders, concentrating on ways of improving productivity and becoming more efficient to cope with international competition and preserving jobs, but because the Plessey company cannot dispose of, acquire, or, perhaps most important, enter into joint ventures exceeding 10 per cent. of its assets without referring the matter to its shareholders. It is no wonder that the company, faced with this troublesome adversary, should seek to mount a counter-bid for the predator to get it off its back once and for all.

Following a previous bid the two companies were recommended to co-operate in telecommunications, and a joint venture company, GEC and Plessey Telecommunications plc was created and is working effectively. One of Plessey's great strengths is its ability to co-operate with other countries and it has been doing that since it was founded in a shed in my constituency in 1919. Throughout its history it has been building important bits to go into the products of others, and joint ventures have been a speciality throughout its life.

GEC was in its heyday in the 1960s and 1970s when British industry was lazy and overmanned. It was able to rescue some companies in difficulties by cutting their work force and selling surplus assets, but today we are in a different market. That dated theory involves preying on others, not to improve those companies' performance but to improve itself and survive. GEC looks for companies with a good research and development record, which has been made as an investment in the future, and then uses some of its own vast liquid assets to take over the benefits yet to be harvested and proceeds to strip out everything worth having while running down customers and the research and development investment.

Having failed once in its aim, it now returns under the cover of the Euro-fog to try again. This time it has been joined by another large company in a similar condition. I say Euro-fog because there is nothing to be gained post-1992 by this bid which is not available before. After 1992 it will be possible for both Siemens and Plessey to compete in other countries without having to form an alliance with a local company. The only change is in relation to defence matters, as these are excluded from the 1992 arrangements for completely free competition.

Siemens has strong telecommunications in West Germany. Plessey is a strong company in this country and throughout the world. Siemens has nothing to offer to improve on the previous bid, but has a lot to take away. For example, in radar, which is an important field for future collaboration, the Plessey company has a turnover of more than £100 million a year and GEC a turnover approaching £150 million, whereas Siemens has a turnover of only £25 million.

The sharing of management in joint endeavours would be a nightmare because Plessey has engaged in several joint ventures with countries in Europe and North America. If the GEC-Siemens proposal were to take effect, their proposal to divide management 51:49 would create further difficulties in these management deals. It is already difficult to negotiate with other companies and if an additional breakdown were superimposed on that, it would be an even greater impediment.

We should not forget that we have noticed in our relationship with North America that it is concerned that Siemens has connections not only with East Germany but with the Soviet Union. That must worry American Congressmen and Senators, who carefully watch the companies doing defence work for them to ensure that their hard-earned secrets, which they are either sharing or paying for through research and development, are not passed to countries behind the Iron Curtain for nothing.

One of the most important matters with which we must be concerned is employment. Plessey has nearly 15,000 employees in this country. If there were a takeover by GEC-Siemens, we could confidently expect that figure to fall to about 10,000. Five thousand high-tech jobs would be lost. GEC has a poor reputation in high-tech and we would not want chairman-management control added to the difficulties.

The Ministry of Defence requirements have been completely met. The Department requires pan-service collaboration. From its inception, Plessey has been good at that. The process provides the ingredients that others need. Plessey has carried out research and development so that it has a separate base on which to formulate this kind of enterprise. In doing so, Plessey can make a unique contribution to keeping British industry in the forefront of technology. Reserving a centre of excellence as a base in the United Kingdom is vital to our future, especially in defence. We must ensure that we preserve the leading United Kingdom semi-conductor manufacturer under United Kingdom management control. We can do that only if Plessey remains an independent company.

One of the most worrying aspects is GEC's reputation. A noble Lord told me earlier in the week that he had been a member of a company that had been taken over by GEC some time ago. The experiences of the actions of senior and middle management were disastrous. The ethos was to strip out anything worth having, to reduce employment as far as possible and to sell off assets to build up liquid resources which could be used to prey on yet another company. That could not by any stretch of the imagination be considered to be to the advantage of the British taxpayer. Such actions do not lead automatically to a keener price mechanism and certainly do not lead to a more stable and secure defence industry.

It is bad enough when this kind of attack is mounted on a company. If a company has to devote its entire managment resources for so long to fight off another bid so soon, we must consider whether there should be a limit on the frequency with which bids can be redrafted and resubmitted. If we do not do that, companies subject to predators are likely to suffer from decreased efficiency and ultimately to be taken over because they cannot maintain those high standards that they spent so long building up.

I hope that my hon. Friend the Minister can give some comfort by saying that this type of behaviour, which may have been well and good in the 1960s and 1970s, is inappropriate for the 1980s and beyond and that we can look for a more reasonable and rational approach.

2.58 pm

The Minister for Trade (Mr. Alan Clark): My hon. Friend the Member for Ilford, South (Mr. Thorne) has put his case with the succinctness and clarity that the House has come to expect of him, and has made some interesting points. Mergers and takeovers raise wide-ranging issues, and those relating to the GEC Siemens bid for Plessey are now being investigated thoroughly by the Monopolies and Mergers Commission. My right hon. and noble Friend the Secretary of State announced his decision to refer the bid, in accordance with the advice of the Director-General of Fair Trading, on 12 January. The MMC has thus only just started its inquiries, and will report within three months. It is for the commission to decide whether the merger would be against the public interest, in accordance with the provisions of the Fair Trading Act 1973.

It would, as the House will understand, be entirely inappropriate to comment on the case while it is in the commission's hands, as any such comment could prejudice the conduct of its inquiries. If my hon. Friend—or, indeed, any other interested person or body—wishes to take any further issues specific to the case he should put his views to the MMC, which has a duty to take all relevant matters into account when preparing its report.

My hon. Friend referred to the plight of the companies that are subject to repeated bids, claiming that that would inhibit their efficient functioning. He asked why there was not a statutory limit governing the intervals between which they would be inviolate from a predator. In fact there is such a provision. Under the takeover code, if an offer has lapsed a re-bid may not be made within 12 months, and under the same code a bid lapses automatically on reference to the MMC. The 12-month rule does not apply to a bid that has lapsed on reference to the MMC and is subsequently cleared.

I am sure that my hon. Friend would admit that to remove the threat of a take-over for any longer period would not be in the interests of either the economy as a whole or indeed the company itself. The threat of a take-over often has a salutary effect on the incumbent management. Management should be placed under the discipline of having to demonstrate to its shareholders that it is running the company as efficiently as possible. That, if it did nothing else, would raise the value of the shares to a level that would probably deter a predator. Any Government action that places obstacles in the way of take-overs weakens that discipline.

I should also point out that the courts have already determined that this is a different bid from the earlier one in respect of which GEC gave certain undertakings. The courts have ruled that the involvement of Siemens brings a new dimension to the position that was not foreseen either at the time of the MMC report or when the undertakings were being negotiated.

Let me now deal with the implications of the bid for the Government's mergers policy. In announcing his decision to refer the bid to the MMC my right hon. and noble Friend considered

"that there are possible effects on competition, particularly in the areas of defence electronics and traffic control equipment, which deserve investigation by the Commission."

The reference of the bid to the MMC thus falls squarely within the usual policy of my right hon. and noble Friend on mergers: that the main criterion for deciding whether to refer a bid or merger should be the effect on competition in the United Kingdom. That policy was clearly stated in a blue paper entitled "Mergers Policy", issued by my Department in March 1988. It was reiterated in a speech, referred to by my hon. Friend, made by my right hon. and noble Friend to the stock exchange conference for industry last October.

I should stress that a decision to refer a bid is not a final judgment about the proposed merger. It means only that there are issues that merit further investigations. It certainly does not follow that the bid will be blocked; that can be done only if the MMC finds it to be against the public interest. Of 47 references to the commission since 1983, only 11 have been blocked. If the MMC finds that a merger is not against the public interest, my right hon. and noble Friend has no powers to take any action.

The assumption underlying the Government's mergers policy is that the market should be allowed to get on with it. Government interference is justified only when there is a clear expectation that the outcome will not be in the best interests of the economy as a whole—and in the vast majority of cases, such adverse effects are manifested by a potential effect on competition in the United Kingdom. Underlying that is the judgment that, in general, market forces will be more likely to be right than the deliberations of politicians or bureaucrats.

While competition is the main consideration in deciding whether to refer a bid or merger to the MMC, My right hon. and noble Friend retains the power to make a reference on other public interest grounds. "Other public interest grounds" are often claimed to be the effect of a merger on employment or on research and development. However, it is for the parties themselves to take a view on those matters.

I appreciate that the uncertainty associated with a merger may be disconcerting for the work force concerned, particularly that of the target factory. My hon. Friend has already referred to his own constituents who are employed by Plessey, and it is true that the instinctive reaction of companies at the receiving end—particularly of unwelcome bids—is to resist mergers. However, it should not go unnoticed that that reaction is fostered, and often felt more strongly by, the management, whose own conduct may, for various reasons, have made the company vulnerable—more so than by the work force, which might in certain circumstances, and possibly in the majority of circumstances, benefit from a merger.

A merger may or may not lead to effects on local employment. They may be positive or negative, and similar changes could take place even if the incumbent management stays put. Patterns of production are subject to constant change, whether or not they are the result of a

[Mr. Alan Clark]

merger, and to seize on the possible adverse effects of a business decision as a reason for preventing them, is turning intervention into outright interference in business management—which is not an area, I am sure my hon. Friend agrees, where politicians have a record of excellence.

The GEC-Siemens bid has been seen by some commentators as an example of the industrial restructuring necessary in the run-up to 1992. Critics argue that greater weight should be given to the prospective benefits of a merger in deciding whether to make a reference. It is suggested that a reduction in competition in the United Kingdom should be accepted in order to enable large United Kingdom groups to be formed, to compete more effectively in world markets.

Arguments about the prospective gains to efficiency and to international competitiveness are considered in appropriate cases, but it would be wrong for the Government and competition authorities to take on trust the claims often made by the proposers of a merger about the benefits that will follow it. When a merger appears to pose a significant threat to competition in the United Kingdom market, the Government believe there should be a strong presumption in favour of a reference to the MMC. It is then for the commission to conduct a full examination.

The European Commission is also examining the bid. On 12 January, it announced that it considered relevant the competition provisions of article 85 of the treaty of Rome. Article 85 deals with agreements between firms which may restrict or distort competition in the EC. The joint purchase and subsequent joint operation by competitors of Plessey activities might be said to diminish competition—but the Commission has yet to take a view. Article 85(3) provides that agreements or decisions between enterprises which improve the production or distribution of goods, or promote technical or economic progress, be exempted, if the consumer secures a fair share of the resulting benefit. It is for the European Commission to determine whether such a derogation is appropriate. It requires more information from the companies concerned to determine that. The commission has said it will conclude its inquiries as soon as possible. Naturally there has been contact between my Department and the EC Commission and, as in previous cases, that will continue.

The MMC is looking at the GEC-Siemens bid for Plessey, and will submit its report to my right hon. and noble Friend in mid-April. My hon. Friend the Member for Ilford, South has ample time to put his point to the commission. The reference of this bid is fully in accordance with the Government's mergers policy, which has been clearly stated. That policy provides industry and commerce with a clear and predictable framework within which to conduct the merger and takeover activity that is such an important part of the operation of the market.

Question put and agreed to.

Adjourned accordingly at ten minutes past Three o'clock.

House of Commons

Monday 23 January 1989

The House met at half-past Two o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

Oral Answers to Questions

WALES

Severn Electricity Tunnel

1. **Mr. Stern:** To ask the Secretary of State for Wales what are the implications for the development of Welsh industry of a second Severn electricity tunnel; and what steps he is taking to secure such a tunnel.

The Secretary of State for Wales (Mr. Peter Walker): This is an operating matter for the industry, but I understand that there is more than sufficient generating capacity in Wales to meet expected demand in Wales well into the next century. The industry, therefore, has no plans to build a second cable tunnel.

Mr. Stern: I am grateful to my right hon. Friend for that reply, because the construction of such a tunnel would cause considerable disruption in and around my constituency. Would he, however, bear in mind that given the strength and the growth of the industry in Wales generally, such provision may be necessary at some time in the future?

Mr. Walker: We are, obviously, reviewing this carefully. Certainly, the present trend in Welsh industry is of remarkable expansion. The inward investment in 1988 is to provide 13,600 jobs and the regional grants which were on offer in 1988 involved 31,500 new jobs. Therefore, one has carefully to examine the needs for energy during a period of such expansion.

Mr Gwilym Jones: My right hon. Friend knows well that the tunnel is not the only alternative, because in his former incarnation as the Secretary of State for Energy, he dramatically increased the public commitment to a Severn barrage, which could also include a road crossing. In view of the chaos last week caused by the closure of the Severn bridge, will my right hon. Friend take this opportunity to demonstrate his commitment to the second crossing and state when he expects it to be in place?

Mr. Walker: I am pleased to say that the Ministry of Transport has speeded up the arrangements to obtain the appropriate tenders. I believe that there will be a need for this to be in place as quickly as possible and I envisage that it will be in place by the mid-1990s.

Water Privatisation

2. **Mr. Ray Powell:** To ask the Secretary of State for Wales what assessment he has made of the impact of water privatisation on the environment of Wales and the health of the people of Wales.

Mr. Peter Walker: The establishment of the National Rivers Authority has been widely welcomed on environmental grounds. I am satisfied, too, that the proposed regulatory regime, under which the successor company to the Welsh water authority will operate, will provide adequate protection for the customer both in terms of quality of service and charges.

Mr. Powell: As a wet in the Cabinet, is the Secretary of State now drying out on the question of water privatisation, or has he been dangled a carrot by the Prime Minister, as a carrot was dangled to the chairman of the Welsh water authority by his predecessor to persuade him to change his mind about privatisation in one weekend? Has the right hon. Gentleman read in today's *Independent* an article by Jeremy Warner, which forecasts a 20 per cent. increase in water charges within the next few years—and that is before the investors get their greedy hands on our water? Over the past 10 years it has cost 10p to spend a penny. How long will it be before it costs us £10?

Mr. Walker: I warmly welcome the prospect for the first time of the people of Wales having a direct stake in their water company. I welcome, too, the fact that they will be able to arrange investment programmes without constant reviews by the Treasury, which were especially harsh during periods of a Labour Government. I believe that the provisions secure the river system that was created under the last reorganisation of water and that the Welsh people will warmly welcome the opportunity of having their own direct stake in this industry.

Sir Raymond Gower: Is not a respectable percentage of British water already under private ownership? Will my right hon. Friend tell us whether there have been all these terrible consequences because of that fact?

Mr. Walker: No. What is true is that prior to the last major water reorganisation, when a lot of water was in the hands of local authorities, there were enormous increases in pollution, great problems and a failure to invest. It is true, too, that the investment programmes of water authorities have since been affected by the Treasury decisions of all political parties. I believe that a company very much owned by the Welsh people and its employees —independent and strong—will be a considerable success and an advantage to Wales.

Mr. Livsey: Most people in Wales are opposed to water privatisation, but, nonetheless, it seems as though the Government will try to push this measure through. Has the Secretary of State any practical plans to enable consumers to become shareholders in Welsh Water plc?

Mr. Walker: We will have many plans for all the people of Wales to participate if they wish. I look forward with great pleasure to the hon. Gentleman's party and all the other parties making a commitment at the next election to renationalise the water industry, but I doubt whether they will.

Sir Anthony Meyer: Is my right hon. Friend aware that the Welsh people are extremely pleased and confident in the steps that he is manifestly taking to ensure that, if there must be privatisation of water, the interests of Welsh consumers and the environment of Wales will be fully protected?

Mr. Walker: Yes, Sir. That is an important matter and I am delighted at the conclusions that we have reached.

Mr. Rowlands: Is the Secretary of State aware of the sharp increase in the number of disconnections of water supplies to households? Will the Government introduce a statutory code on disconnections to ensure that the Welsh water authority sends a representative to visit every house to discover whether it is disconnecting water supplies to the frail, elderly or the disabled, because that is what is happening at present?

Mr. Walker: That is happening under a system that the hon. Gentleman wants to protect and retain. I only hope that if that system is working badly now, it will improve under privatisation.

Mr. Raffan: Does my right hon. Friend agree that as the Welsh water authority regards 95 per cent. of the 88,000 acres of land it owns as operational—in other words essential to water supply and water treatment—and as that land is and will continue to be subject to our planning laws, the threat to the Welsh environment is more imaginary than real?

Mr. Walker: Yes, Sir. It is an understandable ploy to try to create a scare before privatisation—it frequently happens. The present water authority has disposed of land under the present system and I have no doubt that that practice will continue if it considered that it is sensible and correct. I believe that there is no danger on environmental or recreational grounds. In fact there may well be a considerable improvement on recreational grounds.

Mr. Wigley: Will the Secretary of State give an assurance that if Welsh Water plc comes into existence —regrettably it appears that that will be the case—people will not be forced, under any circumstances, to take water meters in their homes, because of the adverse effects that that would have on health?

Mr. Walker: I do not know what policy will prevail on water meters in future. However, such a system has operated in certain places in England for some time, for example in Malvern, and I do not believe that there is any evidence that that system has had an adverse effect on people's health.

Mr. Barry Jones: May I confirm to the right hon. Gentleman that the people of Wales already own the Welsh water authority. Surely in health matters the guiding principle is need before profit. If the right hon. Gentleman cannot accept that, we are in danger of regressing to Victorian standards with major implications for public health in Wales. Will the right hon. Gentleman give me an absolute assurance that, after privatisation, we shall not have a steep rise in disconnections and in prices? Will he also come clean on the future of the Wrexham and East Denbighshire water company? Surely he will not abandon that little £6 million company to the takeover specialists.

Mr. Walker: The "owned by the people of Wales" argument also could have been applied to electricity and gas when a Labour Chancellor of the Exchequer decided to raise an extra £200 million to meet the payments to the International Monetary Fund from gas and electricity price increases. I do not believe that the people of Wales feel that they have any direct control, ownership or participation in Welsh Water when the investment programmes are settled, not by them, but by the Treasury.

I shall consider the detail and the points raised about the Wrexham and East Denbighshire water company. All I can say is that under present arrangements mergers betwen water companies have taken place, but what happens must be in the best interests of Wrexham and Wales.

Rail Services

3. **Mr. Anderson:** To ask the Secretary of State for Wales when he last met the chairman of British Rail to discuss rail services in Wales.

Mr. Peter Walker: I met Sir Robert Reid on 12 December 1988 when we discussed a range of issues. I am glad to say that since that meeting British Rail has announced additional morning and evening trains on the Paddington to south Wales line, with an additional 1,600 seats per day on the evening service out of Paddington from May 1989. Indeed, some extra trains are being introduced this very day.

Mr. Anderson: When the Secretary of State meets the chairman of British Rail he should raise two matters designed to maximise the advantages to Wales of the Channel tunnel. First, because the new terminal will be sited at King's Cross, will he consider the importance of the cross-London link with the west and Wales route? Secondly, if the advantages of the Channel tunnel are to be spread throughout south Wales, will he consider the need for a second freight terminal in south-west Wales, ideally in Danygraig near Swansea?

Mr. Walker: I shall certainly convey those views to the chairman of British Rail. We had a long discussion about the Channel tunnel. British Rail's final schemes have not been fixed and the final decisions have not been taken, but I can assure the hon. Gentleman that in the view of the chairman of British Rail the potential of freight from south Wales was of considerable advantage to British Rail which is anxious to have good arrangements for the use of the Channel tunnel. I shall convey the specific points raised by the hon. Gentleman to the chairman of British Rail.

Mr. Coleman: Is the right hon. Gentleman really satisfied with his discussions with British Rail about improved passenger services? Is he aware that those of us who use the line from Cardiff to Swansea are experiencing a diminution of the service? Is he aware that not all Inter-City 125 trains terminate at Swansea?

Mr. Walker: I specifically discussed the line from Cardiff to Swansea and its future. I am pleased to inform the hon. Gentleman that the line is doing well and remaining viable and that freight and passenger traffic is increasing. British Rail has plans to improve the volume of service and the availability to passengers on that particular stretch of the line.

Mr. Stern: When my right hon. Friend next meets the chairman of British Rail, will he raise yet again the effect of a curfew on travel from Wales via Bristol late at night? For some time it has been impossible to travel back to Bristol at any sensible time in the evening. Would it not be a good idea to reinstate the service, which I am quite sure affects the constituencies of many Opposition Members as well as my own?

Mr. Walker: The service between Bristol and Cardiff was not specifically discussed. I shall certainly look into the matter and convey my hon. Friend's views to British Rail.

European Community

4. **Dr. Thomas:** To ask the Secretary of State for Wales when he next plans to visit the European Commission or to attend the Council of Ministers in relation to the particular needs of Wales.

Mr. Peter Walker: I hope to visit Brussels during the next few months for discussions with incoming members of the Commission on matters of relevance to Wales.

Dr. Thomas: How many times has the Secretary of State for Wales attended the Council of Ministers as a United Kingdom Minister? If he has not, done so, why not?

Mr. Walker: I have not done so because, having negotiated with the Council of Ministers on previous occasions, I believe that the best negotiating strength is to have one negotiator. I hold that view very strongly. I know that the hon. Gentleman is in the middle of an election campaign. I am very happy to discuss the considerable investments that have come to Wales, including those parts that he is hoping to represent, as a result of negotiation which I have influenced and in which I have taken part.

Mr. Denzil Davies: When the right hon. Gentleman meets the Commission will he explain that his Government's policy of high interest and exchange rates is now beginning to have a damaging effect on the Welsh economy? Will he also ask the Commission to bring pressure upon Her Majesty's Government at last to join the European monetary system so that we can have lower interest rates, more realistic exchange rates and a better chance for the Welsh economy?

Mr. Walker: In the right hon. Gentleman's views of the current state of the Welsh economy I recognise the eagerness of the Labour party to spread depression at the earliest possible moment. The figures that I gave in answer to an earlier question—*[Interruption.]* If the right hon. Gentleman would like the last three months' figures on inward investment into Wales, it is just possible that the high interest rates affecting some overheated parts of the economy are making firms and industries elsewhere consider the possibility of moving. I am also glad to say that last week interest was expressed in an acquisition of considerable importance in the right hon. Gentleman's constituency.

Sir Anthony Meyer: Setting aside the manifest desirability of Britain joining the European monetary system and exchange rate mechanism, just how much influence does my right hon. Friend reckon Wales would exercise in Brussels were we to follow the policies advocated by the hon. Member for Meirionnydd Nant Conwy (Dr. Thomas)?

Mr. Walker: The influence is very considerable. I believe that the talks that I shall have with individual members of the Commission, specifically bringing to their attention some of the problems in Wales in various sectors of economic activity, are very important. I believe that the total clout of the British Government in achieving those objectives is considerable and would be diminished if the policies pursued by at least one party in the House were carried out.

Eggs

5. **Mr. Ieuan Wyn Jones:** To ask the Secretary of State for Wales when he last met representatives of egg producers in Wales; and what was discussed.

The Minister of State, Welsh Office (Mr. Wyn Roberts): Representatives of egg producers in Wales have not requested any meetings with my right hon. Friend, but meetings with officials have been arranged.

Mr. Jones: Does the Minister agree that the confusion that arose following the statement by the then junior Health Minister, which led to disastrous consequences for egg producers and uncertainty among consumers, was the result of Government inefficiency, in that two Departments were giving conflicting advice? Does the Minister further agree that the real lesson to be drawn as a result of this episode is that on issues such as this the Government should speak with one voice and issue clear and unambiguous guideliness to both consumers and producers?

Mr. Roberts: I disagree with the first part of the hon. Gentleman's question. Uncertainty over the implications of salmonella gave rise to a sharp decline in egg sales before Christmas. In those wholly exceptional circumstances, the Government decided to introduce short-term measures, which have been very effective. The surplus has been removed and there is every prospect of balanced production in the near future. I assure the hon. Gentleman that there is close liaison on health aspects between the Minister of Agriculture, Fisheries and Food and my right hon. Friend the Secretary of State for Health. There is similar close liaison between the departments in the Welsh Office that are the responsibility of my right hon. Friend the Secretary of State for Wales.

Mr. Gwilym Jones: Does my hon. Friend agree that both sides are equally vital: that without the farmer there would be no consumer and that without the consumer there would be no farmer? I believe that my hon. Friend, and his counterpart in the Ministry of Agriculture, Fisheries and Food, should be congratulated on introducing the compensation scheme at such short notice. It has achieved fairness for both the producer and the consumer and it has cost the taxpayer far less than was anticipated.

Mr. Robert: I am grateful to my hon. Friend. He is absolutely right; the measures were introduced very quickly and they have been successful. The interests of

both producers and consumers have been protected as far as possible, and of course, much more will be done in the future.

Local Authority Associations

6. **Mr. Murphy:** To ask the Secretary of State for Wales when he last met the Welsh local authority associations; and what matters were discussed.

The Parliamentary Under-Secretary of State for Wales (Mr. Ian Grist): My right hon. Friend met representatives of the Welsh counties committee and the committee of Welsh district councils at a meeting of the Welsh consultative council on local government finance on 8 December to discuss the Welsh rate support grant settlement for 1989-90.

Mr. Murphy: Does the Minister agree that in these discussions the district councils in Wales have been pressing for more cash in order to reduce the appallingly high number of people on housing waiting lists in Wales, now at a record 70,000? Does he also agree that house prices in Wales have risen faster than in any other part of the United Kingdom? Does he not accept that housing prospects for young people in the Principality have now reached crisis point?

Mr. Grist: The hon. Gentleman knows full well that housebuilding in Wales is reaching a new peak and that over £70 million was voted for new housebuilding in Wales this year. It will have a major impact on housing conditions. I am afraid that waiting lists are a reflection, as much as anything, of social change and breakdown. That is something that does not lie within the Government's remit to alter. Prices are a reflection of demand. Demand in Wales is rising because we have a successful economy. Rising prices are also a reflection of rising earnings, which regrettably are part of the inflationary spiral that we wish to bring down.

Dr. Marek: Will the Minister confirm that housing benefit will continue to be paid to local councils in Wales according to how much, in each year, they pay out?

Mr. Grist: Housing benefit will be made available to councils to meet the cost of economic rents for those in receipt of benefit. We have made that plain from the start.

Health Service

7. **Mr. Michael:** To ask the Secretary of State for Wales what initiatives he plans to take in 1989 to improve the standards of the Health Service in Wales and increase the morale of staff at all levels of the Health Service.

Mr. Grist: Record numbers of patients were treated in 1987-88, and the record level of resources announced recently by my right hon. Friend should enable authorities to do even better in 1989.

Mr. Michael: Does the Minister recognise the inadequacy of that response? Does he realise just how much ancillary workers contribute to the tender loving care that is provided by the Health Service and that their low pay is now a real embarrassment to consultants and administrators as well as to patients and the general public? What does he say to the domestic worker who this month told the *South Wales Echo* that the reward for 18 years' service was to be forced into part-time work and to lose £18 a week?

Mr. Grist: That is a change of song from how badly paid nurses were and remembering how badly paid medical staffs were in the 1970s. The hon. Gentleman changes his tune as it suits him. We have been seeking to ensure that payments in the Health Service go towards patient benefit. Competitive tendering is to the benefit of the patient and the Health Service. We shall continue that policy within the Health Service and local government.

Sir Raymond Gower: Is my hon. Friend satisfied that health authorities in Wales use the money that is allocated to them in the best possible way? Is he aware that the South Glamorgan health authority, for example, proposes to use it in the wrong way? It intends to build an utterly unnecessary hospital in south Cardiff and not to make use of the marvellous facilities that are available in hospitals such as Sully hospital in my constituency. That is the absurdity of the position. Many consultants in the Llandough-Sully area have told me that they regard the proposed hospital for south Cardiff as wasteful, unnecessary and harmful to the Health Service in the county of South Glamorgan.

Mr. Grist: My hon. Friend's support for Sully hospital has been noted for many years. What he said this afternoon will be taken note of by my right hon. Friend in considering the draft strategic plan of the health authority which is before him at present.

Mr. Win Griffiths: Has the Minister had recent discussions with junior doctors? What hours do they work? I believe that their hours are still very long. What has the Welsh Office done in the past year or two to provide resources to cut the hours that junior doctors on call must work in hospitals?

Mr. Grist: It is fortunate for us in Wales that few junior doctors in Wales work the long hours that have been reported in England. We take the matter seriously. Our district authorities convene meetings to look into the matter, and we are monitoring closely. As I said, we do not have the problem that is experienced in England.

Mr. Raffan: When does my hon. Friend expect to publish the study that he commissioned on cancer treatment services for patients in north Wales? What action is the Welsh Office taking to reduce the lengthy time that north Wales patients must wait for cardiological services at Liverpool?

Mr. Grist: I shall write to my hon. Friend on the latter point. On the comprehensive study of cancer services, which was started on 1 September last year, it is a little early as yet for a report, but we shall certainly release it as soon as we can.

Mrs. Clwyd: Will the Minister explain—if he cannot explain, will he order an investigation—the substantial increase in deaths from breast cancer in six out of eight Welsh counties and from cervical cancer in four out of eight Welsh counties over the past 10 years? In view of the alarming figures, is the Minister satisfied that the screening programme in Wales is adequate?

Mr. Grist: The hon. Lady must accept that it is a little difficult to assess matters over the past 10 years when we

have only just put in place the cervical cancer screening service, which is covering the whole of Wales now, and the breast cancer screening service, which, as she knows, was launched at the headquarters and with the new team in Cathedral road, Cardiff, and will be available shortly. It is a little early to draw conclusions from the past 10 years so I cannot answer her on that.

Mr. Favell: Are there any firm proposals to contract out medical services, following the excellent private sector kidney dialysis unit at Bangor, Caernarvon, which has saved lives and reduced waiting lists? Is that to be done elsewhere in Wales?

Mr. Grist: Certainly, this is a system that we would recommend widely. As my hon. Friend said, it has been spreading through Wales and we hope that it will serve as an example for other parts of the United Kingdom.

A470

8. **Mr. Livsey:** To ask the Secretary of State for Wales what plans he has for improving the A470 trunk road in mid-Wales.

Mr. Wyn Roberts: Our policy for the A470 is to continue to undertake selective improvements to reduce journey times, improve road safety, and remove through traffic from communities. Details of planned schemes will be included in the forthcoming edition of "Roads in Wales".

Mr. Livsey: Has the Minister studied the development of the A9 in Scotland, from Perth to Inverness, which overcame many of the sorts of problems with which the A470 is confronted in Wales? Does he have plans to put into action a programme of a similar type to that for the A9, which has cost historically £240 million for 112 miles of road, as a comprehensive scheme to improve the A470 and bring Welsh communications into the 20th century?

Mr. Roberts: The A9 in Scotland is a far cry from the A470 in Wales, on which we have already spent about £134 million, involving 26 schemes, since 1979. We are due to spend another £43 million on a further 26 schemes which are in preparation. If my arithmetic is correct, those two figures added together are pretty near the figure the hon. Gentleman gave for the A9.

Mr. Ron Davies: Does the Minister accept that improvements to the A470 in mid-Wales will merely make more accessible the land holdings now owned by the Welsh water authority? That being so, does he recognise that they will become more attractive to foreign investment? The safeguards that the Secretary of State announced on 11 January, which were designed to keep Welsh water holdings in Welsh hands after privatisation, will not be successful. Will he bear these points in mind when improving the A470, and take all necessary steps to protect our valuable holdings?

Mr. Roberts: I have already said that we have about 26 further improvement schemes for the A470 in mind. They will help to make that beautiful part of mid-Wales more easily accessible.

With regard to the land holdings of the water plc, as my right hon. Friend has just told the House, the water authority has the power to sell land and the future plc will have the same power. But that is subject to planning permission and all the other constraints related to the purity of the water supply.

Disabled People

9. **Mr. Wigley:** To ask the Secretary of State for Wales what steps he proposes to take to improve services for physically disabled people in Wales; and if he will make a statement.

Mr. Grist: Wales has often taken the lead in the provision of services for the disabled. We will continue to consult with the main interested bodies over further developments.

Mr. Wigley: Is the Minister aware of the dismay at the length of time it has taken for the Welsh Office to respond to the representations made last July by the Welsh Council for the Disabled and the Spastics Society in Wales? I understand that it will be next month before a meeting takes place. Does he accept that the Welsh Office's planning statistics show that there has been a steady decline in expenditure by social service authorities on services for the physically handicapped over the past 12 years? What will he do to ensure a strategic approach that guarantees fair play for physically handicapped people in Wales?

Mr. Grist: I pay tribute to the discussion document to which the hon. Gentleman referred, to his part in it and to the activity behind it. We certainly take next month's meeting between these organisations and officials in my Department extremely seriously, and I hope that we shall be able to progress from there.

It is a little unfair to say that expenditure has been falling, as there has been an increase of about £3·5 billion in expenditure on the disabled under this Government—a 92 per cent. real increase since we came to office.

Mr. Geraint Howells: I am sure the Minister is aware that the people of mid-Wales have been trying to collect £400,000 to buy a scanner for Bronglais hospital in Aberystwyth during the past four months. Up to now we have exceeded £220,000 in that attempt. Does he have any plans to give us a contribution?

Mr. Grist: My wife is a member of the league of friends of Cardiff royal infirmary and she is doing her best for that hospital. I have visited Gwynedd and viewed its new scanner which, I believe, was opened today. There are voluntary movements all around Wales, which are a sign of the local spirit and of the local communities' support for their health authorities and their health movement. We should like to see a great deal more of that.

Labour Statistics

11. **Mr. Roy Hughes:** To ask the Secretary of State for Wales what are the latest unadjusted figures for unemployment in *(a)* Newport, *(b)* Gwent and *(c)* Wales; and if he will give the equivalent figures for 1979 on the most nearly comparable basis.

Mr. Peter Walker: On 8 December 1988 the number of unemployed claimants in the Newport district, Gwent and Wales were 6,056, 18,200 and 114,533 respectively. Unadjusted figures for 1979 are not available on a basis that enables a valid comparison to be made. I am sure that

the hon. Gentleman will welcome the continuing downward trend in unemployment in Wales which fell by 24,800 in the past 12 months, and by 59,800 in the past 33 months.

Mr. Hughes: Does the Secretary of State agree that Britain is now regarded as the filthiest country in Europe, with streets littered with litter, junk and graffiti and that there is plenty of evidence of that in Wales? Therefore, would it not be sensible to take people off the dole queue to perform the vital work of clearing it up? It is one thing to keep down the rates, but does the Minister agree that that should not be at the expense of essential services?

Mr. Walker: This Government have a remarkable record of providing jobs in community programmes. I was disappointed that the hon. Gentleman did not turn up at the last Welsh Question Time to ask that question. I thought that that was because he was depressed by the progress that has been made. That progress has now accelerated and there has been a terrific improvement in the position in Newport so I hope that, for once, the hon. Gentleman will welcome it.

Mr. Ian Bruce: Does my right hon. Friend agree that in terms of unemployment decreasing, the record in Wales is excellent? Many of us in the south-west, and certainly in Weymouth in my constituency look with great pride at the way in which Welsh people have demonstrated their ability to attract high technology jobs. Does my right hon. Friend agree that the thoughts of the people of Wales should not be on picking up rubbish and litter but on the high technology jobs that the Government have provided?

Mr. Anderson: On a point of order, Mr. Speaker. Was that not a clear abuse of the House?

Mr. Speaker: It is a United Kingdom Parliament.

Mr. Walker: I am sure that my hon. Friend regrets that several Opposition Members, representing Welsh constituencies, are not as enthusiastic as he is about the considerable inward investment in Wales, the considerable volume of new businesses that are being created in Wales and the wide diversity of free enterprise economies that are now taking place in Wales which, I am afraid, leave no place for Socialism in the future.

Mr. Barry Jones: May I remind the right hon. Gentleman of the sharp attack on high interest rates that was made by the CBI director for Wales, the much respected Mr. Kelsall? Did the right hon. Gentleman see the reference by the Cardiff chamber of trade to high interest rates being "a headache"? Does he agree that the policies of the Chancellor of the Exchequer are creating difficulties that imperil the Welsh economy's capacity for recovery? We all know that the right hon. Gentleman disagrees with the Chancellor of the Exchequer on high interest rates, but what is he going to do besides making coded attacks?

Mr. Walker: One thing I will not do is be lectured by a Minister of a former Administration, under whom high interest rates and penal taxation were combined with high inflation. There was very real damage during that period, which compares with last year when there was record inward investment, record regional assistance and regional aid, record factory building and record numbers of new businesses. I am delighted that the CBI in Wales is delighted at the progress being made.

Nurses (Pay)

12. **Mr. Morgan:** To ask the Secretary of State for Wales how many appeals have been lodged by nurses employed by the South Glamorgan health authority and in Wales as a whole.

Mr. Grist: The number of formal appeals is not yet known.

Mr. Morgan: I welcome that comprehensive answer. It must be a record for comprehensiveness. Without pressing the Minister on the absent statistics, may I ask him whether as a matter of principle he has yet made up his mind about accepting appeals from bank nurses? In England they appear to have been told that they can appeal against their grading, but they cannot do so in Wales despite the heavy responsibilities which, like night nurses, they carry in the hospital service.

Mr. Grist: I think that the hon. Gentleman has been in correspondence with us. Bank nurses have never had the right of appeal and it is not the case, as some people have asserted, that this has been removed from them by their employers. There is an exception in some cases where a bank nurse works regular hours each week and where she might be classed as a part-time member of staff. I think that that is where the misunderstanding with England may have come about.

Rating Reform

13. **Mr. Harry Barnes:** To ask the Secretary of State for Wales what assessment he has made of the implications of the introduction of poll tax for the percentage of the population of Wales of 18 years and over who will appear on the electoral register for 1989.

Mr. Grist: We do not expect the community charge to have any effect on the electoral register.

Mr. Barnes: By common usage and common sense, the community charge is generally known as the poll tax because it taxes people per head. Are people liable to lose their political heads by not registering for payment either on the poll tax register or on the electoral register, and will that not affect Wales as well as England and Scotland?

Mr. Grist: I think that the hon. Gentleman makes the wish father of the thought. Over 99 per cent. of people in Scotland have registered for the community charge despite the best efforts of what I regard as some irresponsible Opposition Members.

ATTORNEY-GENERAL

House of Fraser (Takeover)

31. **Mr. Rooker:** To ask the Attorney-General if he will make a statement on the progress of consideration by the Director of Public Prosecutions and the director of serious fraud office of the inspectors' report on the takeover of the House of Fraser and the contents of the book "A Hero from Zero".

The Solicitor-General (Sir Nicholas Lyell): Investigations are continuing and will be concluded as soon as possible.

Mr. Rooker: I thank the Solicitor-General for that reply. Does he accept that it is six months this week since the serious fraud office received the inspector's report on the House of Fraser? Will he confirm that there is no undue delay in reaching a decision one way or the other simply because people in high places are involved? Does he accept that the longer the delay in reaching a decision, the greater will be the concern of the thousands of House of Fraser employees who have been bought and sold by international business men as if they were pawns? It appears from the report that they are, in the words of one of the judges, being bought and sold

"from cash from under the mattress."

The Solicitor-General: I certainly confirm that the matter is of considerable complexity and has been proceeding with all proper expedition.

Mr. Tim Smith: Does the Solicitor-General have any additional information about the book "A Hero from Zero"? Could he tell the House the selling price, how many copies have been sold and whether it has yet appeared in the best-seller lists? Will he be recommending it for the Booker prize for fiction?

The Solicitor-General: My hon. Friend will appreciate that those facts do not fall within my responsibilities.

Director of Public Prosecutions

32. **Mr. Mullin:** To ask the Attorney-General when he last met the Director of Public Prosecutions; and what was discussed.

The Attorney-General (Sir Patrick Mayhew): On Wednesday 18 January. We discussed a variety of matters of departmental interest.

Mr. Mullin: Does the Attorney-General not agree that it is extraordinary that these two rogues, the Al Fayed brothers, have pulled off one of the biggest stings in British financial history? They have misled the Government and their merchant bankers, Kleinwort Benson, and have breached the Companies Act. Will the Attorney-General tell us whether it is out of concern for those in high places whose reputation is at stake that he has waited so long to take any sort of action in this case?

The Attorney-General: I think that my hon. and learned Friend the Solicitor-General has dealt with that part of the hon. Gentleman's lengthy question which falls within the responsibility of the Law Officer.

Mr. Lawrence: Did my right hon. and learned Friend discuss with the Director of Public Prosecutions the Green Paper on the future of the legal professions? In particular, is he aware that if solicitor members of the Crown Prosecution Service, or any other solicitors, are accorded extended rights of audience in the higher courts, there will be no reason for youngsters entering the legal profession to choose the Bar with its much lower early earnings, and, as a result, the Bar will wither away? Is that part of the Government's intention?

The Attorney-General: These matters will, no doubt, fall within the purview of the Green Paper to be produced shortly by my right hon. and learned Friend the Lord Chancellor.

Mr. John Morris: While I welcome the appointment of a distinguished lawyer as Director of Public Prosecutions, is it not time to consult the head of the Civil Service on whether a top administrator should be drafted in to support him? Will the Attorney-General accept that there is deep concern, at a senior level within the CPS, about achieving its objectives and providing an organisation of which young lawyers can be proud? Will he now examine the concern about the divorce between those who make the policy and those who handle case work and the undue pressure to produce bits of paper as tools of management? Since "tinkering with the system"—to quote the *Sunday Times*—is ineffective, would the right hon. and learned Gentleman object to some of the administrative responsibilities of himself, the Lord Chancellor and the Government's legal service generally being subjected to the scrutiny of a Select Committee?

The Attorney-General: I have full confidence in the administration of the Crown Prosecution Service under the directorship of the DPP, Mr. Allan Green. The right hon. and learned Gentleman will know that there are always difficulties when one sets up a new service, as has been the case here. However, it is more constructive and helpful generally to those who have worked extremely hard and effectively within the service, admittedly understaffed in the lawyers' section in its first two years, to reflect on the views of, for example, the president of the Association of Chief of Police Officers, the chairman of the Magistrates Association and the deputy assistant commissioner, who heads the Metropolitan police liaison with the CPS. All of them have remarked recently on the great improvement in the performance of the CPS in comparison with its early months.

Abortion

33. **Mr. Ken Hargreaves:** To ask the Attorney-General how many prosecutions were brought by the Crown Prosecutions Service under the Infant Life Preservation Act 1929 in 1988 and if he will make a statement.

The Solicitor-General: None, Sir.

Mr. Hargreaves: May I suggest that the Infant Life Preservation Act is not being implemented? As it gives no protection to children capable of being born alive or, for that matter, to babies being born alive and left to die, would it not be better to repeal it?

The Solicitor-General: My hon. Friend probably misunderstands the requirements of the Infant Life Preservation Act. The case that he has in mind was carefully looked into and it is clear that there was no evidence on which anybody could have been charged. The Act could, nevertheless, be helpful in appropriate circumstances.

Miss Widdecombe: Bearing in mind that the Carlisle baby was born alive, are we to assume that the Infant Life Preservation Act not only fails to give coverage to those capable of being born alive but gives no recourse in law to the parents of a child born alive but allowed to die?

The Solicitor-General: Once again, I think that my hon. Friend does not appreciate the ingredients of the Act, but I should be happy to discuss them with her, in private.

Crown Prosecution Service

34. **Mr. Vaz:** To ask the Attorney-General what steps he proposes to take to improve staffing levels in the Crown Prosecution Service; and if he will make a statement.

The Attorney-General: I have recently announced a new recruitment campaign, led by a senior lawyer in the Crown Prosecution Service, aimed at reducing its current shortfall of some 400 lawyers. The Government's acceptance last week of Sir Robert Andrew's recommendations for an improvement in the pay of Government lawyers will be of significant help to our efforts.

Mr. Vaz: I listened carefully to the reply given by the Attorney-General to my right hon. and learned Friend the Member for Aberavon (Mr. Morris) and I agree that we should congratulate those who work in the service on the enormous work that they do under great pressure. However, is not the operation of the CPS approaching a crisis? In Leicester, only 10 of the 22 established posts for lawyers have been filled. Although this is a new service, is it not important that we have an independent inquiry into the way in which the service is operated, because of the staffing levels? I say this as a friend of the service and as one who campaigned for the establishment of an independent service.

The Attorney-General: I am grateful for what the hon. Gentleman has said and for his support of the service, which is acknowledged and much appreciated. The answer to his question about an independent inquiry is no. The difficulties are well known. The CPS is deploying its bait for recruits in a pool that is already overfished. Contrary to popular impression, there is a shortage of lawyers. We have to make the CPS more attractive, and we are already succeeding in that because of the pay increase that I was able to announce towards the end of last year. Sir Robert Andrew's recommendations hold further promise for improvement. I am grateful to the hon. Gentleman, but it would only be an unnecessary distraction if the inquiry that he suggests took place.

Mr. Hind: Will my right hon. and learned Friend bear in mind that once the Green Paper, to be published on Wednesday, comes before hon. Members, pressure will inevitably develop for the Crown Prosecution Service to be able to hire its own barristers to undertake Crown court cases? Will he therefore consider, when the matter is raised, that at present salary levels, senior juniors with 15 or 20 years' experience who are currently carrying out prosecutions for the service at the Old Bailey and in Crown courts throughout the country, will not be attracted to the service?

The Attorney-General: Those are considerations that might usefully arise after the publication of the Green Paper. I hope that my hon. Friend will excuse me if I do not follow him into those realms now.

OVERSEAS DEVELOPMENT

War on Want

43. **Mr. Allen:** To ask the Secretaryof State for Foreign and Commonwealth Affairs if he will meet representatives of War on Want to discuss aid policy.

The Minister for Overseas Development (Mr. Chris Patten): I am prepared to meet representatives of War on Want to discuss matters of mutual concern.

Mr. Allen: Will the Minister meet representatives of War on Want to discuss the overseas aid provided by the Government? At 0·28 per cent. of GNP, it is shameful and nowhere near the United Nations recommended level of 0·7 per cent. of GNP. Will he take the opportunity to read the fourth report of the Select Committee on Foreign Affairs and set a timetable for the Government to do their duty by the United Nations and the people who require aid, and ensure that they meet the United Nations target?

Mr. Patten: I shall be delighted to meet representatives of War on Want, or other non-governmental organisations, at any time. I shall be happy to point out to them that our aid programme is set to increase by 5 per cent. in real terms and 18 per cent. in cash terms over the coming public expenditure period. To those figures I hope that we can now add the substantial additional assistance that will be provided to Nigeria.

Mr. Jacques Arnold: Were my hon. Friend to meet representatives of War on Want, would he express the view of many voluntary workers that War on Want should spend less time on party political bashing in this country and more time on providing additional assistance to those in need abroad, where it should be actively involved?

Mr. Patten: War on Want's campaign material is not balanced or objective and I suspect that it is not meant to be. Its content is a matter for the trustees and, from time to time, for the Charity Commissioners.

Miss Lestor: If the Minister meets representatives from War on Want or any other agency, no doubt they will remind him that the Prime Minister, when referring to the Government's 1981 overseas aid spending, said:

"When economic circumstances permit, we will move towards the United Nations target of 0·7 per cent. of GNP."

War on Want and others, including the Select Committee, remind the Government that, as the Christian Aid report published this month states, official development assistance is now only 64 per cent. of its real value in 1979. Therefore, it depends on from where the Minister selects his figures. Will the Minister say when a timetable will be set to meet the United Nations target?

Mr. Patten: Our position on a target is the same as that of our predecessors, the previous Labour Government. I am sure that my right hon. Friend the Prime Minister and my other right hon. Friends will be able to point to the real terms increase of our aid programme as an indication of what we can do with a stronger economy.

Afghanistan

44. **Mr. Butler:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on British assistance given to Afghanistan.

45. **Mr. Teddy Taylor:** To ask the Secretary of State for Foreign and Commonwealth Affairs what is the current level of aid being given to Pakistan to assist with the provision for refugees from Afghanistan; and if he will make a statement.

Mr. Chris Patten: We have provided about £60 million of aid since 1980 through United Nations agencies and non-governmental organisations for the relief and support of Afghan refugees in Pakistan. Our contribution this financial year is £10 million.

Mr. Butler: Will my hon. Friend confirm that no aid will be given to prop up the Kabul regime? After the fall of the regime, will aid be given for crop substitution to prevent the problem of drugs arising from that area?

Mr. Patten: We shall not be providing any aid to the Kabul regime. We shall continue to provide assistance through international organisations such as the United Nations High Commissioner for Refugees and the International Red Cross and through non-governmental organisations such as the admirable Afghan Aid. I hope that we shall be able to provide assistance for crop substitution programmes. We support some good ones that are just over the border in Pakistan. I look forward to the day when in a free Afghanistan we can provide similar assistance to such projects there.

Mr. Taylor: Does my hon. Friend agree that although Pakistan is a poor country it has set an example to the world in the dignity, understanding and charity with which it has looked after so many refugees for such a long time? Bearing in mind that those refugees are unlikely ever to return to Afghanistan even if the war comes to an end and peace is restored, does my hon. Friend accept that the free world has a continuing responsibility to Pakistan?

Mr. Patten: I endorse what my hon. Friend has said about the role that Pakistan has played in hosting so many refugees for so long. Having seen some of the camps near Peshawar, I think that he is entirely right to give the Pakistan Government a good deal of credit for the way in which they have behaved over the past few years. I hope that he is being pessimistic in suggesting that there will not be a substantial return of refugees to Afghanistan. Such return as there is will depend on peace and stability in that country. We hope that those conditions will return, but in the meantime we shall continue to provide assistance through every channel that is available.

Burundi

46. **Sir Russell Johnston:** To ask the Secretary of State for Foreign and Commonwealth Affairs what development assistance Her Majesty's Government have offered to Burundi following the widespread killings there in October.

Mr. Chris Patten: We have provided through Oxfam £65,000 for Burundian refugees in Rwanda.

Sir Russell Johnston: Is there stability now and have the massacres ceased? Has any more development assistance been offered within the country since the European Community provided about 650 million ecu in August?

Mr. Patten: There has not been any additional European assistance beyond the European Community's contribution, to which we contributed about £115,000. We are substantial contributors to the UNHCR's programmes in Africa as a whole, spending about £13·6 million on its African programmes last year. The hon. Gentleman will know that we do not have a permanent diplomatic mission in Burundi, but we believe that the situation is calm at present and that the majority of refugees have returned. We welcome the recent steps to increase Hutu representation in the Cabinet. We hope that the president will introduce Hutu officers into the ruling military committee for national salvation.

Nigeria

48. **Mr. Speller:** To ask the Secretary of State for Foreign and Commonwealth Affairs how he will assist trade and education opportunity in Nigeria during 1989.

Mr. Chris Patten: We continue to support Nigeria through our substantial technical co-operation programme, which includes assistance to the education sector. Trade opportunities in Nigeria should benefit from the ecomomic adjustment programme on which we hope Nigeria is about to reach agreement with the International Monetary Fund. We have offered Nigeria a grant of US$100 million in 1989 on condition that the IMF standby arrangement is approved and that other donors make a substantial contribution.

Mr. Speller: I thank my hon. Friend for his useful answer. Does he accept that if a young person is trained in a host country such as the United Kingdom, the odds are that he will use British methods, equipment and machinery for the rest of his working life? Does he accept also that any cut in aid to overseas countries for education will be in every sense counter-productive for our commercial interests in the years to come?

Mr. Patten: I sympathise with my hon. Friend's argument though I do not think that matters are as mechanistic as he suggests. I am grateful for the work that he does through the West Africa committee to improve Anglo-Nigerian relations and to draw attention to the arguments that he has adduced. I am sure that he will be delighted to know that our technical co-operation and training programme in Nigeria is set to grow quite substantially. We shall be training about 365 Nigerians in the United Kingdom this year, and we intend to increase that figure to about 470 next year.

Surplus Food

49. **Mr. Wigley:** To ask the Secretary of State for Foreign and Commonwealth Affairs what is the Government's policy on giving to third world countries which suffer from famine, surplus food produced in Britain; whether this forms an integral part of the overseas aid programme; and if he will make a statement.

Mr. Chris Patten: We give priority to meeting requirements for famine and other emergencies under our food aid programme, which is an integral part of the overseas aid programme. We seek to purchase food from the most appropriate source, making use of both surpluses in developing countries and surpluses produced in Britain and other European Community countries.

Mr. Wigley: Does the Minister accept that there is something immoral in there being such massive food mountains in the West and pressure—indeed financial inducements—on producers to reduce production when people are dying of famine? Thousands have died of famine during this hour of Question Time. Is there no way in which we can be more positive about the logistics and mechanisms involved in diverting food to those who need it?

Mr. Patten: I sympathise with the thrust of the hon. Gentleman's argument, which is why we made reform of the European Community's food aid programme one of our major priorities during our presidency of the Council of Ministers. We succeeded in implementing that priority task. Food surpluses, questions about which should perhaps be directed to the Ministry of Agriculture, Fisheries and Food, can ultimately be tackled only through international action to reform agricultural policies in the richer countries of the world. We have been prominent in pressing for reform, but there is nothing more important to developing countries than continuing liberalisation of trade arrangements, and especially reductions in agricultural subsidies.

STATUTORY INSTRUMENTS &c.

Ordered,

That the Food Protection (Emergency Prohibitions) Order 1989 (S.I., 1989, No. 3) be referred to a Standing Committee on Statutory Instruments, &c.—*[Mr. John M. Taylor.]*

Point of Order

3.31 pm

Mr. Max Madden (Bradford, West): On a point of order, Mr. Speaker. During the weekend, the Home Secretary, in a well publicised speech made to his constituents, talked about immigration matters, and, yesterday, to listeners to BBC radio, he again made remarks which are directly connected with an article that appeared in yesterday's *The Observer* under the headline:

"Police set to raid sanctuaries".

The article reported what was described as

"a well-placed source in the Home Office's Immigration Service"

as saying:

"the word is to go out and whack them. It is going to be like Mendis—snatched and deported within 48 hours"—

Mr. Speaker: Order. I accept this is a matter for the Home Secretary, not for me. What is the hon. Member's point of order?

Mr. Madden: As the Home Secretary is now walking towards the Dispatch Box, can I plead with him, through you, Mr. Speaker, to make the statement that he refused to make last Thursday and Friday before the deportation of Viraj Mendis? May we ask him to make a statement about his policy on deportation, in view of most disturbing remarks by one of his officials, which *The Observer* published yesterday?

Mr. Speaker: That is a matter for the Home Secretary. I am sure that he has heard what has been said.

Prevention of Terrorism (Temporary Provisions) Bill (Allocation of Time)

3.32 pm

The Lord President of the Council and Leader of the House of Commons (Mr. John Wakeham): I beg to move,

That the following provisions shall apply to the remaining proceedings on the Bill:

Committee

1. (1) The Standing Committee to which the Bill is allocated shall report the Bill to the House on 24th January 1989.

(2) Proceedings on the Bill at a sitting of the Standing Committee on the said 24th January may continue until Eleven p.m., whether or not the House is adjourned before that time, and if the House is adjourned before those proceedings have been brought to a conclusion the Standing Committee shall report the Bill to the House on 25th January.

Report and Third Reading

2. (1) The proceedings on Consideration and Third Reading of the Bill shall be completed in one allotted day and shall be brought to a conclusion at Ten o'clock; and for the purpose of Standing Order No. 80 (Business Committee) this Order shall be taken to allot to the proceedings on Consideration such part of that day as the Resolution of the Business Committee may determine.

(2) The Business Committee shall report to the House its Resolutions as to the proceedings on Consideration of the Bill, and as to the allocation of time between those proceedings and proceedings on Third Reading, not later than 27th January 1989.

(3) The Resolutions in any Report made under Standing Order No. 80 may be varied by a further Report so made, whether or not within the time specified in subparagraph (2) above, and whether or not the Resolutions have been agreed to by the House.

(4) The Resolutions of the Business Committee may include alterations in the order in which proceedings on Consideration of the Bill are taken.

Procedure in Standing Committee

3. (1) At a sitting of the Standing Committee at which any proceedings on the Bill are to be brought to a conclusion under a Resolution of the Business Sub-Committee the Chairman shall not adjourn the Committee under any Order relating to the sittings of the Committee until the proceedings have been brought to a conclusion.

(2) No Motion shall be made in the Standing Committee relating to the sitting of the Committee except by a member of the Government, and the Chairman shall permit a brief explanatory statement from the Member who makes, and from a Member who opposes, the Motion, and shall then put the Question thereon.

4. No Motion shall be made to alter the order in which Clauses, Schedules, new Clauses and new Schedules are taken in the Standing Committee but the Resolutions of the Business Sub-Committee may include alterations in that order.

Conclusion of proceedings in Committee

5. On the conclusion of the proceedings in any Committee on the Bill the Chairman shall report the Bill to the House without putting any Question.

Dilatory Motions

6. No dilatory Motion with respect to, or in the course of, proceedings on the Bill shall be made in the Standing Committee or on an allotted day except by a Member of the Government, and the Question on any such Motion shall be put forthwith.

Private business

7. Any private business which has been set down for consideration at Seven o'clock on an allotted day shall, instead of being considered as provided by Standing Orders, be considered at the conclusion of the proceedings on the Bill on that day, and paragraph (1) of Standing Order No. 14 (Exempted business) shall apply to the private business for a period of three hours from the conclusion of the proceedings

[Mr. John Wakeham]

on the Bill or, if those proceedings are concluded before Ten o'clock, for a period equal to the time elapsing between Seven o'clock and the conclusion of those proceedings.

Conclusion of proceedings

8.—(1) For the purpose of bringing to a conclusion any proceedings which are to be brought to a conclusion at a time appointed by this Order or a Resolution of the Business Committee or the Business Sub-Committee and which have not previously been brought to a conclusion, the Chairman or Mr. Speaker shall forthwith put the following Questions (but no others)—

(a) any Question already proposed from the Chair;

(b) any Question necessary to bring to a decision a Question so proposed (including, in the case of a new Clause or new Schedule which has been read a second time, the Question that the Clause or Schedule be added to the Bill);

(c) the Question on any amendment or Motion standing on the Order Paper in the name of any Member, if that amendment is moved or Motion is made by a member of the Government.

(d) any other Question necessary for the disposal of the business to be concluded;

and on a Motion so made for a new Clause or a new Schedule, the Chairman or Mr. Speaker shall put only the Question that the Clause or Schedule be added to the Bill.

(2) Proceedings under sub-paragraph (1) above shall not be interrupted under any Standing Order relating to the sittings of the House.

(3) If an allotted day is one on which a Motion for the adjournment of the House under Standing Order No. 20 (Adjournment on specific and important matter that should have urgent consideration) would, apart from this Order, stand over to Seven o'clock—

(a) that Motion shall stand over until the conclusion of any proceedings on the Bill which, under this Order or a Resolution of the Business Committee, are to be brought to a conclusion at or before that time;

(b) the bringing to a conclusion of any proceedings on the Bill which, under this Order or a Resolution of the Business Committee, are to be brought to a conclusion after that time shall be postponed for a period equal to the duration of the proceedings on that Motion.

(4) If an allotted day is one to which a Motion for the adjournment of the House under Standing Order No. 20 stands over from an earlier day, the bringing to a conclusion of any proceedings on the Bill which under this Order or a Resolution of the Business Committee are to be brought to a conclusion on that day shall be postponed for a period equal to the duration of the proceedings on that Motion.

Supplemental orders

9.—(1) The proceedings on any Motion moved in the House by a member of the Government for varying or supplementing the provisions of this Order (including anything which might have been the subject of a report of the Business Committee or Business Sub-Committee) shall, if not previously concluded, be brought to a conclusion one hour after they have been commenced, and paragraph (1) of Standing Order No. 14 (Exempted Business) shall apply to the proceedings.

(2) If on an allotted day on which any proceedings on the Bill are to be brought to a conclusion at a time appointed by this Order or a Resolution of the Business Committee the House is adjourned, or the sitting is suspended, before that time no notice shall be required of a Motion moved at the next sitting by a member of the Government for varying or supplementing the provisions of this Order.

Saving

10. Nothing in this Order or a Resolution of the Business Committee or Business Sub-Committee shall—

(a) prevent any proceedings to which the Order or Resolution applies from being taken or completed earlier than is required by the Order or Resolution; or

(b) prevent any business (whether on the Bill or not) from being proceeded with on any day after the completion of all such proceedings on the Bill as are to be taken on that day.

Recommittal

11.—(1) References in this Order to proceedings on Consideration or proceedings on Third Reading include references to proceedings at those stages respectively, for, on or in consequence of, recommittal.

(2) On an allotted day no debate shall be permitted on any Motion to recommit the Bill (whether as a whole or otherwise), and Mr. Speaker shall put forthwith any question necessary to dispose of the Motion, including the Question on any amendment moved to the Question.

Interpretation

12. In this Order—

"allotted day" means any day (other than a Friday) on which the Bill is put down as first Government Order of the Day, provided that a Motion for allotting time to the proceedings on the Bill to be taken on that day either has been agreed on a previous day, or is set down for consideration on that day;

"the Bill" means the Prevention of Terrorism (Temporary Provisions) Bill;

"Resolution of the Business Sub-Committee" means a Resolution of the Business Sub-Committee as agreed to by the Standing Committee;

"Resolution of the Business Committee" means a Resolution of the Business Committee as agreed to by the House.

There has often been a sense of routine about the timetable motions that I and my predecessors from both sides of the House have introduced in the past. They have usually been moved because the Opposition of the day had been making rather too enthusiastic a use of a legitimate weapon—time—while the Government of the day, in the end, were entitled to get their business. Barring one or two occasions, such as the famous one in July 1976, the debates have followed a fairly standard pattern, with the Leader of the House explaining how reasonable the Government were being, and his opposite number claiming that the guillotine motion heralded the imminent arrival of a police state.

Today, however, is not one of those occasions. Since tabling this motion, further discussions have taken place through the usual channels, but before I discuss that, I wish to remind the House that today we are dealing with a Bill which, if not enacted by a specific date, will have repercussions extending considerably beyond an embarrassment to the Government at suffering delay to their programme, or a temporary boost in morale for the Opposition.

As the House knows, the Prevention of Terrorism (Temporary Provisions) Act 1984 expires on 21 March this year. It is essential, if our society is to have adequate means with which to fight terrorism, that the current Bill receives Royal Assent on or before that date, and comes into force on 22 March.

If the Bill does not come into force on that date, arrest and detention powers and the power of exclusion will be lost, both of which would have extremely damaging consequences. Police throughout the United Kingdom would be without the power to arrest a person on reasonable suspicion of involvement in terrorism, and would have to wait until they had a reasonable suspicion of a particular offence. By that time it may be too late to prevent acts of terrorism occurring. The prevention of terrorism is a prime aim of the Bill.

Furthermore, if the Bill is not enacted in time, not only would the people currently excluded under the 1984 Act be able to enter Great Britain or Northern Ireland freely, but

there would be no power for the Secretary of State to exclude anybody now thought to be involved in acts of Northern Irish terrorism. Active terrorists could move freely about the country to prepare and commit further atrocities. Moreover, if the current powers of proscription were lost, the IRA could parade through the streets of Britain, recruit members openly, and even raise funds in public. There would thus be severe consequences, if the Bill were to fall behind its timetable.

The constraint on time for the Bill means that it must finish its passage through this House by the end of this month, so as to allow another place a proper amount of time for its consideration of the Bill. I recognise that this is a tight timetable, but nevertheless it was originally possible through the usual channels to negotiate an agreement on how the Bill should be discussed in Committee. The latest confirmation of the agreement was made through the usual channels on the morning of 10 January, but during the afternoon sitting of the Committee the Opposition took a different view, giving as the reason the Government's reaction to the judgment of the European Court of Human Rights in the Brogan case. That had been announced by the Home Secretary to the Committee more than two weeks previously on 22 December and confirmed by my hon. Friend the Parliamentary Under-Secretary of State for the Home Department in a letter to the hon. Member for Huddersfield (Mr. Sheerman) on 9 January.

The Brogan judgment was extensively discussed at the sittings following the Christmas recess when my right hon. Friend the Under-Secretary of State advised the Committee that there was little prospect of the Government's final response being available before the Bill was through Parliament. That was an honest and realistic appraisal of the position. It was intended to be helpful to the work of the Committee by eliminating any uncertainty about the timing of any proposals we might want to bring forward.

Earlier in Committee, the hon. Member for Huddersfield had referred to the Opposition's aim of keeping to

"a schedule that facilitates the timetable of the Bill that we know the Government must meet"—[*Official Report, Standing Committee B*, 22 December 1988, c. 236.]

By 12 January he was saying that the Opposition

"could no longer co-operate on a timetable"—[*Official Report, Standing Committee B*, 12 January 1989, c. 439]

and to underline that, was giving the Committee a lengthy homily on airport security, together with an anecdote of how he once wind-surfed from Majorca to France. Since then there have been extensive discussions through the usual channels and I shall listen to the speech of the hon. Member for Holborn and St. Pancras (Mr. Dobson) to see whether the Opposition find that they can co-operate with the Government on this timetable motion. I very much hope that we shall be able to agree to it without a Division.

So small a margin for flexibility, however, remains with this Bill, that I still consider the timetable motion vital. As the House will remember, there was a variety of opinions, both for and against the Bill, expressed on Second Reading and a substantial minority of the Opposition voted against it. I have every faith in the word of the hon. Member for Holborn and St. Pancras, but in view of the formidable delaying powers of his hon. Friend the Member for Bolsover (Mr. Skinner), which we witnessed recently, I should sleep more easily if I had the insurance policy of a timetable for this Bill.

The Committee has now sat for about 52 hours and has discussed 25 clauses. There are two clauses remaining, in addition to five new clauses tabled by the Labour party.

Ms. Marjorie Mowlam (Redcar): Will the Leader of the House give way?

Mr. Wakeham: I was about to refer to the hon. Lady and I shall finish what I was to say before she intervenes.

The hon. Member for Redcar (Ms. Mowlam) helpfully stated in Committee that by the time clause 17 had been reached, the meat of the Bill would have been dealt with.

Ms. Mowlam: I would hate the right hon. Gentleman to mislead the House. It is not a question of five new clauses being left to be debated, having been put down by the Opposition. We have debated nearly all of them. Only two new clauses are left, which we could have finished debating if Conservative Members had been prepared to sit late last Thursday. They were not, so we are having to go through all this now. We should blame the inefficiency and incompetence of Conservative Members, rather than hon. Members on the Opposition side of the House.

Mr. Wakeham: That, I think, is a recommendation for the timetable motion, because there is adequate time to discuss those two clauses.

What the hon. Lady said in Committee is now the case, and in view of that I do not think that there can be much exception to the terms of my motion, which would allow another full day, up to 11 pm, in Committee tomorrow, followed by a full day for the remaining stages.

I said that this was not a normal timetable motion. To fail to get the Bill on the statute book by 22 March would leave the country without adequate defences against terrorism. Recent events, from Lockerbie to the discovery of arms and explosives in Battersea, should have convinced hon. Members that our society is still gravely threatened, as much as it was when the Labour party passed the Prevention of Terrorism Acts in 1974 and 1976. To defeat the motion would make it impossible to achieve Royal Assent by the necessary deadline, and would enormously weaken our ability to prevent terrorism. That is simply unacceptable. Therefore, I invite all right hon. and hon. Members to vote to maintain our weapons against those who seek to destroy both our democracy and many of our people, and to join me in the Aye Lobby in support of the motion.

3.40 pm

Mr. Frank Dobson (Holborn and St. Pancras): As the Leader of the House has said, this is an extraordinary guillotine motion. It asks us to curtail debate tomorrow on the Committee stage of the Prevention of Terrorism (Temporary Provisions) Bill, when that Committee stage would have ended last Thursday if only the Government had let it. I suggest that it is a case of closing the stable door to stop the horse from getting into the stable.

Of course, the guillotine motion does not stop there. It is designed to curtail debate on Report and Third Reading, so that the Act can in operation by 22 March when the existing law expires. I am afraid that, if the Leader of the House is bothered about the tight timetable that he faces and wants to find a culprit, he need look no further than

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his own mirror, with perhaps a furtive glance at the Home Secretary. The Government have known since 1984 that the existing law would run out on 22 March this year. They could have introduced the Bill in the last Session. After all, there was plenty of time: the last Session dealt with fewer Government Bills than the first Session of any Parliament since the war.

But the Government did not bother. Instead, they decided to introduce the Bill in this Session. That did not leave much time for it to be considered properly because the Session started so late, the Queen's Speech being one of the latest on record. That was because the previous Session dragged on for far longer than usual—despite, as I have said, being faced with the smallest amount of legislation on record. It was the Government who gave themselves so little time to get the Bill through all its stages.

The problem has been made much worse by the Government's own failure to decide how to respond to the judgment of the European Court of Human Rights in the Brogan case . The court decided that part of the present law that we are being asked to re-enact is contrary to the European convention on human rights—that is, that this country is breaking the law. Admittedly, that judgment was made just before the present Bill was published, but the Commission had held the present position to be incompatible with the European convention as long ago as May 1987.

Mr. Tony Marlow (Northampton, North): The hon. Gentleman has made an important point, and I am making a genuine inquiry. He said that if we did not abide by a recommendation by the European Court of Human Rights we were breaking the law. What law are we breaking? Do we not make the laws ourselves here?

Mr. Dobson: Yes, and one of the laws that we have undertaken is to obey and fall in line with the European convention on human rights. [HON. MEMBERS: "No."] Yes, we have. That is why, if we are not going to do so, we need to derogate formally from it. But the Government appear to do no contingency planning. They seem to have ignored the likelihood of the court upholding the Commission's views, because the records of—admittedly—successive British Governments before the European Court of Human Rights is that we lose more cases than we win. The Government even ignored the promptings of Lord Colville of Culross, when he reported to them in December 1987 on the working of the Act. He suggested that the Government, in preparing the new Bill, should take into account what he mildly described as the possibility of the court upholding the opinion of the Commission.

The Government appear to have done nothing of the sort. Instead, the court's decision seems to have taken them by surprise. On Second Reading, the Home Secretary said that he would give the Government's response to the court's decision before the Bill left the Commons. He indicated that the Government's proposals would be in time to be debated in Committee. He then went to the Committee and said that Britain would derogate from the court decision—that is, not comply with it—until he had managed to sort out some solution. After Christmas it was made clear that derogation would prevail for longer than had been originally indicated.

Therefore, today, when the Government are seeking to curtail further debate on the Bill, we do not know what the Government are asking the House to do. Are they saying, "Pass the Bill as it is and then, after it becomes law, we will amend it to comply with the European court ruling", or, on the other hand, are they saying, "Pass the Bill as it is, because we have no intention of complying with the court ruling"? We know, however, that the Government propose to curtail debate on either alternative. Any suggestion that a slight extension of this guillotine motion today might permit the necessary discussion seems to us to be absurd. If we are to obtain from the Government a proposition that might meet the requirements of the European court ruling, it certainly merits longer discussion than would be provided for under this guillotine motion.

We say, too, that for the Government to derogate from the court ruling is a most serious development. To do so, the Government must claim to the Council of Europe that the present situation in this country was

"a public emergency threatening the life of the nation"—

an emergency akin to a time of war.

Whatever is the situation in Northern Ireland, to assert that the IRA or any other of the terrorist groups pose a threat to the life of this nation as a whole is to attribute to those murdering psychopaths a significance that they do not deserve, but in which they themselves revel. It would accord to those who shoot to kill and bomb to maim a status that their actions alone will never achieve—a threat to the life of this nation. Their bombing does not do that. A mature democracy, which has survived far worse dangers than any posed by the IRA, can surely survive what it is threatening.

Mr. Marlow: The hon. Gentleman is giving a lot of importance to the European Court of Human Rights. Will the hon. Gentleman say how the goings on in that court can be the laws of this land? At what stage did Parliament enact anything that obliges us to follow that? When have Members of Parliament debated it? How is it part of the law of this country? When was the country consulted as to whether we should be obliged to follow those particular——

Mr. Dennis Skinner (Bolsover): Ask the Prime Minister. She decided that.

Mr. Dobson: If the hon. Gentleman wishes to obtain the details, he had better rush off to the Library. This country has undertaken to abide by the European convention on human rights. If we do not accept that court ruling, we shall have formally to say that we are not complying with it. The hon. Gentleman may not like that situation, but that is the situation which prevails.

Mr. Seamus Mallon (Newry and Armagh): It might be as well to recognise at this stage that a British Government played a central role in setting up the European Court of Human Rights. Not only that, they played a central role in drawing up the European convention under which it has been found that this Government are guilty, because of the way in which they are detaining people.

Mr. Dobson: It has always been my understanding that it was a great source of pride that this country was the first signatory to the European convention on human rights, which is all the more reason for us to attempt to uphold it at all times.

Mr. Richard Shepherd (Aldridge-Brownhills): I am sure that the hon. Gentleman appreciates that, when we enter into international agreements, they are invariably done under preogative power. By and large, both sides of the House have accepted the right of the Executive to enter into those agreements on behalf of the nation as a whole. Therefore, when they are entered into, the House wants to support them. It is right that the House could take it back, but, by and large, we thought that this was a proper area into which executive government, on behalf of us all, could enter.

Mr. Dobson: I thank the hon. Member (Mr. Shepherd) for his assistance.

Mr. Neil Hamilton (Tatton): Does the hon. Gentleman agree that if the proposition of my hon. Friend the Member for Aldridge-Brownhills (Mr. Shepherd) is correct, we should have incorporated the European convention into our municipal law? In those circumstances it would have served to bind this country and all persons within it until Parliament took a decision to make a change. As we have maintained that convention as an international treaty only, it is open to Her Majesty's Government to derogate from it, and there is nothing disgraceful in so doing.

Mr. Dobson: The European convention on human rights specifically provides for the "high contracting parties", the Governments who have signed it, to derogate from it if they wish, but I shall consider the significance of that in a moment.

The issue of derogation brings me to the difference between our response to terrorism and that of the Government. Everybody recognises that everyone has a duty to prevent terrorists securing their objectives. It is from that desire to deny terrorists their objectives, however, that our dilemma, in a democratic country, stems. Shootings or explosions may be the immediate object of a terrorist attack, but that is not the end of the story. The death or destruction directly caused by a terrorist is not an end in itself, it is a means to an end. What the terrorist wants to do against a democratic society is to bring about a reaction from those in authority which reduces the openness of that society, undermines its normal democratic values and casts doubt on its normal judicial processes.

The terrorist also seeks a form of prestige—the prestige of being acknowledged as an extremely dangerous threat. We must bear in mind those long-term objectives of terrorists when we decide how to respond to their acts. Whatever benefits the supporters of the Prevention of Terrorism (Temporary Provisions) Act 1984 claim for it, there is no doubt that that law reduces the openness of our society and undermines our normal democratic procedures.

To announce to the world that the very life of our nation is at risk certainly accords the IRA and other groups the loathsome privilege of being acknowledged as a very dangerous threat. We believe that that is too high a price to pay. We also believe that, although our democratic instruments and institutions may inhibit our ability, as a country, to take direct, immediate and deadly action against terrorists, they are also a strength and a source of national pride. I remind the House, as I have done before, that although dictatorships have been undermined by terrorist methods in modern times, no democracy has fallen to terrorists. The strength of democracies may be less apparent, but they are deeper and more lasting.

Although we support the new proposals aimed to reduce the funds to which terrorists have access, we oppose the rest of the Bill. Its provisions for detention breach the European convention on human rights. They invade civil liberties and alienate large numbers of otherwise law-abiding people. The exclusion provisions amount to a system of internal exile, which Lord Colville, in his review of the workings of the Act, felt did more harm than good.

The right of the Executive to bar people from a part of their country without judicial interference bears an uncanny resemblance to provisions in countries whose human rights records are rightly criticised by both sides of the House. My objections, however, go further than that. The situation in Northern Ireland poses terrible problems for the people living there, for the people of England, Scotland and Wales, for the Government, for the police and security forces and for the institutions of democracy.

Individual measures which may seem justified in response to the threat of terrorism can, taken together, amount to a threat to our democratic institutions. Our sensitivity to incursions against our liberties becomes literally calloused by the repetition of horrifying events and our responses to them. We become used to things that, 20 years ago, were unthinkable anywhere in this land—trials without juries, detention for seven days without redress, internal exile, the abolition of the right to silence, newspapers supporting the shooting of unarmed people and even the Prime Minister announcing that suspects are guilty. Each of those is an understandable response to the horrors of terrorism, but taken together they amount to an erosion of all that our country has fought and argued for throughout the 20th century.

What is more important—I address this remark to the hon. Member for Tatton (Mr. Hamilton)—they damage our reputation abroad in a way which makes the fight against terrorism harder. Whatever one's point of view on the merits of the Patrick Ryan case, it demonstrated our dependence on the Governments of other countries. It demonstrated that our reputation for good or ill affects their judgments and their willingness to co-operate with us. Clearly, the maintenance of the Prevention of Terrorism Act and a permanent derogation from the provisions of the European convention of human rights will undermine and add doubts to the willingness of other European Governments to assist us in the fight against terrorism.

Mr. David Sumberg (Bury, South): Will the hon. Gentleman tell the House whether, when the Labour party was in power, it ever derogated from the European convention on human rights, if it did so, why and in what circumstances?

Mr. Dobson: Various Governments, including Labour Governments, have done so in the past. The hon. Gentleman appears not to know that the derogation has never applied to England, Scotland or Wales. In some cases it applied to Northern Ireland and in previous cases to colonial territories during states of emergency. The hon. Gentleman should bear that in mind.

If I lived in Northern Ireland, I might think that what is happening there was a threat to the life of that part of the nation, but the Opposition believe that the threats or

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the actions of the IRA ought not to be portrayed to its advantage as a threat to the life of the nation. That is why we believe that, on balance, the provisions of the Bill will do more harm than good. That is why we oppose the Bill and the guillotine.

3.57 pm

Mr. David Sumberg (Bury, South): I shall support the motion as briefly as I can. Strictly speaking, this afternoon we are debating what we know formally as the timetable motion, but which most of us call the guillotine motion. It is an odd title. When I was talking to some of the more Right-wing members of my constituency party during the weekend and I told them that I had to get back to London promptly to speak in support of the guillotine in the Prevention of Terrorism Bill, the reaction of a constituent who is not particularly supportive of my right hon. Friend the Home Secretary in these matters was, "At last the Government have got it right in dealing with the affairs of Northern Ireland."

The debate is important in itself and for the attitudes, beliefs and feelings which it exposes in the Opposition. Despite all the images that they present on television, the Opposition remain the party of the past. Rather like the Bourbon kings and queens, they have learnt nothing and forgotten nothing. I enjoyed tremendously the hon. Member for Holborn and St. Pancras (Mr. Dobson) making it absolutely clear to the House that the Opposition totally oppose the Bill.

The Labour party proclaims in ringing tones that it wants to defeat the evil of terrorism, yet it consistently opposes, fights and rejects the very measures which have a chance of doing just that. Labour Members resent it tremendously—as they did in Committee—when we justifiably remind them that back in the 1970s a Labour Government, supported by what was then a loyal Conservative Opposition, first enacted an anti-terrorism Bill. The Opposition's reaction then was in marked contrast to their reaction today. Their reaction now is irresponsible. They believe in freedom of opposition. Long may the Labour party adopt that policy of irresponsibility and freedom of opposition. It says that there is no need for measures such as this, yet it fails to accept that, sadly, in the last 10 years terrorism has got worse, not better.

It is extraordinary that the shadow Leader of the House should have said that derogation is acceptable in relation to Northern Ireland—at least, it was acceptable when the Labour party was in power; I do not know whether that applies today to Northern Ireland—but that derogation is unacceptable for the whole of the United Kingdom. The United Kingdom as a whole faces a terrorism threat. I do not need to set out at length all the incidents that support that contention. Although Northern Ireland faces a far worse threat, sadly the mainland is not immune from it.

Sensible members of the Labour party abhor the men of violence, yet there is a sizeable minority within its ranks who welcome representatives of the men of violence into their midst and give them tacit support. What are we in this House and, more important, what are people outside it to make of the fact that a Bill such as this is in this position today? The Bill ought to have all-party support and it ought to be warmly welcomed by the Labour party. I suggest that the Labour party of 20 years ago would have given it a warm welcome. The usual channels should have been able to agree a fixed and reasonable timetable for procedure. If that would have happened 20 years ago, what is the reason for the extraordinary situation in which we find ourselves? The Bill is designed to fight terrorism and it ought to command all-party support. It would have attracted all-party support in the United States of America and in most parts of continental Europe.

The Government had to act and table this motion. To be fair to the Opposition, they gave the Government due warning of what they intended to do and how they intended to behave. The hon. Member for Huddersfield (Mr. Sheerman) who led for the Opposition in Committee may find this a rare and unusual occurrence, but sometimes the words that he uses are taken seriously on the Government Benches. He made it clear to the Government that any co-operation on the Bill had vanished, following the statement to the Committee by my right hon. Friend the Home Secretary on 22 December 1988 in relation to the Brogan case.

After my right hon. Friend had made his statement on the Brogan case, the hon. Member for Huddersfield said:

"This has been a truly co-operative Committee."

He was right about that. He continued:

"We have worked exceedingly well on a proper scrutiny of the Bill and have kept to a schedule that facilitates the timetable of the Bill that we know the Government must meet."

That is an interesting statement. Up to 22 December the Opposition had agreed, through the usual channels, a timetable to which they had kept. They were aware that the Government were under pressure, because of the timetable to which my right hon. Friend the Leader of the House referred, to get it through. The hon. Member for Huddersfield then said:

"What a mess this statement has left us in . . . How can we carry on in the spirit of co-operation, faced with the great difficulties with which the Home Secretary has presented us? . . . We shall have"—

he said, in a meaning and threatening tone—

"a very different attitude to the Bill when we return on 10 January."—[*Official Report, Standing Committee B*, 22 December 1988; c. 236.]

The hon. Gentleman and those of his hon. Friends who support him are men and women of honour and they keep their word. They were as good as their word. When we returned to the House after turkey and plum pudding they adopted a very different attitude to the Bill. Acting, I am told, under the orders of the right hon. Member for Birmingham, Sparkbrook (Mr. Hattersley) they embarked on guerrilla tactics, the aim of which was merely to delay. As my hon. Friend the Government Whip, the hon. Member for Lincoln (Mr. Carlisle) would testify, had he not been sworn to silence, the Opposition were unable and unwilling to agree on how the Committee should proceed in an orderly and proper fashion in its examination of this most important Bill.

Ms. Mowlam: Ought not the hon. Gentleman to tell the House that on 12 January the Government introduced a new clause and 14 amendments, which meant that the Committee had to discuss new material that Opposition Members, without a body of civil servants to help them, had to go through? If the hon. Gentleman is to paint a true picture of what happened, could we please have all the facts?

Mr. Sumberg: I accept that what the hon. Lady says is true. However, the reports of the Committee debates show

what tactics were adopted by Opposition Members. Moreover, the statement of the hon. Member for Huddersfield, to which I have already referred, is on the record.

The Opposition said at first that they would co-operate, even though they did not like the Bill very much. Then they were at sixes and sevens; they did not know whether to proceed quickly, slowly or not at all. All hon. Members who serve on the Committee know that to be true. Opposition Members may have been working according to the directions and instructions of the right hon. Member for Sparkbrook. I make no criticism of that. He is responsible for the Labour party's policy on home affairs. It is right that he should have some influence on how the Committee behaves and the tactics that Opposition Members adopt in Committee.

If that is what the right hon. Gentleman told them to do, and if they accepted his instructions, I think that the Labour party has taken leave of its senses. What better evidence does one give one's political opponents that one is not serious, that one does not recognise the urgency and that one has failed to be in touch with public opinion than that which one gives on terrorism? What better evidence can one give than to play—to quote the words of the Minister of State, Foreign and Commonwealth Office my hon. Friend the Member for Bristol, West (Mr. Waldegrave) on another matter—"clever silly" in relation to the Prevention of Terrorism Bill? That is the evidence that some of my hon. Friends require about the motives of the Labour party.

During one of those late evenings when sleep was difficult because of the charms and eloquence of some Opposition Members, I chanced to read an article in *The Times* when I was looking for an explanation of this extraordinary behaviour by Opposition Members, particularly that of the right hon. Member for Sparkbrook. The article was by a former close colleague of Opposition Members. During his time in this House he took a close interest in home affairs. I refer to Kilroy, as he is now known—Robert Kilroy-Silk. When I read his article in *The Times* on 6 January it satisfied me as to why we are here this afternoon.

I shall read out part of the article. It gives the reason as to why we are debating this motion today. The article is headed

"One of the Paler Shadows".

I am sorry that the right hon. Member for Sparkbrook is not here. An hon. Member: "He is having his tea." He will read *Hansard*, anyway.

The article continues:

"Where has the shadow Home Secretary been hiding himself for the past few months? Who *is* the shadow Home Secretary? No, that is not a sarcastic or a rhetorical question, or at least it was neither what I asked it of myself at the beginning of this week.

For a brief but disturbing moment I could not recall the name or face of the incumbent of that august office . . .My temporary lapse of memory was occasioned by the fact that it is difficult to think of anything of note that Labour's shadow Home Secretary has said or done recently on home affairs."

Mr. Richard Holt (Langbaurgh): Does my hon. Friend agree that about the only pronouncement that we have heard from the right hon. Gentleman was on football identity cards? Again, he is 100 per cent. out of tune with the British public.

Mr. Sumberg: I quite agree.

The article was written on 6 January, and the right hon. Gentleman has since made his statement. He is right out of tune with the British public. To be fair to the right hon. Gentleman, he spoke on the case of Mr. Viraj Mendis, a case of great interest to many of my constituents.

Dame Elaine Kellett-Bowman (Lancaster): He was out of touch again.

Mr. Sumberg: My hon. Friend the Member for Lancaster (Dame Elaine Kellett-Bowman) makes the point that he was out of touch with the vast majority of people. He was certainly out of touch with the vast majority of my constituents, many of whom work in the city of Manchester and pay rates there.

The article—it is by Robert Kilroy-Silk, not me—concludes with the words:

"The fact that I had to pose the question to myself is in itself an indication of his failure to make an impact."

We have the answer there. The right hon. Member for Sparkbrook made an impact today, and so did other Opposition Members, by allowing us to get into the situation in which a guillotine motion must be proposed. *[Interruption.]* Some Opposition Members are here. I see the former Solicitor-General the right hon. and learned Member for Warley, West (Mr. Archer). He makes up in quality what the Opposition lack in numbers.

The right hon. Member for Sparkbrook and many other Opposition Members have made an impact, but not in the way that they probably would have wanted. They made an impact by saying to the House and to the British people that saving the face of the right hon. Member for Sparkbrook, proving Kilroy wrong rather than right, and justifying the right hon. Gentleman's virility is more important than making sure that the country has weapons to defeat the bomber and the gunman.

When we debated the matter in Committee, certain Opposition Members, no doubt sincerely—the hon. Member for Walsall, South (Mr. George) was one of them —and with some credibility argued that terrorism could never be defeated, that we had to learn to live with it, that we have always had it, and that we have to do our best to contain it. I am not prepared to accept that view and neither, I hope, is my right hon. Friend the Home Secretary. Whatever is required, a civilised society must prevail. It will not be easy to defeat the terrorist.

Mr. Neil Hamilton: Although it is difficult to defeat terrorism, the only way it will be defeated is if terrorists believe that, despite the means that terrorists deploy, no Government will ever grant them their political objectives. As long as the Opposition show a lack of firmness of purpose, as they are doing today, they will give hope to terrorists and make it more difficult for us to defeat them.

Mr. Sumberg: My hon. Friend is quite right. Many times in Committee we asked the Opposition how they proposed to deal with terrorists. They answered by saying that they are perfectly satisfied that the ordinary criminal law is sufficient to deal with terrorists. In the light of their record, that is an extraordinary statement. It bears no relation to the reality in Northern Ireland or in the rest of the United Kingdom. Opposition Members recognise that, in 1974—certainly during their period of office—there was a need for specific anti-terrorist measures. It is a reflection on the change in the Labour party and the pressures that have caused that change that the Opposition now feel politically unable to say to the Government, "We accept

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that there is a need for a specific measure against terrorism. Okay, there are certain points in the legislation with which we do not agree and which we want changed, but, in principle, we see the need to deal with a specific situation." They say that the ordinary law is sufficient and that we should try to deal with terrorism on that basis.

Opposition Members should say that to the people of Northern Ireland. They should say that to the people who have suffered from terrorism in this country. They should tell people who have lost friends and relatives that the ordinary law is sufficient. I only wish it were. If it were sufficient, we would not have to spend time this afternoon and all the time that we spent in Committee debating the issue. If we have determination, we can defeat terrorism. We must provide the means. We must give the forces of law and order the means to tackle and combat the men of violence.

Mr. Martin Flannery (Sheffield, Hillsborough): The hon. Gentleman's face is new to me in this kind of debate. I have been here all the years since terrorism first occurred. I remember every Minister, including a previous right hon. Member for Barnsley who is now a lord, telling me how we were destroying terrorism and that we were winning. I argued that the idea was utter nonsense and that terrorism would continue for many years.

The hon. Member for Bury, South (Mr. Sumberg) speaks with the attitude that we will conquer terrorism and that it is easy to conquer it if only the Prevention of Terrorism Bill is enacted. Hon. Members who have never taken part in such a debate before are giving the House guidance about how to do it. The hon. Gentleman should wake up. The matter is far more serious than that. It will go on for a long time due, to some extent, to the kind of nonsense that I have been hearing from the hon. Gentleman.

Mr. Sumberg: I rather regret giving way. The hon. Gentleman plainly was not listening to what I said.

Mr. Flannery: Yes I was.

Mr. Sumberg: Then he did not listen well enough. I said clearly that the fight against terrorism is difficult. It will not be easy to win through. If the hon. Gentleman did not hear me the first time, I hope he heard me the second time. If the hon. Gentleman reads *Hansard,* he will find that I said that. In any event, it will not be easy to win through, but it will be much harder if we follow the Opposition's policies. We would have no chance at all.

Opposition Members take the view that all is hunky-dory in the garden, that there is no need to do anything, that we can rely on the general criminal law, that we are just dealing with a group of rather horrible people, and that, somehow or other, sweetness and light will prevail. The public do not believe that. The hon. Member for Sheffield, Hillsborough (Mr. Flannery) should talk to his constituents. He will find that they are 100 per cent. behind what the Government ae doing. They want us to succeed with the measure. They find it extraordinary that the Opposition should not have co-operated with us in Committee and this afternoon. If the matter goes to a vote and the Government win, we shall press ahead with the Bill. The Opposition will rue the day they showed themselves not to be supporters of the Bill but the tacit friends of the gunman and the bomber.

4.18 pm

Mr. Peter Archer (Warley, West): Not for the first time, the Government have introduced us to "Alice in Wonderland". Hon. Members may remember the debate in that story about executing the Cheshire cat. The king's argument was that anything that had a head could be beheaded. The executioner's argument was that a head could not be cut off unless there was a body from which to cut it. Even as a small child I found the executioner's argument more persuasive.

This is precisely what we are discussing this afternoon; it is the issue which the Government have raised. A guillotine is an instrument for separating one thing from another. In the context of Committee proceedings, it is to separate those parts of the proceedings which may be discussed from the parts that will not be discussed. There is no sense or meaning in a guillotine which relates to discussions that have already been completed. One cannot cut off the completed portion of a Committee's proceedings unless there is an uncompleted portion from which to separate it.

It is true that this motion deals with the remaining stages of the Bill, and it is proposed to allot one day to the whole of the remaining stages. That is disgraceful, and it cannot possibly appear as anything but running away from the debate. But whatever the appropriate period of time for the remaining stages, that is not a matter on which the Opposition could prevent the Bill from reaching the statute book, because it is wholly within the control of the Government, who decide how many days shall be allocated to it. Usually, that is a matter for business questions.

If it is said that the Committee stage is not quite complete—there remain the two debates about which my hon. Friend the Member for Redcar (Ms. Mowlam) interjected, selected in the marshalled list—the Government are not chopping off a head: they are clipping toenails. The Committee is to sit tomorrow morning in any event, and those two debates will be disposed of well within the morning. If the Government believe that, for some reason, the Opposition proposed to extend those two debates, I ask where the evidence for that is in the context of anything that has taken place in the Committee.

Of course, the Government say that the Opposition have wasted time. Governments always say that and the Opposition say that they have not. Nothing would be added to that discussion by my denying it this afternoon. I simply ask any right hon. or hon. Member who would like to familiarise himself with the events of the Committee, and who would like to know whether the debate there occupied an inordinate amount of time and whether we invented fanciful suggestions for debate, to obtain a copy of the Committee's proceedings in the Vote Office and preferably read it all. If hon. Members do not have time to read it all, they should take any of our discussions at random and judge whether they were extended artificially, whether time was wasted, or whether we had a perfectly normal, rational debate on matters of genuine concern.

It is true that, at the outset of the Committee, we objected to the Government's bland assumption that when

the Government get themselves into a mess with their legislative programme the solution is always and automatically for the Opposition to behave reasonably, curtail debate and agree a timetable. We do not accept that, because it is not a well-founded constitutional doctrine. It was the Conservative party which complained a few years ago that there was too much legislation and that we needed a rest from it, yet they created this problem by trying to cram too much sausage through the machine last Session, and then again this Session. So we started this Session late. Then they said that the simple solution was for the Opposition to curtail debate and be reasonable and helpful. We said that we did not accept that proposition, but our point was a constitutional one. No one who has read our debates could suggest that we extended them artifically or were unco-operative.

I complain at the travesty of our debates that we heard in the speech of the hon. Member for Bury, South (Mr. Sumberg). If anyone accepts his argument, I plead with him to go and read our proceedings. For anyone who has heard or read them that suggestion is a sheer calumny; for anyone who has not, it was a silly and ignorant construction. I have said this before in the Chamber, but I resent the suggestion that we in the Opposition do not care about terrorism and that we take lightly the tragedy, loss and foolhardiness of it all. Some of us have known the victims of terrorism, so when hon. Members suggest that that explains the differences——

Mr. Neil Hamilton *rose*——

Mr. Archer: Let me finish.

When hon. Members suggest that this is the explanation of our differences, such suggestions arise purely from their ignorance. If it is not from ignorance, it is from something more sinister.

Mr. Neil Hamilton: I make no imputation against the right hon. and learned Gentleman or the vast majority of his colleagues, or against their firmness of purpose in opposing terrorism I said that their opposition to reasonable Bills such as this is perceived by terrorists as a lack of firmness of purpose, and that is the problem we are discussing.

Mr. Archer: If the hon. Gentleman had been familiar with our debates in Committee, he would have known that a great deal of our time was taken up with what is counter-productive as a means of dealing with terrorism. I know that I would be out of order if I embarked on the subjects that we discussed, and I do not propose to do that. But I resent the suggestion—it may not have come from the hon. Member for Tatton (Mr. Hamilton), but it has certainly been made by other Conservative Members—that what is at issue with this Bill is whether we are opposed to terrorism.

The Under-Secretary of State for the Home Department who dealt with the Bill in Committee has not suggested that we wasted time or that our discussions were in any way improper. He appeared to be interested in the points we were making; he directed his mind to them and replied to them. We were not always in agreement, but I always understood his replies, which is not true of every Minister of this Government whom I have heard in Committee. We have had no complaints from the Minister that what was said in Committee was in any way inappropriate.

Right until the sitting after dinner on Thursday evening, after the Government announced that they were introducing this motion, we had heard no suggestion—although there had been no agreement about a timetable—that time was being wasted. Then, when the Committee resumed after dinner on Thursday, two things happened which I, at least, failed to predict. First, Conservative Back Benchers became different animals. Until then, although they had participated from time to time in our discussions and had made brief contributions, they had chiefly dealt with their constituency correspondence, wandered in and out of the Committee, and looked through the window. In one case, an hon. Member had brought a Division to a standstill until being shaken awake and told what to say. At that moment, I almost had a conscience about having called a Division, but the Division did not seem to interrupt his slumber, because a few moments later he adopted a somnolent posture and passed the rest of the sitting peacefully. In short, they were behaving exactly as Government Back Benchers are expected to behave in Committee, but after dinner on Thursday evening they began to exhibit an intense interest in our deliberations. They intervened in our contributions and made substantial contributions themselves, to which Ministers rose and replied. It was a real joy; but it was almost as though the Government side of the Committee did not want the business to be concluded.

Then, at 10 pm, the second unpredictable event occurred. We had had a number of late sittings, about which we made no complaint. We appreciated that there was urgency, but there were matters that we genuinely wanted to discuss. However, on the stroke of 10 on Thursday, the Government Whip moved the adjournment of the Committee. My hon. Friend the Member for Huddersfield (Mr. Sheerman) said that there was so little left to discuss that we could easily dispose of it if we sat a little later, but the Government side voted down his proposal.

So it is not open to the Government to say that the business of the Committee was not concluded. It was nearly concluded, and would have been if they had not deliberately prevented it from being so. As my hon. Friend the Member for Holborn and St. Pancras (Mr. Dobson) and, indeed, the Leader of the House have said, we have all taken part many times in guillotine debates and we could rehearse all the usual arguments in our sleep. Normally, our only problem is to remind ourselves of whether we are in government or opposition so that we do not transpose the arguments.

But this debate is unique. The usual arguments are simply not applicable. The Government cannot say that we are bringing business to a standstill and preventing vital legislation reaching the statute book because there is nothing left in Committee for the Opposition to prevent. We, the Opposition, cannot say that the Government are ignoring the rights of the House and inhibiting free speech, because there is virtually nothing left for us to say. If Lewis Carroll had thought of that far-fetched situation, I have no doubt that it too would have been in "Alice in Wonderland".

The Opposition should resist the motion, first, because although it makes provision, it makes disgustingly inadequate provision for the remaining stages. In other situations, we would have had to say this in business questions, but, as it is, that seems a good reason for

[Mr. Archer]

resisting the motion. Secondly, we should resist it because the House should not encourage pointless and unnecessary motions.

It only remains to ask, why are the Government doing this? Why should they want to do something that Governments normally resist having to do? Why should they want it to appear that the House is more divided on the principle of the Bill than it really is? Is it true that in this House we have a hobby of ascribing motives to one another. If an hon. Member mentions the state of the weather, we all speculate as to what reason he might have for introducing that subject. Even if he tells us of the reasons, we all ask one another whether those are the real reasons or whether there might be some deeper and more cunning reason.

I have racked my brains, but I cannot conceive of any reason why the Government should want to introduce this motion——

Mr. Michael Foot (Blaenau Gwent): Fake publicity.

Mr. Archer: Well, my right hon. Friend has made one suggestion and perhaps we could all put forward our own suggestions, but I can think of no reason, commendable, disgraceful, or morally neutral. On Thursday evening I found myself wondering whether we had entered some Kafkaesque situation in which the inhabitants of the lunatic asylums take over and the people are governed by lunatics. That would explain a number of things that have happened in the House in recent months.

There is one other possibility, which is found back in "Alice in Wonderland." I have reminded the House of the king's argument and of the executioner's argument. The queen's argument was that if something was not done at once, she would have everybody executed. That was not the most logical contribution, but it was the most effective in concentrating people's minds. I take leave to wonder whether the "Queen of Hearts" has let it be known to her Ministers that they must be seen to be energetic and effective; that they must stand no nonsense and flex their muscles to let everybody see who is boss. I wonder whether they are demonstrating their macho response by introducing a guillotine motion every time there is a debate. I see only those two possible suggestions. I still have not heard a third.

4.33 pm

Mr. Kenneth Hind (Lancashire, West): I congratulate the hon. Member for Warley, South—*[Interruption.]* I am sorry, I congratulate the hon. Member for Warley, West —*[Interruption.]* I shall start again, I congratulate the right hon. and learned Member for Warley, West (Mr. Archer). However, like his hon. Friend the Member for Holborn and St. Pancras (Mr. Dobson), he has put a huge smokescreen over what has happened in order to apologise for the activities of the Labour party. The public will not see this matter the same way. Therefore, it is for myself and my hon. Friends to expose the activities and the cavalier attitude towards the safety of the public of the Labour Opposition in relation to their dealings with the Prevention of Terrorism Bill in Committee.

Mr. Dobson: Will the hon. Gentleman give way?

Mr. Hind: If the hon. Gentleman will allow me to develop my point, I shall then allow him to intervene.

The timetable motion has been forced upon the Government. There was no choice in the matter. That decision was forced on the Government by the Opposition, not by anybody else. As a member of the Committee, I was aware, as were all my colleagues, that there was an understanding between the Government and the Opposition that Committee consideration of the Bill would be finished by 19 January so that it could come back to the House for Report and Third Reading and then go to the House of Lords. That was because, if we did not complete our consideration of the Bill by 23 March, there would be no Royal Assent; the existing temporary provisions legislation would expire and the public would have no protection from terrorism in terms of the special powers that the Bill provides and neither would the police have the special tools that are specifically given to them by the House to deal with terrorism. That is what was at stake and that is what is at stake in this debate on the so-called guillotine motion.

It has been argued that the Opposition have said that the Government have reneged on the agreement because of the decision of the European court of human rights. In considering that position, we should remember that no extra Committee time was spent on the court decision because my right hon. Friend the Home Secretary and my hon. Friend the Under-Secretary of State for the Home Department made it clear that they were considering the matter.

What we are facing—it is the most important thing in the days after the accident at Lockerbie, after Enniskillen and the Battersea bomb factory—is the fact that without the Bill there is no protection against terrorism. That is what people outside the House must realise. They should also realise that the party that forced the guillotine did not support the Bill on Second Reading. It supported part of it and many Opposition Members voted against it. Indeed, two Opposition Members felt so strongly that they resigned from their Front Bench. The fact is that the Labour party today is against any legislation that gives power to deal with terrorists. That is what is at the root of this and that is what the public outside must realise.

I have two major points to make about the Bill. First, it does not deal only with terrorism in Northern Ireland. That is something that we all forget. The original 1974 legislation was indeed designed to deal with that problem, but today we are not just dealing with terrorism in Northern Ireland. The attempt to bomb an El Al jet at Heathrow airport illustrates that. We have seen international terrorists kill diplomats on the streets of London and we have seen WPC Yvonne Fletcher shot down on duty by a terrorist from the Libyan embassy in London——

Mr. Dobson *rose*——

Mr. Hind: We have seen the recent Lockerbie explosion——

Mr. Dobson: Will the hon. Gentleman give way?

Mr. Hind: I shall give way in a moment if the hon. Gentleman will allow me to finish.

We have seen a jet blown out of the sky at Lockerbie. Those acts were carried out by international terrorists. Those are the situations to which we, as Members of

Parliament, must apply our minds in order to provide protection for the general public in this country. We are not just talking about Ireland because the Bill has other major facets.

Mr. Dobson: When the hon. Gentleman talks about the shooting of WPC Fletcher, is he suggesting that the prevention of terrorism legislation did or did not work in her case? What I remember—and bitterly as a London Member of Parliament—is that I protested immediately the Libyans announced that they were going to use the so-called Libyan people's bureau as a base from which to pursue the enemies of the Gaddafi regime. I demanded that the British Government close it and throw them out, but for years the Government took no action. It was as a result of that failure to act that WPC Fletcher was shot from the window. What is more, this Government, who say that they do not deal with terrorism or talk to terrorists, negotiated with the Libyans about how they should leave this country. Finally to add insult to injury, the Metropolitan police were forced to carry out the humiliating task of providing their colleague's murderer with safe conduct from this country. We shall take no lessons from Conservative Members about how to fight terrorism, because they have nothing to teach us.

Mr. Hind: I hear what the hon. Gentleman says. I did not remember his protest about that, because he protests about so much.

If the Prevention of Terrorism (Temporary Provisions) Act 1984 had been in force and the Government had taken the hon. Gentleman's advice it would have been of use. If he thinks carefully he will realise that the Act would have been important in that case. The people in the embassy had diplomatic status and that enabled them to leave. Because of the international conventions on diplomacy, the Government were not allowed to touch them. The hon. Gentleman knows that Conservative Members felt as strongly about that as he did. We had no control over the situation, which was forced on us by international agreements.

We are dealing with an international situation. On the streets of our country there are trained terrorists, many of whom have been trained in the middle east by the Libyans, the Syrians and Palestinian groups. Many of them are learning to counter the techniques of interrogation, and the Bill will at least give the police some of the tools that they need to get round that problem.

No doubt some of my hon. Friends who served on the Committee will remember the arguments advanced about security checks at airports. Those checks are currently being carried out at Heathrow and Gatwick and at all our airports to protect people using American airlines to fly to the United States and back. They are to counter the threat about a plane from Frankfurt being bombed which resulted in the Lockerbie air disaster. The powers to carry out those checks are contained in the Bill. Are the Opposition saying that those checks are not necessary? If they are necessary, how are they to be carried out if the Opposition prevent the Bill from becoming law?

What will the Opposition say to the relatives of those who may die as a result of proper checks not being carried out because the police or the security services did not have the powers contained in the Bill? I am sure that the Opposition would not be very happy if they were put in that position. That points to the need for the Bill. We must also be mindful of the planes that fly from London and from all over the world to Belfast. Surely people flying in and out of Ulster are entitled to the protection of the special provisions contained in this Bill and in others and which allow for the searching of baggage and checks for bombs and weapons. They also allow for the detention for 12 hours of suspected terrorists, people who may not be able properly to account for their activities.

These are important protections not only for the people on the United Kingdom mainland but for those citizens of the United Kingdom who live in Northern Ireland. Those matters were forgotten by the Opposition when they filibustered on the Committee. Let us deal with the Irish situation. Today the Irish terrorist is far more professional than he was in the past. I learned a great deal in Committee by listening to the hon. Member for Newry and Armagh (Mr. Mallon) who told us much about first-hand dealings with terrorists. It was quite frightening to hear that, especially after incidents such as the one at Eniskillen. Many of these terrorists are trained by the Red Brigades and Baader-Meinhof and middle eastern terrorist groups and they come to Ulster to do their worst. We must prevent them from doing their worst on the mainland.

As an English Member, I have a duty to my constituents to ensure that they are safe. That can be achieved through the exclusion orders in the Bill. Their purpose is to keep known terrorists who are in Northern Ireland away from the mainland, to prevent them from running a bombing campaign in the rest of the United Kingdom. Most of them are at large only because of the intimidation of witnesses in Northern Ireland. Nobody will come forward to give evidence against terrorists in the courts so that they can be properly convicted because the families of potential witnesses will live in fear.

Typically and laughably, the Opposition pray in aid the Brogan case decided at the European Court of Human Rights. That case involved five known terrorists with convictions, typical of this situation, who were excluded by my right hon. Friend the Home Secretary from the United Kingdom. Nobody can tell me, and I am sure that nobody can tell the public, that those exclusion orders were not necessary. We have only to look at the Battersea bomb factory to see that. In that case terrorists were arrested, but some are still at large in London. The police suspect that bombs with long fuses, similar to the one at the Grand hotel in Brighton, are ticking away waiting to go off. We need to find the people who planted those and nobody can tell me that the Bill is not necessary to help root them out.

The Prevention of Terrorism (Temporary Provisions) Act prevented a seaside bombing campaign in the United Kingdom and was used some months ago to prevent the assassination outside his home of my right hon. Friend the Secretary of State for Northern Ireland. In the Grand hotel explosion some of my colleagues and I saw the building virtually falling around us as an IRA bomber attempted to wipe out the whole Government in one go. Are the Opposition saying that the tools of detection and prevention of terrorism are not necessary in such cases?

Mr. Archer: If we are to take seriously the hon. Gentleman's contribution on this subject, will he tell us whether he really thinks that the Brogan case had something to do with exclusion orders? Has he even read it?

Mr. Hind: I have already spoken about the situation in relation to that. I cited the people in that case as typical of the sort of people that we know about and for whom exclusion orders are used. Given that situation, I am happy, as I am sure many of my hon. Friends are, about the existence of exclusion orders. One has only to look at bombings in London and at bombings at military establishments and at the Brighton case, which is typical, to see that such measures are necessary.

I now turn to the European Court of Human Rights case about Brogan and others. Because of the case put forward in Committee by my right hon. Friend the Home Secretary it was not necessary to spend much time dealing with the Brogan case. The Government clearly told the Committee that they would have wide consultations about judicial supervision in the case of suspected terrorists who were detained for seven days. They needed to consult the judiciary in Northern Ireland and in Scotland, England and Wales. They also needed to consult three Government Departments and the matter had to be considered in detail. No extra time was used in dealing with that matter. The Opposition cannot pray in aid the Brogan case because the decision was made after the Bill was published. The date for the debate was already announced before the European Court of Human Rights deliberated on this matter. In order to come to a proper conclusion, widespread consideration of that decision is important.

It ill becomes members of the Opposition to accuse the Government of derogating from that position. My right hon. Friend had no alternative but to derogate. Had he not, we would have been in contravention of the European court's ruling and his actions would have been illegal. He did what the then Labour Government did, as a result of different factors, in 1974 and 1978. Again, the derogation was the result of action taken under the Prevention of Terrorism (Temporary Provisions) Act. It ill becomes the shadow Leader of the House to say that the Labour Government derogated only on Northern Ireland. Those 14 or 10 years ago, international terrorism was nowhere near as bad as it is today, so the criteria for dealing with international terrorism were different. I support the derogation.

The right hon. Member for Birmingham, Sparkbrook (Mr. Hattersley)—I am sure that the hon. Member for Holborn and St. Pancras (Mr. Dobson) will tell the right hon. Gentleman about this—told us earlier in the year in the debate on the Security Service Bill:

> "The protection of our liberties is too important to be left to judges."—[*Official Report*, 16 January 1989; Vol. 145, c. 39.]

It seems that the Opposition will use the judges when it suits them. but in this case, as an apology for the position that they have taken on the prevention of terrorism, will say that the judges are a sufficient protection. When the right hon. Member for Sparkbrook comes to the House, we shall have to check to see which face he is wearing.

Mr. Sumberg: Although my right hon. Friend the Home Secretary has left the Chamber, no doubt temporarily, he has been here from the beginning of the debate, but the spokesman for the Opposition, the right hon. Member for Birmingham, Sparkbrook (Mr. Hattersley) was here for a few minutes at the beginning and has not been seen since. How are we to take seriously his claim to be the principal spokesman on home affairs? Has my hon. Friend any idea where the right hon Gentleman has gone, or when he will be back and whether he will play any part in these proceedings?

Mr. Hind: I do not know where the right hon. Gentleman is, and I do not care either.

A Committee is considering the Bill, and the right hon. Member for Sparkbrook is not a member of that Committee. Despite that, Conservative members of the Committee are aware that the right hon. Gentleman's sticky fingers are all over the way in which that Committee has been conducted. That conduct has resulted in the introduction of this guillotine motion. If the agreement to finish on 19 January had been honoured, the public would not have been put in danger and we would not have been forced to truncate the debate on this important Bill. Such behaviour sends out the wrong message to the public. It shows them that the Labour party is soft on terrorism, and its attempts in Committee to water down every strong item of the police's powers to deal with terrorism merely shows both the terrorists and the public that the Opposition are weak on terrorism and that they are likely to be the terrorists' friends.

Mr. Dobson: Will the hon. Gentleman give way?

Mr. Hind: No, I will not.

Mr. Dobson: On a point of order, Madam Deputy Speaker. Is it in order for the hon. Gentleman to refer to any hon. Member as the terrorists' friend?

Madam Deputy Speaker (Miss Betty Boothroyd): I doubt that the hon. Member for Lancashire, West (Mr. Hind) has implied that. If he has, I am sure that he will withdraw it.

Mr. Hind: I will certainly withdraw it. The point that I was making was that the Opposition's actions will be interpreted outside in that fashion. I know many Labour Members and I am sure that that is not so. I am saying that the wrong message is being sent out to the British public by Labour Members.

Mr. Holt: My hon. Friend may not wish to retract too conclusively his statement about terrorist supporters on the Opposition Benches, when he remembers the activities of the hon. Member for Brent, East (Mr. Livingstone).

Mr. Barry Sheerman (Huddersfield): That must be retracted.

Madam Deputy Speaker: Order. I am sure that, on reflection, the hon. Member for Langbaurgh (Mr. Holt) will find that statement as offensive as the Chair does, and will retract it.

Mr. Holt: I find nothing that I have said about the hon. Member for Brent, East offensive.

Madam Deputy Speaker: Order. It is unacceptable to the Chair and to the House for hon. Members to refer to other hon. Members as a terrorist's friend. I hope that the hon. Member for Langbaurgh will reflect on what he said and will make an apology.

Mr. Holt: I will apologise to you, Madam Deputy Speaker, and if you rule that what I said was an unparliamentary remark, I will withdraw that and allow the public to choose.

Mr. Hind: When all is considered and the public look at the Bill in the light of what has happened in the Committee, they will note that on Second Reading the Opposition abstained, and many Opposition Members voted against the Bill. Opposition Front Bench spokesmen have said that they support only that part of the Bill that deprives of their funds the bankers and financiers of terrorism. Those who are so cavalier in their attitude to the safety of the British public cannot be regarded as capable of forming a credible Government. I am sure that that will be reflected in the attitude of the British public in future elections.

The British public are entitled to be protected from terrorism, and the Government will provide that protection, and have accepted their duty by truncating the debates on the Bill. After Lockerbie, Enniskillen and many other horrors, the British public will not understand the stance of the Opposition.

4.56 pm

Mr. Robert Maclennan (Caithness and Sutherland): It is not altogether clear why the Government have thought fit to introduce the guillotine motion. Had they provided as much time for the later stages of the Bill as for the debate this afternoon, there might have been a perfectly adequate amount of time for consideration of these matters.

I come to the debate with no axe to grind, because the third parties have been largely excluded from the debate. The Committee is not graced by the presence of any of my right hon. or hon. Friends and we would wish to consider, at a later stage of the proceedings, a number of the extremely important matters—some of them new—that the Bill contains. Therefore, we are extremely resentful of the Government's decision to truncate the Report stage and Third Reading and to squash them into a single day. This is a contemptible procedure, and one that we cannot possibly support.

I need not re-emphasise the view of the Democrats that the Bill is necessary, as I made that clear on Second Reading. The Government must have their legislation on the statute book by 21 March, the date when the Act ceases to have effect. The official Opposition appear to be divided about whether the Bill is necessary. The speech of the shadow Leader of the House suggested that the Labour party is opposed to the Bill, and may be opposing the timetable motion in part because of that, but that is not part of our argument.

Our view is that the substance of the Bill has changed since Second Reading. This is the last time, probably for quite some time, that the House will have the opportunity to debate these exceptional provisions, which are required to defeat terrorism. Although it will be necessary, if the Bill is enacted, to re-enact its provisions by affirmative resolution, that will give us the opportunity only to reject or accept the Government's case for the legislation in total, or to respond as the Government give the lead. We shall not have the opportunity to change the content of the legislation by amendment, save where the Government decide to lay such amended revisions before us. This is exceedingly important legislation, and although we are persuaded that it is broadly acceptable, we should have time to test its provisions in full on the Floor of the House.

Mr. Andrew Hargreaves (Birmingham, Hall Green): I am confused by what the hon. Gentleman said. I appreciate the fact that he believes in the importance of this measure and that it has to complete the parliamentary process by a certain date. However, I am not entirely certain whether the hon. Gentleman resents it being dealt with on the Floor of the House as at present, or whether he would prefer it to be discussed at greater length in a Committee of which neither he nor I am a member and to which, therefore, we could not contribute.

Mr. Maclennan: The hon. Gentleman's intervention was entirely academic, as the Bill has practically completed its Committee Stage. The Leader of the House has made no serious complaint about the way the Bill was debated in Committee. Any objective observer taking the trouble to read the proceedings of the Committee would find that the Bill kept up with the timetable initially announced by the Government.

There was a hiccup when the Government announced that they did not intend to address the question whether a substantive change in the law should be made in response to the finding of the European Court of Human Rights. In that may lie the explanation that the right hon. and learned Member for Warley, West (Mr. Archer) was seeking, of why the Government have introduced this otherwise wholly unnecessary guillotine.

It is worth recalling the history of the Brogan case because of its impact on the discussions on the Bill. The Home Secretary gave the House to understand in his announcement of 22 December, that, under article 15, he was embarking on a temporary derogation from the provisions of the European convention on human rights. He said that he hoped to introduce a judicial element into the procedure to comply with article 5.3 of the convention. The House waited expectantly to discover the obstacles to achieving that. We are still in the dark.

When the Committee resumed on Tuesday 10 January, the Under-Secretary of State read out a letter, which some of us have read. The letter said that the Government did not expect to have reached a conclusion as to how to respond to the Brogan case in time to incorporate any necessary changes in the law before the enactment of the legislation and the Royal Assent. The date for that was given as 21 or 22 March.

Why are the Government delaying their response to the Brogan case? What difficulties have led to this parliamentary interruption of the improperly short deliberations on the Report stage of the legislation? I hope that the Minister will give the House the answer.

When this legislation was introduced, it did not take the Government three months to decide how to act. However, we have been told that it will take more than three months to reach a conclusion on the modest issue of detention for seven days, which the European court found to be a violation of the convention. The Home Secretary is behaving in an unacceptable and dilatory fashion. He may have been unable to carry his Cabinet colleagues with him in preferring the judicial solution. If that is so, we are entitled to know. If someone outside the Government is preventing them from doing what they wish—to introduce a judicial element to review the case of those detained for up to seven days—we are entitled to know.

It has been reported in some parts of the press that some judges have said that they will have no part in it. If that is so, it is serious. If judges are saying that they will not carry out, not only the views of Parliament but the law of Parliament, we are entitled to know. It is unacceptable for

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the Home Secretary to seek to hush up this constitutional debate by confining the Report and Third Reading to a single parliamentary day.

Will the Minister convey to the Home Secretary the strength of our feeling that this issue should be debated on the Floor of the House. We must know why the Government are not yet ready to report to us. We have been told that it is because of interdepartmental consultations—my foot! That is not sufficient explanation. These matters can be conducted quickly if the will is there. The Government's willingness to deal with the matter is clearly lacking.

Mr. Mallon: Lest the House be under any misapprehension that discussions have reached stalemate with the judiciary only, hon. Members should be aware that the Army and police are refusing to give their intelligence to that type of judicial review. That is the stumbling block which should be confirmed by the Home Secretary today.

Mr. Maclennan: The hon. Gentleman is entitled to make that speculation. The House will listen with respect to the Home Secretary's explanation. We understand that he is dealing with a difficult security matter but he must give a frank explanation to the House. We have not received any such explanation. Instead, a Bill of profound constitutional importance which continues to curtail our citizens' liberties is being rushed through the House. *[Interruption.]* Some Conservative Members would like to sow the seeds of confusion about the attitudes of all Opposition Members. I have already explained our support for the Bill and our belief that it must be re-enacted. That does not diminish the constitutional importance of the measures before us, nor the seriousness of providing internal exile for more than 100 of the citizens of this country. It does not diminish the importance of holding people in detention for up to seven days.

Parliament must scrutinise and justify those matters at every possible opportunity. In future we shall not have an opportunity to amend the legislation, except on a Government motion. That is why we must be given adequate time to consider the Bill properly now. It is even more important to do so because the Government are legislating against the advice of Lord Colville, who disagreed with the way they intended to proceed on one aspect of the Bill.

Mr. Hind: I and many Conservative Members appreciate the hon. Gentleman's support for the Bill. Does he agree that, considering the point made in the European court about judicial supervision of suspected terrorists in detention, it would involve a simple Bill once consultation had taken place? With all-party support, we could get that Bill through the House quickly. Does he also agree that it is important to have widespread consultation with all those involved—as much as anything, to win their support—because they will have to operate the legislation?

Mr. Maclennan: No doubt there are those who, like myself, are willing to enable the Government to pass their legislation as fast as is reasonable, and will do the same if they introduce another Bill. I object to the fact that the Home Secretary is not telling the House what is causing the delay in his response. Why is it that we cannot incorporate the conclusion of the deliberation in the Bill if that proves to be necessary? Surely that would be a far more sensible way in which to proceed. We have had not a whisper of information beyond the fact that discussions are still taking place.

Some of us fear that, when the Bill has received Royal Assent, we shall be told that the temporary derogation from the European convention is continuing, and will continue to the point at which it can no longer be regarded as temporary. The United Kingdom's commitment to the European convention on human rights will have then been seriously and unnecessarily weakened.

I recognise that the Labour Government thought it right and necessary to derogate from the convention to deal with Northern Ireland in 1978. It is conceivable that that will have to happen again, but it is not a light matter. It is a step that we should take only in the most exceptional circumstances. I am not persuaded that that can be said of the present circumstances. The Home Secretary has indicated what his preference is. If he intervenes in the debate, I hope that he will reaffirm at least that.

I hope also that he will tell us why it is that the House is having forced upon it a truncated procedure for further consideration of the Bill that is unrelated to anything that the Leader of the House said in his introductory remarks. It is a calumny to suggest that the members of the Committee have been unreasonably delaying progress in Committee. As I am not a member of the Committee, I read the reports of its proceedings with some detachment. I was left with the impression, however, that arguments were being advanced and followed properly, and that the timetable was being kept. The Government must do far better if they are to convince the House that it is right to guillotine the Bill.

5.12 pm

Mr. Jacques Arnold (Gravesham): The attendance this afternoon exemplifies the fact, as I would describe it, that most hon. Members are sick and tired of the lengthy deliberations that have arisen from terrorism, especially that in Northern Ireland. It is true to say that there is considerable sympathy in the House and throughout the country for the long-suffering Royal Ulster Constabulary, the armed forces and the people of Ulster. The fight against terrorism must be continuous. If we are to fail in Northern Ireland, we shall find ourselves in the position that is being suffered by the people of Beirut. Such a situation in Northern Ireland would spill over into the Republic of Ireland and into Great Britain itself.

I would have expected all-party support for the Bill. It is interesting that, when the Bill began to be considered in Committee, it had the full support of the old hands of the Labour party. It has been said that, after the Christmas recess, the Labour party returned to this place ready to cause obstruction and to slow down the progress of the Bill through Committee. We can draw our own conclusions. Could it be that the new Labour party got at the old Labour party and ensured that the Bill would be delayed by means of inefficiency?

Mr. Sheerman: If the hon. Gentleman reads the report of the proceedings in Committee, he will learn why there was a change in tempo, or a suggested change in tempo, after the Christmas recess. It had everything to do with the Home Secretary's remarks shortly before Christmas, about temporary derogation. When we returned on Tuesday 10 January, we were handed a letter by the

Under-Secretary of State. Any change in tempo had everything to do with the Government's lack of reaction to the decision of the European Court of Human Rights, and nothing to do with any change in attitude on the part of the Opposition.

Mr. Arnold: The Committee members should have dealt with that issue. The cumulative result, however, was delay, and that has thrown the entire process into danger. The delay was well exemplified by the speech of the hon. Member for Holborn and St. Pancras (Mr. Dobson), who first made a good case for the Bill but then had to scrape the barrel to find reasons for delay.

Mr. Sheerman: I intervene again to complete the hon. Gentleman's education. He is not a member of the Committee. If he feels so strongly about these matters—I understand that he would not be one of those who has been dragooned by the Government Whips to come into the Chamber to contribute to the debate—and if he examines the relevant issues in detail, he will learn that, if the Committee had sat for a further two hours after 10 o'clock on Thursday 19 January, there would have been no necessity for the introduction of a guillotine motion. If he is aware of that, why has that not coloured his remarks?

Mr. Arnold: If we were able to believe that the debate, which has continued for more than two hours, is about only an additional two hours of discussion in Committee, there would be no problem. It is clear, however, that the problem is far more widespread than that. At best, it can be attributed to the Labour party's knee-jerk reaction of opting for opposition for opposition's sake. That is the best interpretation that can be placed on the Opposition's actions. The worst interpretation is that they reflect the Labour party's failure to stand firmly and solidly with the rest of the House against terrorism.

We are debating the motion with the knowledge that the existing legislation will expire on 21 March. If the Bill does not receive Royal Assent before that date, we shall have once again an influx of identified terrorists to the United Kingdom. Again, the IRA will be fund-raising in the streets of Great Britain and in our pubs and clubs. We should not allow that to happen; that is why we must proceed quickly with the Bill.

All people in both parts of the United Kingdom would expect a united Parliament to get on with the Bill and to make progress with it. The opposition to the motion seems to be a perfect example of the obscure art of odontopedology, where the Labour party opens its mouth and puts in its foot. When measures of this sort come before the House, why is it that the Labour party has an unerring capability to back losers? Over recent months, we have seen it backing losers time and time again. A Bill of this sort will have the undoubted support of the British people, yet the Labour party seems to be doing so much to delay its passage on to the statute book.

Ms. Mowlam: I am sure that the hon. Gentleman will agree that we do not have both feet in our mouth when we speak, as he does. The Government control the timetable and they were able to decide when the Bill went into Committee. They could have arranged adequate time for the Bill to be considered in Committee, by the House and by the other place. Will the hon. Gentleman explain why the Government are incapable of doing that, or why they are incompetent?

Mr. Arnold: Without a guillotine motion, and assuming the co-operation of all parties within the House, the Bill could be enacted quickly. It is the irresponsibility of the Labour party that has thrown the timetable into doubt and that is why the Government require a guillotine motion. They wish the Bill to meet the time limit that must be placed upon it by the expiry of the current legislation.

As I have said, it is extraordinary that, time and time again, the Labour party seems to be able to back losers. Its obstruction of the progress of the Bill is an example of how it is out of step with the remainder of the country. Only last week, the right hon. Member for Birmingham, Sparkbrook (Mr. Hattersley) proved how the Labour party is out of step with the remainder of the country in its backing of Viraj Mendis—a law breaker, an exam failer and a marriage of convenience contracter. What is more—this is very much opposed by the British people—he is a social security sponger. Yet somehow the Labour party puts itself into the position of backing such a person.

A further example is the Labour party's backing of unilateralism, at precisely the time that multilateralism is breaking through. The Labour party has an extraordinary ability to back failures. A perfect example is the hon. Member for Sedgefield (Mr. Blair), who suddenly decided that he would back capitalism. He reached that decision only a week before black Monday and the collapse of the stock market. That demonstrates his great success in backing winners.

The House must keep up the fight against terrorism. There is a background of terrorist incidents such as the Lockerbie disaster, the terrible events at Enniskillen and the discovery of the Battersea bomb factory. That shows that we must never let up in the fight against terrorism.

The hon. Member for Holborn and St. Pancras mentioned the case of the Libyan embassy and said that he, a terrifically important person, called on the Government to close it. If embassies and high commissions in London are to be closed on the demand of ordinary Members, how many will remain open? How does one judge which embassies should remain open to avoid terrorism? Did the hon. Member for Holborn and St. Pancras call for the closure of the Cuban embassy after the gun incident? He did not say what steps he would have taken after the murder of the policewoman. The killer was not identified. The head of the mission forbade interrogation, as he was entitled to do under diplomatic immunity, but the hon. Member did not tell us how he would have identified the killer or how he would have dealt with him.

It is clear that the united view of the House and the country is that the Bill should be got on with. The Government will keep up the fight against terrorism, without the Opposition's support, if necessary. I most certainly support the motion.

5.20 pm

Mr. Bruce George (Walsall, South): During the past couple of hours, Conservative Members have treated us to a curious mixture of pomposity, silliness, irrelevance and malice. Terrorism affects everyone. It affects all political parties.

Conservative Members try to tar the Opposition in the eyes of the public by word association, conjuring up names such as Lockerbie, Enniskillen and Libya, and claim that the Conservatives are the only party interested in fighting

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terrorism. That is appalling nonsense. Just as everybody can remember where they were when President Kennedy was assassinated, most people can remember where they were when they heard of the Birmingham pub bombing. Hon. Members from the west midlands certainly can. Accusing Opposition Members of being indifferent to people's suffering and unconcerned about terrorism and its consequences is stupid and malicious beyond words. Everybody here wants to eradicate terrorism. The difference arises on the route we should take to achieve that common objective.

The hon. Member for Lancashire, West (Mr. Hinds) said that we have to fight terrorism with every means at our disposal. We must fight terrorism with every means at our disposal within the confines of a democratic system. The Argentine military dealt with terrorism using every means at its disposal and, in so doing, defeated its own objective. We are a democracy. If we descend to the level of our terrorist opponents and use dirty tactics, we deserve to be judged by the same standards.

Mr. Ian Taylor (Esher): Will the hon. Member please reconsider what he has just said? Surely he is not drawing any analogy between my right hon. Friend the Home Secretary and the Government of Argentina.

Mr. George: This subject deserves far more seriousness than that question displays. I would draw a distinction between what the Home Secretary has said and the nonsense that we have heard from behind him. Each Conservative Member who has spoken has exceeded his predecessor in stupidity, which takes some doing.

Mr. Taylor: Answer the question.

Mr. George: There is no need for the hon. Member to wave as though he is about to take off. In no way would I equate the Home Secretary, for whom I have great admiration, with a Fascist dictatorship. If, however, we resort to lunatic tactics to fight terrorism, others might make such a connection. That must be avoided.

The Bill is constitutionally important. In our parliamentary system, the Government have every right to get their legislation through as long as they have a majority. In our parliamentary system, the Oppposition also have rights. With legislation as fundamental as this we, the Opposition, have a right to scrutinise it. The man in the street who comes into the Strangers Gallery and listens to our debate would form the impression that the Opposition team on the Committee are a group of Che Guevaras, Ho-chi Minhs or guerrilla war fighters, and that the Minister was met by a group of violent assassins. That is a travesty of the truth. If such a person believed that there had been an incessant guerrilla war, he should know that it was a short war, as the Bill was introduced only in December and it will be out of Committee in January.

Anybody who reads the reports of the Committee will discover that we are up to our 14th sitting. I do not know how we can be expected to deal with such fundamental, constitutional, security-related legislation in 14 sittings. We are being castigated for having reached only clause 24, but that hardly constitutes an appalling filibuster. We have dealt with the Bill remarkably expeditiously. In addition to our scrutinising the Bill, we have heard the Home Secretary make an important statement. Late in the day, the Government have introduced additional amendments. I feel no shame at being charged with scrutinising legislation. In no way does taking 14 sittings to deal with 24 clauses constitute parliamentary Luddism. We have done our job of scrutiny.

As has been said, at 9.55 pm last Thursday, the Government clearly intended to prevent the Committee from sitting beyond 10 pm. Those who read the report will see that the Government and their supporters voted to finish at 10 pm. The Opposition voted against that proposition. We were quite prepared to carry on. There are only a couple of amendments to deal with. *[Interruption.]* The Home Secretary should stop muttering, as his attendance of the Committee has not been 100 per cent. He was certainly not present then.

We are coming to the end of the Bill. If the Government had had the guts last Thursday to tell their Back Benchers, "Don't go home at 10 pm. Let us stick it out a little longer so that we can finish," we could have finished. The irony is that we are guillotining a Committee stage which has almost ended. We are not guillotining a large chunk of a Bill, merely a salami slice.

The process of guillotining goes back to 1887. It is wrong that the guillotine should be used in this case. I advise hon. Members to read an excellent fact sheet—No. 23—produced by the Library on guillotine motions in the House of Commons. The Library has examined at what stage legislation has previously been guillotined, and how long the Committee stage has continued after a guillotine motion has been passed. Hon. Members will find few occasions when such fundamental legislation has been guillotined after so few sittings.

If anyone is to blame, it is the Government business managers—not the Home Office—who introduced the Bill late and then imposed a deadline which makes a mockery of parliamentary scrutiny. What the hon. Members for Bury, South (Mr. Sumberg) and for Lancashire, West said does not represent the Committee that I attended.

Ms. Mowlam: Has my hon. Friend noticed that, according to the fact sheet from the Library, the average time for the Government to guillotine a Bill is 86 hours? This Committee has sat for only 52 hours, which gives a firm indication of how irrationally the Government have acted in this case.

Mr. George: I am grateful to my hon. Friend for her intervention. I made one of the longest speeches, which lasted about 40 minutes and dealt with an amendment on two serious points. Two serious aspects of counter-terrorism were disposed of in that 40 minutes. I would not wish to inflict my speech on many people except as a form of punishment, but if hon. Members care to look at it, they will see that about a third of that time was spent responding to interventions from Tory Members. My speech could have been completed about 20 minutes earlier.

Moreover, the Chairman, who certainly would not permit superfluous, irrelevant and repetitious speeches, had to ask them to let me finish my speech without such frequent interruptions. So there is no evidence of filibustering. If hon. Members make a textual analysis of the speeches, they will see that they were not excessively long.

It is not right to argue that the Committee was beset with bad temper. The Opposition were not hellbent on

filibustering, but wanted to do a proper job of scrutiny. The Committee was reasonably amicable. The travesty described by Tory Members is not a representation of fact. Anyone who is interested in a serious, objective analysis of what took place in Committee, who reads the unfair and silly speeches of Tory Members and then the Committee reports will come to the conclusion that Committee members made a legitimate expression of parliamentary opposition, as is the role of Her Majesty's loyal Opposition, be it the Labour or Tory party.

Terrorism, whether indigenous or international, affects many people adversely. The rise of international terrorism must be contained. The hon. Member for Bury, South has argued that terrorism can be eradicated, but I would rather cite more learned authorities than him. Because weapons are so freely available and so many causes adversely affect so many people, either in reality or imagination, terrorism will be with us in perpetuity. It is nonsense to say that terrorism will be eradicated only by firmness. That is untrue. Even if we could eliminate domestic terrorism, which we cannot, we shall always have to deal with other people's terrorism. The Belgian people have little indigenous terrorism, but they have imported terrorism.

It is dreadful to argue that Labour Members are indifferent to the consequences of terrorism. Opposition Members who have spoken hardly represent the militant edge of the Labour party. I resent my hon. Friends the Members for Huddersfield (Mr. Sheerman) and for Redcar (Ms. Mowlam) and my right hon. and learned Friend the Member for Warley, West (Mr. Archer), the former Solicitor-General, being castigated for being soft on terrorism. It is unfair of Tory Members to accuse us of indifference or, as the hon. Member for Langbaurgh (Mr. Holt) did, of being sympathetic to, and the friends of, terrorists. I am delighted that he withdrew that unfair remark, albeit with bad grace.

Our task in Committee was made more difficult, not so much by our endeavours, as by the timetable restrictions and the lateness in introducing the legislation. It was made even more difficult by the confusion consequent on the proceedings being interrupted by the Home Secretary's interim decision on the European Court of Human Rights' judgment. That the Home Secretary came before the Committee was welcome, but it took up one sitting. It is difficult for us to deal with legislation when the Government's response to an important part of it is suspended until after the Committee has completed its deliberations.

How can we legislate on the prevention of terrorism when the Government say, "Sorry, we can't provide you with adequate information because we have not made up our mind how we shall respond to the human rights judgment"? Our task was made more difficult as too little time was allocated to the Committee.

Tory Members who peruse the proceedings will conclude, as will any fair-minded person, that on 19 January we could have completed our proceedings. The Government for one reason or another did not want that because they wanted to come to the House today and guillotine a Bill that to all intents and purposes had been completed. As has been said, they wanted to show that they were macho and to castigate us for indifference to terrorism. My right hon. and learned Friend the Member for Warley, West has cited often quotes from "Alice in Wonderland". I add another—that if one shuts one's eyes and says something three times, it must be true. Conservative Members may think that, if they point a finger at us and say that Labour Members do not care about terrorism, some people may believe it.

In some ways we do great damage to our cause by causing confusion——

Mr. Jeremy Hanley (Richmond and Barnes): The hon. Gentleman invited the House to study the Committee proceedings. I notice that on Thursday 19 January, the very day he has mentioned, he made a speech in excess of three quarters of an hour on one small point. Can he justify that not being a filibuster?

Mr. George: If the hon. Gentleman had been here and awake five minutes ago, he would have heard me explain that. Either his attention span is short, he was sleeping or he was absent. If he was not present, he should not point the finger at me when I have the right explanation. For his benefit, I repeat that much of the time was spent on responding to silly interventions from Tory Members who for one reason or another wished to conclude proceedings at 10 o'clock by filibustering, yet we are being accused of filibustering. My second point was that the amendment dealt with two fundamentally important elements to counter terrorism and that to spend 45 minutes on them was do do them less than justice. Furthermore, I had the protection of the Chairman, who told Tory Members to let me finish my speech because it was unfair to make so many interventions.

Mr. Sheerman: My I assist my hon. Friend? May I draw his attention to column 691 of the last sitting of the Committee, when a further two hours would have seen the end of the proceedings and the Chairman had to reprimand Tory Back Benchers and upbraid them because they did not wish to make progress? If the hon. Member for Richmond and Barnes (Mr. Hanley) wishes to make a serious point about the longest speech, which was only 40 minutes on an important point, surely he should take into account the Chairman's criticism of Government Back Benchers.

Mr. George: I welcome that intervention.

We must combat terrorism by the means at our disposal, in conjunction with our friends and allies abroad. That can be done through legislation—through more normal, ordinary legislation. If we can only re-create a degree of consensus we may succeed, but the task of achieving more harmony is not likely to be advanced by speeches such as we have heard from Conservative Members.

Everyone present today wants domestic and international harmony, which would allow people to lead the lives they deserve. We all agree on the goal, although there are differences between us. I hope that Conservative Members will have the good grace to realise that there are other ways of proceeding. I trust that not all of them feel affinity or sympathy with the motion. In fact, hardly anyone whom I have come across fits the caricature that has been described this evening.

I also hope that those who are impartial—I exclude the overwhelming majority of Conservative Members from this accusation—will conclude that the Committee stage need not have been guillotined unless the Government wished to guillotine it. When we proceed with the Bill tomorrow, if there is to be any prolongation—which I hope there will not—it may be as a result of formal

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guillotining. If the Government had let the Committee reach its natural conclusion, this slot in today's proceedings could have been used to deal with matters infinitely more important than allowing Conservative Members a glow of pleasure from making the emotional and rather silly speeches to which we have been subjected.

5.41 pm

Mr. Ian Taylor (Esher): I wish to speak because I feel that my constituents would be rather concerned if they thought that there was any danger of the Bill not reaching the statute book within the time necessary, and thus not clearing the House by the end of this month. We are debating a timetable motion, but on occasions during the debate that seems to have slipped the minds of some hon. Members. I thank the hon. Member for Walsall, South (Mr. George) for clarifying his statement, because I felt that he was verging on the extremism of which he was accusing Conservative Members when he made certain allegations affecting my right hon. Friend the Home Secretary.

A timetable motion should not have been neccessary. It should have been apparent to both sides of the House that this was a vital piece of legislation. I have not had time to look through the reports of all the sittings and, given the way in which these things work, I am sure that not every member of the Committee has listened to every word. I have noted, however, that there were 14 sittings, making 19 sessions. A quick perusal of the documentation suggests that Opposition Members' speeches did not always feature conciseness of thought, and that has contributed to the concern that has forced my right hon. Friend the Leader of the House to bring forward the motion.

The problem is not that any member of the Committee is irresponsible. I am sure that Opposition Members are upright and clear about the need to combat terrorism. Some, at least, of their remarks are concise, and no doubt their approach to the legislation is responsible. I am sure that they share the views of a former Home Secretary, the right hon. Member for Morley and Leeds, South (Mr. Rees), who said, when discussing the introduction of an earlier Bill to deal with terrorism:

"Unpleasant as are the powers contained in the Act, they are, in my view, necessary in order to prevent the far more serious consequences of terrorist violence."—[*Official Report*, 21 March 1979; Vol. 964, c. 1520.]

Opposition Members who take that view will, I am sure, be aware that some of their colleagues are not so responsible. They are, I am afraid, extremely confused. I happened to notice that last year the hon. Member for Sheffield, Hillsborough (Mr. Flannery) said:

"Conservative Members uphold the Act year after year when innocent people are being terrorised."—[*Official Report*, 16 February 1988; Vol. 127, c. 942.]

That shows not just confusion, but severe confusion, about whom the Bill is trying to protect. It is trying to protect innocent citizens of the United Kingdom, and doing so, as the right hon. Member for Morley and Leeds, South said, means that there must be tough provisions. To take the view that those provisions are causing unnecessary hardship to suspected terrorists seems perverse in the extreme.

Mr. Eric S. Heffer (Liverpool, Walton): My hon. Friend the Member for Sheffield, Hillsborough (Mr. Flannery) is not in the Chamber at present, but he was present a little earlier. Did the hon. Gentleman give to my hon. Friend that he intended to refer to him and attack what he had said? My hon. Friend may have an answer to what the hon. Gentleman has said. He may have been talking about people who are not suspected terrorists, but have been held for some time and then released. That has happened, after all.

Mr. Taylor: I note the hon. Gentleman's comments, but I would have hoped that the hon. Member for Hillsborough would continue to listen to the debate with the same interest that I have shown. If he feels that I have misquoted him on 16 February 1988—I have his speech before me—I am sure that he knows what he can do to rectify that.

Mr. Heffer: On a point of order, Madam Deputy Speaker. I have always known it to happen in the House—until now, apparently—that hon. Members who are about to refer to, or attack, other hon. Members give them notice. It seems that in the last few years Conservative Members have dispensed with that practice. I think it worth while for us to be told if we are to be attacked, and thus to have the opportunity to be present and at least try to answer or express a view. If that is now not the practice of Conservative Members, it means that they have sunk even lower than I thought.

Madam Deputy Speaker: Order. I have the hon. Gentleman's point. If one hon. Gentleman is going to refer to another, it is normally common courtesy to inform him.

Mr. Sumberg: Further to that point of order, Madam Deputy Speaker. I think that the hon. Member for Liverpool, Walton (Mr. Heffer) may have been referring to me. In my speech, I referred at some length to the right hon. Member for Birmingham, Sparkbrook (Mr. Hattersley). I did not tell him that I was going to do so because I had expected him to be in the Chamber for the whole debate, which I thought was not an unreasonable assumption.

Madam Deputy Speaker: I think that the hon. Member for Liverpool, Walton (Mr. Heffer) was referring to the hon. Member for Esher (Mr. Taylor), who now has the Floor.

Mr. Taylor: I am grateful to you for your reasonableness, Madam Deputy Speaker. I have no desire to attack any hon. Member who is not present; I would rather attack hon. Members—if "attack" is the word—when they are present. As I have sat through the whole debate, I was not able to notify the hon. Member for Hillsborough that I wished to quote him. I hoped that he would stay in his place.

I am sure that Opposition members of the Committee will be responsible. I note that the timetable motion allows a further sitting of the Committee on 24 January which can continue until 11 pm, so that there will be no restraint on the way in which Opposition Members debate the two extra new clauses which they have said are so important to them. Judging by past performance and speeches in this House, some of their hon. Friends are less responsible on these matters, so the timetable motion is important because it also has a bearing on Report and Third Reading. It is at that stage when, I am afraid, the normal channels to which my right hon. Friend the Leader of the

House referred could be found to be less than reliable. If that were so, there is a grave danger that the House would not proceed in an orderly way with its business before the end of the month. In those circumstances, the Bill would fall foul of the date of 22 March, which would be outrageous.

My constituents and the constituents of my hon. Friends would justifiably feel that our right hon. Friend the Leader of the House had not acted promptly enough if he was not able to push the business through by the end of this month. For those reasons, I entirely accept that a guillotine motion is needed. It will enable the Bill to take its course by the end of this month, with sufficient time, still, for reasoned argument and—as the hon. Member for Walsall, South said was necessary—for a proper scrutiny in Committee, on Report and on Third Reading.

People in the United Kingdom do not want the police to be handicapped in fighting terrorism. They do not want terrorist organisations to be free to operate. The Government cannot afford to wait for terrorist crime to be committed before bringing in legislation. I do not think that anyone would dispute that there are controversial provisions in the Prevention of Terrorism Bill. There are many provisions which hon. Members on this side of the House would have preferred not to be introduced had they not been so necessary. We are dealing, however, with a highly charged situation.

The people in Northern Ireland and on this mainland, who would be affected, would not understand it if legislation was not in place. The risks for my right hon. Friend the Leader of the House would be too great if there were any signs of the sort of extremism in certain quarters of the Labour party frustrating the Bill's passage through the House. In those circumstances, I entirely support my right hon. Friend's action and I ask the House to do so tonight.

5.52 pm

Mr. Seamus Mallon (Newry and Armagh): In saying a few words about what is, in effect, a guillotine motion, I should observe that, if one is a Member of Parliament from Northern Ireland in this sort of debate one experiences the guillotine on a regular basis. I thought that it might be relevant in a debate on a guillotine motion if I were not to recognise the fact that littel time is left for me. I realise, however, that the Minister and the Opposition Spokesman have important points to make in reply and I shall not allow the guillotine to be enforced upon them as it so often is on Northern Ireland Members. My remarks must be even more compressed than they were in Committee, when we were accused of filibustering.

There is an air of unreality, because in this debate about a guillotine motion we cannot debate the actual Bill. The debate, however, has now lasted almost twice as long as two important pieces of Northern Ireland legislation—those which removed the freedom of the press and the right to silence. That, in effect, tells us something about this debate, although I am not sure what. What brought a sense of excitement to the Committee was wondering whether there would be a guillotine, a change of orders or just what would happen. What was remarkable was that it seemed that, when a decision was taken to put a timetable motion on the order of business, and it looked as though the Government might get through without enforcing it, there was some panic on the Government side. As one who is not involved in either of the major parties, it is difficult to avoid the conclusion that both sides wanted a punch-up and that extra time was being sought on the Floor of the House, for whatever reason.

One had only to listen to some of the speeches today to realise that the Government wanted this debate to make the silly, unfair and untrue point that the Opposition are soft on terrorism. I live in the midst of terrorism. I see it from all sides every day of the week. I do not believe that it is right that people who may have no experience of it should make wild and untrue accusations.

A study of the record of the Committee shows that it was not dealing with a straightforward Bill, because the Bill could only be considered in relation to the Northern Ireland (Emergency Provisions) Act 1978, which applies exclusively to the North of Ireland. They interlock at almost every stage, so that it was not dealing with one piece of primary legislation but with two, long, detailed and complex pieces of legislation. For that reason not only had we to spend more time on some of those issues, but we needed a change of Minister. What came through consistently was that there were times when the Home Office Minister felt that, possibly, the Northern Ireland Office Minister might be in a better position to give the information required, and vice versa. Because of the ministerial indecision and the substantial lack of information, especially about statistics—which has still not been provided—it was almost impossible to make the type of crucial decisions that have to be made about this legislation.

During a radio interview this morning about the role of the Committee, the interviewer asked me, "Was it not the case that you were examining this legislation line by line?" I said, "Yes. I was under the impression that that is what a parliamentary Committee was for, which is why people like myself rise at 5 o'clock in the morning, catch a plane over here, sit through on that Committee until 3 o'clock the next morning and are prepared to do so on the subsequent day." It ill behoves people to make accusations that an irresponsible approach was brought to the Committee. It was anything but, because people do not spend such hours unnecessarily on the last day of Parliament before Christmas. We all know that most hon. Members would be going out to buy presents and, perhaps, stopping in some other place en route. The reality is that the Committee sat through that day to the early hours of the morning and successfully considered two substantial pieces of legislation in five weeks. I sat on the emergency provisions Bill Committee, which I believe lasted about three months.

If fault there is, that fault is with the Government, who did not foresee the problems which would arise. Between 1984 and January 1988, they had sufficient time to table that Bill so that it could be dealt with in a way that would meet their timetable without this sort of pressure.

I believe that the role of such a Committee is an important and valuable one. We all learn something more about the legislation; new points arise and we gain a clear perspective of the difficulties foreseen, both by those opposing it and by those proposing it. There is something Stalinist about an approach which brings down a guillotine in such circumstances. When it became obvious that the Bill could be finished without a guillotine, near-panic broke out on the Government Benches and there was a great rush to be involved in the guillotine debate, for whatever reason.

[Mr. Seamus Mallon]

I have already described the logistical problems that exist for Members representing Northern Ireland. I am sure that all right hon. and hon. Members appreciate that much of the work that is done for a Committee on such a Bill is carried on outside that Committee. One must obtain the necessary professional advice and be briefed on the legal aspects of the Bill. If a Member representing Northern Ireland is unable to obtain such help because of insufficient time he is at a disadvantage similar to that felt by an hon. Member who must keep looking at the clock to ensure that he does not guillotine someone else's speech.

The hon. Member for Bury, South (Mr. Sumberg) has said that terrorism must be defeated—in fairness to him, he consistently said that in Committee. The judicial abnormality created by the Bill establishes a situation that is crucial to present and future discussions. That abnormality is exactly the type of murky waters within which the terrorist likes to swim, within which he gets his cover and his recruits and spreads his propaganda. Such abnormality suits the terrorist.

If we consider the sorry scene before and after 1974, it is clear that the highest standards of judicial practice have been knocked down like skittles. The House has not done that—although it has been the witting or unwitting agent—but those standards have been knocked down by the very people against whom the law is aimed. The Provisional IRA, the Ulster Defence Association and all the other paramilitary groups have been able to seize the ball to knock down those skittles as they wanted. They realise more than anyone else that they can only exist in an abnormal situation. That is their milieu and where they thrive.

I do not believe that the Bill or any other legislation will do what the hon. Member for Bury, South wants. We have had almost 20 years of such emergency legislation. To date that legislation has not defeated terrorism; nor will it do so in the future. If all of us, some of us or other people are standing here in 10 years' time and the same conditions and problems prevail, what then? What other steps can then be taken? What other steps are possible within the realms of ordinary jurisdiction?

With the Bill and other such legislation, the Government are going further and further down the wrong road. There must come a point when someone with strength in the Government will cry halt. They are on the wrong road because the Bill is incapable of defeating terrorism—there is no known piece of legislation that is.

The only way that terrorism will be defeated will be when the people in the north of Ireland have sufficient confidence in legislation. When those people are not suffering at its hands and when they recognise that it is there to protect their rights and interests, is when terrorism will be defeated. Until then, however, the Bill and other such legislation sharply focuses the fact that such devices simply cannot deliver. In Committee, I pointed out many examples of the very activities covered by the Bill—those activities did not occur in the vague past, but happened that week—which were standing in the way of obtaining convictions in the North of Ireland.

I find it difficult to accept that anyone would believe that there was some sort of filibuster in Committee. I was present for most of the time and, if there was, I did not hear it. It ill behoves people who were not present to make such accusations, especially when one appreciates the hours that Members spent deliberating the Bill in a businesslike manner. Every time such a Bill comes before the House or a Committee, it must be put on the rack or under the spotlight to be taken apart, because, in part, it deals with the most basic rights of people.

6.5 pm

Mr. Barry Sheerman (Huddersfield): I am hesitant to say that this has been a good, constructive debate because of the appalling things that I have heard from Conservative Members tonight. Any impartial observer of our proceedings would agree that the debate has been unlike most of the discussions in Committee. Most of the time in Committee we had workmanlike and constructive debate. As in all lengthy Committees, there were light and heavy moments, but constructive cut and thrust was the general tenor of our debate. That was certainly not so today.

The guillotine motion has been made necessary by a Government who have blended incompetence with arrogance and spiced the dish with selfish malice. The Government are incompetent because they are bent on forcing a menu of grotesque proportions through a limited parliamentary timetable. It surprises no independent observer when that menu proves to be so vast that it is incapable of digestion by our parliamentary process and democratic system.

The Government are arrogant because they are deaf to international opinion and to the views of their critics. They managed their response to the judgment of the European Court of Human Rights in such a way that they alienated their European and international counterparts and deeply embittered all but their most slavish adherents.

It is with a sense of sadness rather than spite that I note the malice that has been apparent in today's debate. At a certain time I believe that Government business managers thought that the Government could guillotine consideration of the Bill at an early stage even if insufficient time had been given for such consideration. No doubt they thought that, by moving a guillotine, they could trumpet to the world that the Opposition are soft on terrorism. Although the Home Secretary may not have made that allegation, any independent observer would testify that there are plenty of smaller fry who could be encouraged to say that in the most disgraceful way.

Mr. Hugo Summerson (Walthamstow) *rose*——

Mr. Sheerman: No, I will not give way, because there is little time left.

The Opposition have a heavy responsibility regarding this Bill. As I said on Second Reading, it is not a normal Bill, but one of great constitutional significance because it deals with the traditional rights and privileges of our citizens—their rights of liberty and equal treatment under the law. I remind the House that the Bill is far more complex and longer, in terms of the main clauses and schedules attached to it, than the Bill we considered in 1983.

We have not had sufficient time for proper deliberation. My hon. Friend the Member for Walsall, South (Mr. George) rightly said that, as Her Majesty's Opposition, we have a duty and a responsibility to scrutinise the Bill in a manner sufficient for that purpose.

I can say with confidence that at many times the Committee's scrutiny improved the Government's understanding of their own Bill. On many clauses and amendments, and certainly in regard to the new clauses, we educated the Ministers responsible—and two Ministers responded on different aspects of the Bill—in terms of their understanding of the clauses. I do not say that to make the hon. Gentlemen look foolish. That was the nature of the opposition that was the spirit in which our inquiries were received. The Bill is complex and needed such scrutiny.

As has been said this afternoon, we needed only two or three hours in which to finish the Bill in Committee on Thursday evening. For some reason—either the Government did not want to be embarrassed, or they wanted to say that the Opposition are soft on terrorism —the Chairman of the Committee said that no one in the Committee on both sides wanted to make any progress. That has never occurred on any Committee of which I have been a member. The Chairman directed those remarks particularly at Government Back Benchers.

We have had an honest and full scrutiny of the Bill. We had redoubled our efforts to ensure that some of the new provisions of the Bill—those dealing with finance flowing from terrorism, or with the remission that sentenced prisoners can receive—received particular attention, but no more than was required to do justice to the arguments that were being advanced.

My right hon. and learned Friend the Member for Warley, West (Mr. Archer) mentioned the Queen of Hearts. I believe that that is where the trouble lies with the guillotine. My right hon. and learned Friend was absolutely right that the Prime Minister must have said, "We have to show that we have a tough and macho image. We have to get through a lot of legislation in this parliamentary Session, and with this first Bill we have to show that we will be tough." Therefore, the guillotine was imposed, quite unnecessarily.

Mr. Sumberg *rose*——

Mr. Hind *rose*——

Mr. Sheerman: I will not give way. There is insufficient time and both hon. Gentlemen have had plenty of time.

Mr. Hind: I spoke for only 17 minutes in 52 hours in Committee.

Mr. Sheerman: If one reads newspapers and writes one's Christmas cards in Committee, one cannot whine in the debate on the guillotine.

We believe that the guillotine motion is an attempt to show the Government's macho image and to be a warning to all those other Committees that are scrutinising Bills at present. It is a disaster that we should be asked to scrutinise a Bill that started off as a permanent piece of legislation to replace a temporary piece of legislation.

On Second Reading, the Home Secretary told us that he was sorry that he had not responded to the European Court of Human Rights before Second Reading, but he had every intention of doing so early in the Committee proceedings. However, on the Thursday before Christmas, the Home Secretary came to the Committee for the first time and said that, reluctantly, he had to move to derogation in respect of the European Court of Human Rights. However, we had the impression that it would be temporary. After the Christmas recess, the Under-Secretary of State for the Home Department came to the Committee with a letter that he told us had been sent the day before, although, unfortunately, we had not received it until that morning. If one read between the lines, it was clear that the derogation would, in effect, be permanent and that it would not be effective before the Bill had received Royal Assent.

It does not seem unreasonable for Her Majesty's Opposition to say that this is a fine old how-d'ye-do, when the Government start a Bill on Second Reading and we do not know what the Bill will look like halfway through, and when, halfway through the Committee stage, we are told that the Bill will be a temporary permanent piece of legislation. Any constructive Opposition would have to say, "We can no longer guarantee co-operation on this Bill." But the Government received a reasonable amount of co-operation that was far beyond what they deserved. Last Thursday evening, there were but two hours to go and the Government could have had their business. That was clear to the Government managers, to the Opposition Whips and to every Member of the Committee.

It is an absolute scandal that the Government can push forward a guillotine motion today in the light of what happened in Committee on Thursday evening. I can only assume that that was because of the Prime Minister's view that the Government have to show a macho image, or, the other, quieter, voice that the Home Secretary is a little ashamed of——

Mr. Sumberg *rose*——

Mr. Sheerman: That would provide the possibility for Back Benchers such as the hon. Member for Bury, South (Mr. Sumberg) who is trying to intervene, to make scurrilous remarks that some Opposition Members are friends and sponsors of terrorists and terrorism. There was an apology for one such remark this afternoon, but at the end of his remarks the hon. Member for Lancashire, West (Mr. Hind) said that the Opposition were the tacit friends of the gun and the bullet. That is a slur on the Labour party and on Her Majesty's Opposition. It should have been retracted and I hope that it will be denounced by the Home Secretary when he replies to the debate.

Unfortunately, the guillotine motion has been a waste of the time of the House. It reveals much about the methods and the philosophy of the Government, who are determined to bludgeon all opposition and criticism into submission by any means at their disposal and to use any sledgehammer to hand. Today's debate shows that the Government will cut each and every debate because the one thing that they know about this place at the moment is that they will win the votes. But they will lose the arguments. That is why the guillotine favours those with large votes but with not much to say in favour of the case that they are making. We understand that, and we can predict it. But we do not understand a Government who will stop at nothing and cannot stoop low enough to slur and smear the Opposition, regardless of the importance of the issue and the depth of feeling about terrorism. Those who stand up to the Government are open to slur because we have an authoritarian Government.

The Opposition hate and despise terrorists and terrorism. We believe that there are far more effective ways of combating those evil men and women than throwing legislation at them. We hold the honest opinion that there are alternatives under the laws of our land that apply to all

[Mr. Sheerman]

citizens. The terrorists love the oxygen of legislation far more than the oxygen of publicity. We believe that the guillotine motion will do nothing except fuel the cynicism of ordinary men and women in this country who are not swayed by masses of legislation and the lack of effective action against terrorism.

6.18 pm

The Secretary of State for the Home Department (Mr. Douglas Hurd): As usual on these occasions, there have been widely differing accounts of what happened in Committee, but a certain number of facts have been established. If the Bill is to be effective, it needs to be on the statute book by 21 March. Agreement was reached in the usual way on the pace of discussion in Committee. Having reached that agreement on 10 January, the hon. Member for Huddersfield (Mr. Sheerman) said on 12 January that the Opposition could no longer co-operate on the timetable, for the reasons that the hon. Gentleman gave again today and at great length in a press statement, when he said that any question of co-operation with the Government had been rendered meaningless.

It is impossible for the hon. Gentleman to have it both ways. Either he is revelling in his indignation that we were so inadequate in our handling of the Brogan judgment, and is withholding his co-operation in order to show how indignant he is, or he has been co-operating all the time and wants the Bill to reach the statute book after proper discussion. His speech today was riddled with the same confusion as has been shown by the Opposition throughout. I understand that that confusion continued on Thursday night.

It has been said several times today that, having said that they would withhold co-operation, on Thursday night the Opposition appeared to be willing to press on. However, in other ways we have received a clear signal that the Opposition were very keen that the Committee should shut up at 10 o'clock. There was the same confusion as has illustrated the Opposition's attitude to the Committee stage throughout.

I do not entirely blame the hon. Member for Huddersfield. We have a certain amount of information about this matter. It is clear to me that the right hon. Member for Birmingham, Sparkbrook (Mr. Hattersley) —[Hon. Members: "Where is he?"] That is the point. Like some 18th or 19th-century general, he prefers to command the battle from a distant hill. That is what happened to Lord Raglan at Balaclava. Like Lord Raglan at Balaclava, he gave the most ferocious orders, at a distance, to the troops. The right hon. Gentleman told his troops that they must tear up the agreement, charge down the valley, regardless of loss, and land themselves in this guillotine motion.

To do the hon. Member for Huddersfield credit, I am told that, unlike Lord Cardigan on that unhappy occasion, he protested against these obtuse tactics but was overruled. Far away—as again this evening—and out of range on his hill, the right hon. Member for Sparkbrook was adamant that——

Mr. Sumberg: Will my right hon. Friend give way?

Mr. Hurd: No, I had better continue with my speech because I do not have very much time.

As my hon. Friend the Member for Lancashire, West (Mr. Hind) illustrated in his speech, the Opposition openly and publicly—and taking credit for it—withdrew their co-operation on 12 January and in various statements thereafter on a Bill that is urgently needed.

The Committee stage is not complete, and the remaining stages are ahead of us. There is not a great deal of time. Given the risks of delay and the hostile, though admittedly thoroughly confused, attitude of the Opposition, who are shifting a bit from day to day, it would have been foolish for the Government to take them on trust and not introduce the guillotine motion.

Why did the Opposition withdraw their co-operation? Why did it change from a relatively co-operative Committee into one in which the Opposition decided, day by day, how hostile and disruptive they were going to be? The answer that the hon. Member for Huddersfield gave was the Government's handling of the Brogan judgment. The serious contribution on that matter today came, as one has come to expect, from the hon. Member for Caithness and Sutherland (Mr. Maclennan). I shall deal with what I understood him to say, although I am afraid that I returned to the Chamber in the middle of his speech. *[Interruption.]* I hope that no comparisons will be made between me and the right hon. Member for Sparkbrook. My score, as regards the right hon. Member for Sparkbrook, was one-love at the beginning of the day and now it is two-love. In most sports, that is considered to be a margin.

Although he is dissatisfied with the outcome, I hope that the hon. Member for Huddersfield will agree that both my hon. Friend the Member for Grantham (Mr. Hogg) and I have been entirely open both with the House and with the Committee about the handling of the Brogan judgment. I explained both on Second Reading and in Committee just before Christmas how we might proceed: either by derogation under the convention or by introducing some form of judicial control. I said that we wished to find a judicial route, if we were able to do so. I went on to explain the difference between the continental system and ours over the concept of an examining officer.

That difference was recognised by the court at Strasbourg. There is difficulty, therefore, over devising the judicial mechanism that the court's judgment suggested to us. I explained why, if we are to continue to use this power of detention up to seven days—which I believe is essential —it is right to derogate. My hon. Friend the Member for Grantham thought it right after Christmas, and I entirely agreed with him, to bring the Committee up to date and to explain that, although we were still working on the possibilities of a piece of judicial machinery, it was not realistic to expect that there would be an early conclusion to our deliberations.

In response to what was said by the hon. Member for Caithness and Sutherland, I should like to add something to what we have already said. This is not a light matter. The hon. Gentleman did not treat it as a light matter. It would be foolish for anyone to do so. We are talking about three jurisdictions within the United Kingdom—Northern Ireland, Scotland, and England and Wales. Their ways of handling these matters are all different. We are also talking about the need to consult various people within those jurisdictions who are not Government servants and who are not to be taken for granted. They need to be consulted on a number of matters, if we are to set up a judicial machinery. They must be consulted on who should do the

job and what information they need to be given. We are not talking about the original detention—that would not be a matter for them—but about the proposal that detention should be extended and what the procedure should be.

As I think the right hon. and learned Member for Warley, West (Mr. Archer) will agree, it is unrealistic to believe that one could discuss this matter hypothetically with such people in advance of the judgment. People outside Government whose views on these matters are important, would be unwilling to be drawn into hypothetical discussions. It would have been foolish to ask them, since the content of the judgment was different from what many people predicted.

We are still involved in uphill work, and I cannot yet say whether the outcome will be successful. However, we are working genuinely to see whether a judicial piece of machinery can be found. My hon. Friends the Members for Bury, South (Mr. Sumberg) and for Gravesham (Mr. Arnold) and other Conservative Members who have spoken in this debate were right to bring us back to the fact that this should not be a partisan matter. There will always be discussion about details, but there should be consensus on a matter such as this. The Opposition's attitude towards our reaction to terrorism is hopelessly confused and irresponsible.

During the last month, we have had terrible reminders of the power and the wickedness of terrorism. There has been the Lockerbie disaster, after which the hon. Member for Kingston upon Hull, East (Mr. Prescott) appeared constantly on our television screens urging the Government to do more and to be draconian. He urged the Government to tighten up on airline security by means of one measure after another. At the same time, however, the Opposition were opposing the powers of detention and exclusion that are contained in the Bill, which demonstrates a total lack of logic.

Mr. Dobson: Will the right hon. Gentleman give way?

Mr. Hurd: No.

Furthermore, during the recess the police had to deal —thanks to the discovery of the Battersea bomb factory —with another terrorist threat that could have had equally tragic and disastrous consequences had it not been discovered. During the recess I used some of the powers of detention that are still available to me, thanks to the derogation that I announced.

I do not believe that any hon. Member, faced with the problems that were put to me, would have withheld permission to use those powers, or would feel that it would have been right, because of the Brogan judgment, to remove them and not to derogate. On reflection, the Opposition surely cannot believe that it is right—while they are pressing for tighter and tighter airport security and for more and more controls on passengers—to deprive the police or me of the powers that are necessary to save those who are at risk from terrorism.

Mr. Dobson: Will the Home Secretary give way?

Hon. Members: Give way.

Mr. Hurd: No, I shall not give way. The hon. Member for Huddersfield did not give way, and I do not intend to do so.

That will not do. I understand the point made by the hon. Member for Newry and Armagh (Mr. Mallon). As in the case of the hon. Member for Caithness and Sutherland, one would be foolish not to listen with considerable care to what the hon. Member for Newry and Armagh says on these occasions.

The Government do not say that the Opposition as a whole support terrorism or sympathise with terrorists, but the problem is that they have drifted far away from the time when they had to take decisions on these matters, or had to consider the right balance to be struck. They have drifted so far that they do not come to discussions of this kind in a sensible frame of mind.

It is one of the maxims of responsible politics that those who will the end must will the means. Opposition Members have forgotten that. Everybody in this House wills the end. That is to say that everybody in this House wishes to see effective measures against terrorism. The difference on the Government side of the House is that we also will the means. Of course, that creates occasional difficult problems and the need for special powers. I do not believe that the Opposition have thought the matter through.

The hon. Member for Newry and Armagh thought and spoke on behalf of his supporters in the Province. *[Interruption.]* Yes, he lives with the problem every day. That is why his views should be listened to with respect. He does not agree that special powers are needed. I accept one of the basic points that he made, that special powers by themselves are not enough. He knows that I have never argued that they are enough. I have never argued that strengthening the security forces in Northern Ireland is enough. I agree with his point that we will not get an answer in Northern Ireland without respect by the majority and the minority in the Province for the institutions of justice and of the state in Northern Ireland. He knows the steps that have been taken by my successor as Secretary of State for Northern Ireland to bring that about.

To say that, of itself, the Bill will not solve the problem of terrorism in Northern Ireland is not an argument against it. One thing we have surely learnt through the passage of the years and through all the terrible events that we have lived through is that no single measure is enough. I am absolutely sure that the main proposals embodied in the Bill are necessary as part of an effective answer to terrorism. In particular, I am thinking of the renewed proposals on detention and the power of exclusion, which has been criticised—Lord Colville would have preferred us to omit it—but on rare occasions, case by case, I find it necessary for a successful effort.

We return to the heart of the matter and the heart of motion that my right hon. Friend——

It being three hours after the commencement of proceedings on the motion, MR. DEPUTY SPEAKER *proceeded to put the Question necessary to dispose of it, pursuant to Standing Order No. 46 (Allocation of time to Bills.)*

The House Divided: Ayes 272, Noes 214.

Division No. 43] **[6.32 pm**

AYES

Adley, Robert	Arbuthnot, James
Aitken, Jonathan	Arnold, Tom *(Hazel Grove)*
Alexander, Richard	Ashby, David
Alison, Rt Hon Michael	Atkins, Robert
Allason, Rupert	Baker, Rt Hon K. *(Mole Valley)*
Amess, David	Baker, Nicholas *(Dorset N)*
Amos, Alan	Baldry, Tony

Batiste, Spencer
Bellingham, Henry
Bendall, Vivian
Benyon, W.
Bevan, David Gilroy
Biffen, Rt Hon John
Blackburn, Dr John G.
Blaker, Rt Hon Sir Peter
Bonsor, Sir Nicholas
Boswell, Tim
Bottomley, Peter
Bottomley, Mrs Virginia
Bowden, A *(Brighton K'pto'n)*
Bowden, Gerald *(Dulwich)*
Bowis, John
Boyson, Rt Hon Dr Sir Rhodes
Braine, Rt Hon Sir Bernard
Brandon-Bravo, Martin
Brazier, Julian
Bright, Graham
Brooke, Rt Hon Peter
Brown, Michael *(Brigg & Cl't's)*
Browne, John *(Winchester)*
Bruce, Ian *(Dorset South)*
Buck, Sir Antony
Burns, Simon
Burt, Alistair
Butler, Chris
Butterfill, John
Carlisle, John, *(Luton N)*
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Carttiss, Michael
Cash, William
Channon, Rt Hon Paul
Chapman, Sydney
Chope, Christopher
Churchill, Mr
Clark, Dr Michael *(Rochford)*
Clark, Sir W. *(Croydon S)*
Clarke, Rt Hon K. *(Rushcliffe)*
Colvin, Michael
Conway, Derek
Coombs, Simon *(Swindon)*
Cope, Rt Hon John
Cormack, Patrick
Cran, James
Critchley, Julian
Currie, Mrs Edwina
Curry, David
Davies, Q. *(Stamf'd & Spald'g)*
Davis, David *(Boothferry)*
Day, Stephen
Devlin, Tim
Dickens, Geoffrey
Dorrell, Stephen
Douglas-Hamilton, Lord James
Dover, Den
Dunn, Bob
Durant, Tony
Dykes, Hugh
Eggar, Tim
Emery, Sir Peter
Evans, David *(Welwyn Hatf'd)*
Evennett, David
Fairbairn, Sir Nicholas
Fallon, Michael
Favell, Tony
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Finsberg, Sir Geoffrey
Fishburn, John Dudley
Fookes, Dame Janet
Forman, Nigel
Forsyth, Michael *(Stirling)*
Forth, Eric
Fox, Sir Marcus
Franks, Cecil
Freeman, Roger
French, Douglas
Fry, Peter
Gale, Roger
Gardiner, George
Garel-Jones, Tristan
Gill, Christopher
Glyn, Dr Alan
Goodhart, Sir Philip
Goodlad, Alastair
Goodson-Wickes, Dr Charles
Gorst, John
Gow, Ian
Grant, Sir Anthony *(CambsSW)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Gregory, Conal
Griffiths, Peter *(Portsmouth N)*
Grist, Ian
Ground, Patrick
Grylls, Michael
Gummer, Rt Hon John Selwyn
Hamilton, Hon Archie *(Epsom)*
Hamilton, Neil *(Tatton)*
Hanley, Jeremy
Hannam, John
Hargreaves, A. *(B'ham H'll Gr')*
Hargreaves, Ken *(Hyndburn)*
Harris, David
Haselhurst, Alan
Hayes, Jerry
Hayhoe, Rt Hon Sir Barney
Hayward, Robert
Heathcoat-Amory, David
Heddle, John
Hicks, Mrs Maureen *(Wolv' NE)*
Hicks, Robert *(Cornwall SE)*
Hind, Kenneth
Hogg, Hon Douglas *(Gr'th'm)*
Holt, Richard
Hordern, Sir Peter
Howard, Michael
Howarth, Alan *(Strat'd-on-A)*
Howarth, G. *(Cannock & B'wd)*
Howe, Rt Hon Sir Geoffrey
Howell, Ralph *(North Norfolk)*
Hughes, Robert G. *(Harrow W)*
Hunt, David *(Wirral W)*
Hunt, John *(Ravensbourne)*
Hurd, Rt Hon Douglas
Irvine, Michael
Jack, Michael
Janman, Tim
Jessel, Toby
Jones, Gwilym *(Cardiff N)*
Jones, Robert B *(Herts W)*
Kellett-Bowman, Dame Elaine
Key, Robert
Kilfedder, James
King, Roger *(B'ham N'thfield)*
Kirkhope, Timothy
Knapman, Roger
Knight, Greg *(Derby North)*
Knight, Dame Jill *(Edgbaston)*
Knowles, Michael
Latham, Michael
Lawrence, Ivan
Lawson, Rt Hon Nigel
Lee, John *(Pendle)*
Lennox-Boyd, Hon Mark
Lester, Jim *(Broxtowe)*
Lilley, Peter
Lloyd, Sir Ian *(Havant)*
Lord, Michael
McCrindle, Robert
Macfarlane, Sir Neil
MacKay, Andrew *(E Berkshire)*
McLoughlin, Patrick
McNair-Wilson, Sir Michael
McNair-Wilson, P. *(New Forest)*
Major, Rt Hon John
Malins, Humfrey
Mans, Keith
Maples, John
Marland, Paul
Marlow, Tony
Marshall, John *(Hendon S)*
Marshall, Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Mellor, David
Meyer, Sir Anthony
Miller, Sir Hal
Mills, Iain
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David
Moate, Roger
Montgomery, Sir Fergus
Morris, M *(N'hampton S)*
Morrison, Sir Charles
Morrison, Rt Hon P *(Chester)*
Moss, Malcolm
Moynihan, Hon Colin
Mudd, David
Neale, Gerrard
Needham, Richard
Nelson, Anthony
Neubert, Michael
Nicholls, Patrick
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Onslow, Rt Hon Cranley
Oppenheim, Phillip
Page, Richard
Paice, James
Patnick, Irvine
Patten, Chris *(Bath)*
Patten, John *(Oxford W)*
Peacock, Mrs Elizabeth
Porter, David *(Waveney)*
Portillo, Michael
Price, Sir David
Raffan, Keith
Raison, Rt Hon Timothy
Rathbone, Tim
Redwood, John
Renton, Tim
Rhodes James, Robert
Roe, Mrs Marion
Rossi, Sir Hugh
Rost, Peter
Sackville, Hon Tom
Sainsbury, Hon Tim
Scott, Nicholas
Shaw, Sir Giles *(Pudsey)*
Shepherd, Colin *(Hereford)*
Shepherd, Richard *(Aldridge)*
Sims, Roger
Skeet, Sir Trevor
Smith, Tim *(Beaconsfield)*
Speller, Tony
Squire, Robin
Stanbrook, Ivor
Stewart, Rt Hon Ian *(Herts N)*
Sumberg, David
Summerson, Hugo
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Taylor, Teddy *(S'end E)*
Tebbit, Rt Hon Norman
Temple-Morris, Peter
Thompson, Patrick *(Norwich N)*
Thorne, Neil
Thornton, Malcolm
Thurnham, Peter
Townsend, Cyril D. *(B'heath)*
Tracey, Richard
Tredinnick, David
Trotter, Neville
Twinn, Dr Ian
Vaughan, Sir Gerard
Waddington, Rt Hon David
Wakeham, Rt Hon John
Waldegrave, Hon William
Walden, George
Walker, Bill *(T'side North)*
Waller, Gary
Walters, Sir Dennis
Ward, John
Watts, John
Wells, Bowen
Wheeler, John
Whitney, Ray
Widdecombe, Ann
Wiggin, Jerry
Wilshire, David
Wolfson, Mark
Wood, Timothy
Woodcock, Mike
Yeo, Tim
Young, Sir George *(Acton)*

Tellers for the Ayes:
Mr. David Lightbown and
Mr. David Maclean.

NOES

Abbott, Ms Diane
Adams, Allen *(Paisley N)*
Allen, Graham
Alton, David
Anderson, Donald
Archer, Rt Hon Peter
Armstrong, Hilary
Ashley, Rt Hon Jack
Ashton, Joe
Banks, Tony *(Newham NW)*
Barnes, Harry *(Derbyshire NE)*
Barnes, Mrs Rosie *(Greenwich)*
Barron, Kevin
Battle, John
Beckett, Margaret
Benn, Rt Hon Tony
Bennett, A. F. *(D'nt'n & R'dish)*
Bermingham, Gerald
Bidwell, Sydney
Blair, Tony
Blunkett, David
Boateng, Paul
Boyes, Roland
Bradley, Keith
Bray, Dr Jeremy
Brown, Gordon *(D'mline E)*
Brown, Nicholas *(Newcastle E)*
Brown, Ron *(Edinburgh Leith)*
Buchan, Norman
Buckley, George J.
Caborn, Richard
Callaghan, Jim
Campbell, Menzies *(Fife NE)*
Campbell, Ron *(Blyth Valley)*
Campbell-Savours, D. N.
Canavan, Dennis
Cartwright, John
Clark, Dr David *(S Shields)*
Clarke, Tom *(Monklands W)*
Clay, Bob
Clelland, David
Clwyd, Mrs Ann
Cohen, Harry
Coleman, Donald
Cook, Frank *(Stockton N)*
Cook, Robin *(Livingston)*
Corbett, Robin
Corbyn, Jeremy
Cousins, Jim
Crowther, Stan
Cummings, John
Cunliffe, Lawrence
Cunningham, Dr John
Dalyell, Tam

Darling, Alistair
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Ron *(Caerphilly)*
Davis, Terry *(B'ham Hodge H'l)*
Dewar, Donald
Dixon, Don
Dobson, Frank
Doran, Frank
Douglas, Dick
Dunwoody, Hon Mrs Gwyneth
Eadie, Alexander
Evans, John *(St Helens N)*
Fatchett, Derek
Fearn, Ronald
Field, Frank *(Birkenhead)*
Fields, Terry *(L'pool B G'n)*
Flannery, Martin
Flynn, Paul
Foot, Rt Hon Michael
Foster, Derek
Fraser, John
Galbraith, Sam
Garrett, John *(Norwich South)*
Garrett, Ted *(Wallsend)*
George, Bruce
Gilbert, Rt Hon Dr John
Godman, Dr Norman A.
Golding, Mrs Llin
Gordon, Mildred
Gould, Bryan
Graham, Thomas
Grant, Bernie *(Tottenham)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Hardy, Peter
Harman, Ms Harriet
Hattersley, Rt Hon Roy
Heffer, Eric S.
Hinchliffe, David
Hogg, N. *(C'nauld & Kilsyth)*
Holland, Stuart
Home Robertson, John
Hood, Jimmy
Howarth, George *(Knowsley N)*
Howell, Rt Hon D. *(S'heath)*
Howells, Geraint
Hughes, John *(Coventry NE)*
Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport E)*
Hughes, Sean *(Knowsley S)*
Hughes, Simon *(Southwark)*
Ingram, Adam
Janner, Greville
Jones, Barry *(Alyn & Deeside)*
Jones, Ieuan *(Ynys Môn)*
Jones, Martyn *(Clwyd S W)*
Kaufman, Rt Hon Gerald
Kennedy, Charles
Kinnock, Rt Hon Neil
Lambie, David
Lamond, James
Leighton, Ron
Lestor, Joan *(Eccles)*
Lewis, Terry
Lloyd, Tony *(Stretford)*
Lofthouse, Geoffrey
Loyden, Eddie
McAllion, John
McAvoy, Thomas
McCartney, Ian
McFall, John
McGrady, Eddie
McKay, Allen *(Barnsley West)*
McKelvey, William
McLeish, Henry
Maclennan, Robert
McNamara, Kevin
McTaggart, Bob
Madden, Max
Mahon, Mrs Alice
Mallon, Seamus
Marek, Dr John
Marshall, David *(Shettleston)*
Martin, Michael J. *(Springburn)*
Maxton, John
Meacher, Michael
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Michie, Mrs Ray *(Arg'l & Bute)*
Mitchell, Austin *(G't Grimsby)*
Moonie, Dr Lewis
Morgan, Rhodri
Morris, Rt Hon A. *(W'shawe)*
Morris, Rt Hon J. *(Aberavon)*
Mowlam, Marjorie
Mullin, Chris
Murphy, Paul
Nellist, Dave
Oakes, Rt Hon Gordon
O'Brien, William
O'Neill, Martin
Orme, Rt Hon Stanley
Owen, Rt Hon Dr David
Parry, Robert
Patchett, Terry
Pike, Peter L.
Powell, Ray *(Ogmore)*
Prescott, John
Primarolo, Dawn
Quin, Ms Joyce
Radice, Giles
Randall, Stuart
Redmond, Martin
Rees, Rt Hon Merlyn
Reid, Dr John
Richardson, Jo
Roberts, Allan *(Bootle)*
Robertson, George
Robinson, Geoffrey
Rogers, Allan
Rooker, Jeff
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Ruddock, Joan
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Shore, Rt Hon Peter
Short, Clare
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, C. *(Isl'ton & F'bury)*
Smith, Rt Hon J. *(Monk'ds E)*
Smyth, Rev Martin *(Belfast S)*
Snape, Peter
Soley, Clive
Spearing, Nigel
Steel, Rt Hon David
Steinberg, Gerry
Stott, Roger
Strang, Gavin
Straw, Jack
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Matthew *(Truro)*
Turner, Dennis
Vaz, Keith
Wall, Pat
Wallace, James
Walley, Joan
Wardell, Gareth *(Gower)*
Wareing, Robert N.
Welsh, Michael *(Doncaster N)*
Wigley, Dafydd
Williams, Alan W. *(Carm'then)*
Wilson, Brian
Winnick, David
Wise, Mrs Audrey
Worthington, Tony

Tellers for the Noes:
Mr. Ken Eastham and
Mr. Frank Haynes.

Question accordingly agreed to.

Resolved,

That the following provisions shall apply to the remaining proceedings on the Bill:

Committee

1. (1) The Standing Committee to which the Bill is allocated shall report the Bill to the House on 24th January 1989.

(2) Proceedings on the Bill at a sitting of the Standing Committee on the said 24th January may continue until Eleven p.m., whether or not the House is adjourned before that time, and if the House is adjourned before those proceedings have been brought to a conclusion the Standing Committee shall report the Bill to the House on 25th January.

Report and Third Reading

2. (1) The proceedings on Consideration and Third Reading of the Bill shall be completed in one allotted day and shall be brought to a conclusion at Ten o'clock; and for the purposes of Standing Order No. 80 (Business Committee) this Order shall be taken to allot to the proceedings on Consideration such part of that day as the Resolution of the Business Committee may determine.

(2) The Business Committee shall report to the House its Resolutions as to the proceedings on Consideration of the Bill, and as to the allocation of time between those proceedings and proceedings on Third Reading, not later than 27th January 1989.

(3) The Resolutions in any Report made under Standing Order No. 80 may be varied by a further Report so made, whether or not within the time specified in subparagraph (2) above, and whether or not the Resolutions have been agreed to by the House.

(4) The Resolutions of the Business Committee may include alterations in the order in which proceedings on Consideration of the Bill are taken.

Procedure in Standing Committee

3. (1) At a sitting of the Standing Committee at which any proceedings on the Bill are to be brought to a conclusion under a Resolution of the Business Sub-Committee the Chairman shall not adjourn the Committee under any Order relating to the sittings of the Committee until the proceedings have been brought to a conclusion.

(2) No Motion shall be made in the Standing Committee relating to the sitting of the Committee except by a member of the Government, and the Chairman shall permit a brief explanatory statement from the Member who makes, and from a Member who opposes, the Motion, and shall then put the Question thereon.

4. No Motion shall be made to alter the order in which Clauses, Schedules, new Clauses and new Schedules are taken in the Standing Committee but the Resolutions of the Business Sub-Committee may include alterations in that order.

Conclusion of proceedings in Committee

5. On the conclusion of the proceedings in any Committee on the Bill the Chairman shall report the Bill to the House without putting any Question.

Dilatory Motions

6. No dilatory Motion with respect to, or in the course of, proceedings on the Bill shall be made in the Standing Committee or on an allotted day except by a Member of the Government, and the Question on any such Motion shall be put forthwith.

Private business

7. Any private business which has been set down for consideration at Seven o'clock on an allotted day shall, instead of being considered as provided by Standing Orders, be considered at the conclusion of the proceedings on the Bill on that day, and paragraph (1) of Standing Order No. 14 (Exempted business) shall apply to the private business for a period of three hours from the conclusion of the proceedings on the Bill or, if those proceedings are concluded before Ten o'clock, for a period equal to the time elapsing between Seven o'clock and the conclusion of those proceedings.

Conclusion of proceedings

8.—(1) For the purpose of bringing to a conclusion any

proceedings which are to be brought to a conclusion at a time appointed by this Order or a Resolution of the Business Committee or the Business Sub-Committee and which have not previously been brought to a conclusion, the Chairman or Mr. Speaker shall forthwith put the following Questions (but no others)—

(a) any Question already proposed from the Chair;

(b) any Question necessary to bring to a decision a Question so proposed (including, in the case of a new Clause or new Schedule which has been read a second time, the Question that the Clause or Schedule be added to the Bill);

(c) the Question on any amendment or Motion standing on the Order Paper in the name of any Member, if that amendment is moved or Motion is made by a member of the Government.

(d) any other Question necessary for the disposal of the business to be concluded;

and on a Motion so made for a new Clause or a new Schedule, the Chairman or Mr. Speaker shall put only the Question that the Clause or Schedule be added to the Bill.

(2) Proceedings under sub-paragraph (1) above shall not be interrupted under any Standing Order relating to the sittings of the House.

(3) If an allotted day is one on which a Motion for the adjournment of the House under Standing Order No. 20 (Adjournment on specific and important matter that should have urgent consideration) would, apart from this Order, stand over to Seven o'clock—

(a) that Motion shall stand over until the conclusion of any proceedings on the Bill which, under this Order or a Resolution of the Business Committee, are to be brought to a conclusion at or before that time;

(b) the bringing to a conclusion of any proceedings on the Bill which, under this Order or a Resolution of the Business Committee, are to be brought to a conclusion after that time shall be postponed for a period equal to the duration of the proceedings on that Motion.

(4) If an allotted day is one to which a Motion for the adjournment of the House under Standing Order No. 20 stands over from an earlier day, the bringing to a conclusion of any proceedings on the Bill which under this Order or a Resolution of the Business Committee are to be brought to a conclusion on that day shall be postponed for a period equal to the duration of the proceedings on that Motion.

Supplemental orders

9.—(1) The proceedings on any Motion moved in the House by a member of the Government for varying or supplementing the provisions of this Order (including anything which might have been the subject of a report of the Business Committee or Business Sub-Committee) shall, if not previously concluded, be brought to a conclusion one hour after they have been commenced, and paragraph (1) of Standing Order No. 14 (Exempted Business) shall apply to the proceedings.

(2) If on an allotted day on which any proceedings on the Bill are to be brought to a conclusion at a time appointed by this Order or a Resolution of the Business Committee the House is adjourned, or the sitting is suspended, before that time no notice shall be required of a Motion moved at the next sitting by a member of the Government for varying or supplementing the provisions of this Order.

Saving

10. Nothing in this Order or a Resolution of the Business Committee or Business Sub-Committee shall—

(a) prevent any proceedings to which the Order or Resolution applies from being taken or completed earlier than is required by the Order or Resolution; or

(b) prevent any business (whether on the Bill or not) from being proceeded with on any day after the completion of all such proceedings on the Bill as are to be taken on that day.

Recommittal

11.—(1) References in this Order to proceedings on Consideration or proceedings on Third Reading include references to proceedings at those stages respectively, for, on or in consequence of, recommittal.

(2) On an allotted day no debate shall be permitted on any Motion to recommit the Bill (whether as a whole or otherwise), and Mr. Speaker shall put forthwith any question necessary to dispose of the Motion, including the Question on any amendment moved to the Question.

Interpretation

12. In this Order—

"allotted day" means any day (other than a Friday) on which the Bill is put down as first Government Order of the Day, provided that a Motion for allotting time to the proceedings on the Bill to be taken on that day either has been agreed on a previous day, or is set down for consideration on that day;

"the Bill" means the Prevention of Terrorism (Temporary Provisions) Bill;

"Resolution of the Business Sub-Committee" means a Resolution of the Business Sub-Committee as agreed to by the Standing Committee;

"Resolution of the Business Committee" means a Resolution of the Business Committee as agreed to by the House.

Orders of the Day

Security Service Bill

Order for Third Reading read.

6.45 pm

The Secretary of State for the Home Department (Mr. Douglas Hurd): I beg to move, That the Bill be now read the Third time.

This Bill provides a firm framework for the work of the service without putting at risk the efficient and careful conduct of its task. That is our main aim in producing the legislation, and it is what the House will have achieved if it sends the Bill to another place.

The debates on the Bill on the Floor of the House have been strongly argued, serious and sincere, and have revealed, as one would expect, some major and significant differences of view. I should like to deal once more, briefly, with the two main issues that took up most of the Committee's time: first, accountability, and secondly, the definition of the Security Services's role.

Ministers spent many months studying both these issues when no one was expecting them to produce a reform—but we were hard at work on it. On neither were we persuaded by discussion in Committee that change was necessary, but it was natural that the House spent several hours debating them both.

There was a difference between the two issues. On accountability, we were being urged in a direction which, in our view, was risky. On the other, the definition of the role of the Security Service, we knew and tried to explain that the Bill as drafted excluded the sort of dangers of which our critics were afraid. It is not surprising that the House spent the first day entirely—I think—on accountability. The right hon. Member for Birmingham, Sparkbrook (Mr. Hattersley) and my hon. Friend the Member for Thanet, South (Mr. Aitkin) would have been a little surprised if we had been persuaded during that day to make such a dramatic change of direction as accepting their schemes would have entailed. Our view, as I have tried to explain, was that neither of the two structures on offer as an alternative to ours was practicable or necessary.

This is not to attack the probity or patriotism of the people who might have served on the suggested bodies. It is merely to say that we would have put them in an impossible possition. We should not create structures that force those who operate them to make impossible choices, such as judging without all the facts or, knowing all the facts, staying silent and failing to satisfy the public or Parliament. Another choice would have been to speak out and damage the nation's security. People should not be put in a position of having to do either one or the other. That has been our continued and firm view since I first expounded it to the House in December 1986.

Differing views were fully ventilated during the first day of the Committee stage. Re-reading *Hansard* and recalling the debate, it is interesting to note that those who advanced the two differing structures recognised the flaws in the schemes of others. That was evident in the analysis by the right hon. Member for Sparkbrook of the proposal of my hon. Friend the Member for Aldridge-Brownhills (Mr. Shepherd). The right hon. Member for Sparkbrook called it a halfway house and perceived one point that not all commentators have spotted. It derived from the fact that my hon. Friend borrowed so closely from the Canadian experience, and it was that his proposal might not really be a form of parliamentary oversight. As he explained to us, persons of substance, who could be mostly, if not entirely, from outside Parliament, would be made Privy Councillors to get them inside the barrier of secrecy. There is nothing essentially parliamentary about that. Indeed, it could be regarded—although not, I think, by my hon. Friend the Member for Aldrige-Brownhills—as an extension or expansion of our proposals for a commissioner and a complaints tribunal, which are already in the Bill.

The hon. Member for Caithness and Sutherland (Mr. Maclennan) was possibly one of the most trenchant critics of the alternative of a purely parliamentary Select Committee, which was the Opposition's proposal. He described that as not entirely suitable for the supervision of the Security Service, and he described its advocacy by the right hon. Member for Sparkbrook as unrealistic, because it is unrealistic to imagine a Select Committee taking the Security Service out of party political controversy—quite the reverse.

I shall not repeat the argument that I used on that occasion except to say that I do not agree with my hon. Friend the Member for Thanet, South who, towards the end of the day, argued eloquently that he believed that that path was inevitable. It is rash to say "never" in politics but he was going considerably too far in saying that it was "inevitable". I shall add only that either of the structures that were offered as an alternative to our proposal would have carried serious risks of danger and confusion.

It sometimes seemed that the strongest argument on which some of the critics rested was that similar structures were in operation abroad. I do not think that by training or instinct I am one of the most insular Members of the House. Indeed, from time to time I have been criticised in the opposite direction. I agree that one of the faults of our system of government—perhaps occasionally one of the faults of this House—is that we are still too slow to find out about practice and experience abroad. But, if ignorance is one fault, copying is another. It would be a strange principle of legislation—I do not know of any other area in which this argument is used—to say that our main duty is to find out what others are doing and then to do it. That is a strange principle on which to argue a case. There may be strong arguments for trying to fit the experiences of others into our system, but one of those arguments should not be simply that it happens in another country, so it should happen here.

Mr. Norman Buchan (Paisley, South): Surely the problem is not that people were seeking to copy other systems, but that there was no acceptance whatsoever that elected Members—as happens in other systems—should have any part in the supervision. That is the thing; it is not a copy of any system, but saying that the Government——

Mr. Deputy Speaker (Mr. Harold Walker): Order. We are now rehearsing arguments that have already been deployed at other stages of our proceedings on the Bill. This is very much outside the scope of what would be proper on Third Reading. I hope that the Secretary of State will have regard to that also.

Mr. Buchan: I feel very humble about raising this, Mr. Deputy Speaker, but that was the assertion made by the

[Mr. Buchan]

Home Secretary. If I was replying to or asking questions about it, he must have been at fault first. As he was allowed to continue, I thought that I might have been allowed to continue with my question.

Mr. Deputy Speaker: Order. The hon. Gentleman is quite right: I was at fault in allowing a latitude to the Secretary of State which, properly, he should not have taken or have been allowed. I very much hope that when responding to what has been said, the Secretary of State will take account of what I have said and that other Ministers will also have regard to what is proper on Third Reading.

Mr. Hurd: I accept your rebuke entirely, Mr. Deputy Speaker. It applied to me as well as to the hon. Gentleman.

I hope that I have established my general point. I do not believe that the Canadian security intelligence service—this is a new point, which was not raised before—which has a high reputation, faces the same kind of terrorist threat which makes necessary so many of the activities for which the Bill provides.

Our debates have shown once again the deep and damaging divisions that still exist in the House on such matters and on questions of principle, about which Opposition Members feel strongly. That would put into a difficult position anyone entrusted with the kind of task that they would have had under the Opposition's proposal.

Mr. Richard Shepherd (Aldridge-Brownhills): Was not one of our difficulties in Committee, which we are now encountering on Third Reading and which is in the very proposals of the Bill, that all this is being done in a vacuum, and in the absence of an authority that could look at this issue more generally? Such an authority would be a Royal Commission, which could try to weigh up the arguments, some of which are clearly behind the barrier of secrecy, and give guidance to the House on fundamental principles such as the rule of law, citizens' rights and the needs of the Security Service. The absence of a Royal Commission has caused the House difficulty when weighing the Government's contentions.

Mr. Hurd: I understand my hon. Friend's point. However, if a Royal Commission were appointed, it would come up against exactly the same difficulties that I have been trying to analyse in reference to proposals for parliamentary oversight—even of the kind proposed by my hon. Friend, which was not necessarily or strictly parliamentary. The conclusion must be that we need to work out structures and arrangements that can grow out of and fit our own system and our own requirements, and that is what we are doing in the Bill.

Without getting out of order again, Mr. Deputy Speaker, I shall now turn to the question of functions. Having considered all the points that have been made, we believe that the definition of functions in the Bill needs to be one that would enable the Security Service to make any contribution to the protection of the nation's security which is clearly necessary. It would be a mistake to try to draft the Bill in a way that creates a rigidity inconsistent with the need to ensure that the Security Service can properly defend the nation's security from threats. An answer has not been produced to that argument.

I refer now to national security. It is correct to say that much turns on the phrase "national security", but the term is well recognised and well understood in our legislation. It has been used as an understood and accepted reason for entering reservations on the provisions and safeguards provided by statute. There have been some 29 separate pieces of legislation in the past 20 years which have made such references.

The Bill follows closely the Interception of Communications Act 1985, in which Parliament agreed that an interception warrant could be issued by the Secretary of State on the grounds of national security. But under this Bill, as under the 1985 Act, the Secretary of State cannot act without fear of challenge. There is an independent judicial commissioner, able to form his own view, if he so decides, on each and every warrant issued.

One flaw in the discussions outside the House on this matter has been the virtual ignoring of that point. It has been said that under the Bill "national security" would simply be what the Home Secretary wanted. I have read various lurid possibilities in the press about what might be open to the holder of my office as a result of that phrase. It was argued that I could authorise the burgling of my opponents' offices in Witney, and I read over the weekend that I could authorise the interception of people's telephones simply because they were opposed to the Government.

It is for the House to judge whether I or any successor would be likely to authorise such activities, leaving aside for the moment what has been the function hitherto, or whether the Security Service would carry out such orders were a Home Secretary to give them. I am not pleading for the eternal, God-given virtue and probity of any Home Secretary—that is not the basis of the Bill. The Bill rests on the basis that in the giving of warrants, there should be an independent judicial commissioner. He is already there as regards interception, and if Parliament approves these proposals, he will soon be there as regards interference with property.

Those are new safeguards, but one is already on the statute book and in operation. I have already spoken of its validity and reality in relation to my own work. The amount of time that I spend on these matters has rightly increased as a result of the existing legislation. The other provision is in the Bill and would be added to the safeguards, if Parliament approves the Bill.

Mr. Gerald Bermingham (St. Helens, South): Does the Home Secretary recall that, in the press over Christmas, there appeared a story to the effect that he was prepared to give an undertaking that the telephones of Members of Parliament would not be intercepted save in the case of criminal matters? Is he prepared to give such an undertaking now?

Mr. Hurd: The undertaking was originally given by Lord Wilson of Rievaulx and has been repeated by my right hon. Friend the Prime Minister, I think most recently in 1986. The assurance is there and there is no reason to add to it. The assurance stands. I was talking about national security. There are safeguards in the Bill to ensure that national security is defined in practice as it is defined in law.

Mr. Bob Cryer (Bradford, South): A few moments ago the Home Secretary implied that the Security Service might well refuse to carry out a warrant if in its view—this

was the implication—it did not conform to national security, such as, for example, a warrant that the Home Secretary wanted to issue in terms of political opponents. Is he suggesting that the Security Service will have its own definition and will be able to judge a warrant on its definition of national security?

Mr. Hurd: No. It would come to me with a suggestion for a warrant, and I would judge whether to approve it in accordance with whether it complied with the law. The commissioner would be behind me, able, if he should so organise his work, to examine every case and to ensure that my definition of national security, the Security Service's application and the issuing of a warrant was in accordance with the law. These are new safeguards and, as I say, I think that they have been undervalued in debate.

Mr. Richard Shepherd: Will my right hon. Friend give way?

Mr. Hurd: I have given way to my hon. Friend once already, and I should like to proceed.

Mr. Shepherd: My right hon. Friend ought to say where the Bill says that.

Mr. Hurd: The commissioner has two principal jobs, and one of them is to examine the issuing of warrants by the Secretary of State. That is one of his main duties. In doing that, he will do as I know he already does in the case of the interception of communications, for which the provisions in law are very similar, and examine the point that I have been dealing with.

I recognise that in discussing the role of the Security Service, some peple would like to include in the Bill more explanatory and declaratory material. However, the language in the Bill is as clear and as unequivocal as possible. Having listened to the debate, I think that that is the effect that most hon. Members would want to achieve.

In arguing at some length about what has been left out and what critics of the Bill would like to see put in, I hope that we will not forget the remarkable innovations that the Bill proposes. It is amazing how familiarity breeds a certain scorn.

The Government propose to put the Security Service on a statutory basis and are proposing a warrant procedure for any proposals for interference with property. There will be a commissioner to ensure that the warrant procedure is strictly applied by the Secretary of State in accordance with the law. We propose a grievance procedure with a tribunal and the right of the commissioner to rove inside the barrier of secrecy in matters arising out of cases directed to his attention. If anyone had said a year ago, or even six months ago, that such a Bill was proposed, the hon. Member for Linlithgow (Mr. Dalyell), who is fair-minded man with a passionate interest in such matters and who smiles in half-acknowledgement of my point, would have said that that was grotesquely unlikely. That is the main purpose and thrust of the Bill.

I hope that, in the legitmate argument about all the good things that hon. Members would like to see in the Bill, there will be at least a fair-minded acknowledgement that we have come a long way, substantially farther than our predecessors in government or than our critics supposed was at all likely.

Nowadays I keep on talking about balance, and it is becoming a platitude. As my hon. Friend the Member for Aldridge-Brownhills said, there has to be a balance between freedom and security. That is the texture of the everyday life of the Home Secretary. The right hon. Member for Morley and Leeds, South (Mr. Rees) knows that perfectly well. The liberty and freedom of the individual have to be set against the freedom to protect him and the whole nation from those who threaten our security and well-being. The structures that we devise have to make it possible for such balances to be struck.

For many years the position was ill-defined, and we feel that now is the right time to establish the Security Service in the clear language of statute, and to assign clear roles and responsibilities to the Secretary of State, the commissioner and the tribunal. This is the right time to introduce statutory arrangements for a warrant procedure, to make sure that the balance can be struck at the right level in every case.

Many hon. Members want to move the balance further. I understand that, but equally I hope that they will understand the nature of the judgment and the balance that has to be made. I must make one final point. I am sure that most of our constituents, the public as a whole, want and expect the Security Service to protect us. They understand basically what it is about. There is widespread and understandable concern if, at any time in that challenging and dangerous task, there appears to be any lapse in the quality of the job or the intelligence obtained. We appear to expect superlative effort and infallible results from those who defend us in this sphere.

My right hon. Friend the Member for Brighton, Pavilion (Mr. Amery) who has much experience in these matters, said on Second Reading:

"The failures of the secret services are broadcast, but, of course, their successes are unsung, which is as it should be."—[*Official Report*, 21 December 1988; Vol. 144, c. 493.]

That was absolutely right.

I hope that, on reflection, the right hon. Member for Sparkbrook will look again at what he said on Second Reading. He said:

"In truth, since the war MI5 has been one of the worst and most ridiculed security services in the western Alliance."—[*Official Report*, 15 December 1988; Vol. 143, c. 1124.]

I do not know whether that was part of his text or whether it was spontaneous, but it is not true. I know that because I have increasing occasion to discuss these matters with people in other countries. I know that, day after day, the Security Service has to identify terrorist threats and arms supplies and prevent terrorist action and hostile foreign actions. The list is long. Members of the service often risk their lives in such work. In discussing such matters, comments such as that from the Opposition Front Bench are neither fair nor just.

The Bill represents a major step forward for the Security Service and for the whole country. It represents a fundamental change in the way that we arrange for the necessary work of the service. We are moving it on to a firm statutory basis and appointing a commissioner and a tribunal to review warrants and to consider complaints. Of course there are those who would like more, or who want to propose changes. The debate about this matter will not collapse, and we have examined and discussed such changes at length. The House will recognise the depth of this reform, the responsible but radical way that I have approached the matter and the very real advance embodied in the Bill. I invite the House to give the Bill a Third Reading.

7.8 pm

Mr. Roy Hattersley (Birmingham, Sparkbrook): The more that the Opposition hear about the Security Service Bill the less we like it. Our opposition is in three distinct related parts, but before I describe that opposition, which was reinforced by what we heard in Committee last week, I should like to set out again the underlying cause of our concern.

Until the Bill becomes law, as no doubt it will, the legal position of the Security Service is that which Lord Denning set out 25 years ago. That is:

"Members of the services are, in the eye of the law, ordinary citizens with no special powers greater than anyone else. They have no special powers of arrest, such as the police have. No special powers of search are given to them. They cannot enter premises without the consent of the householder even though they may suspect a spy is there."

The Bill is designed to change all that. If the Bill is passed, when members of the Security Service enter premises, they will, presuming that they have obtained the Home Secretary's warrant, do so with the protection of the law. The decision to give the Security Service a legal persona and legal obligations within which to work could have provided complete reassurance about its future activity, but the contents of the Bill—combined with what we have heard in Committee from the Home Secretary—has produced in many people, and certainly in the Opposition, quite the opposite results. The more we hear from the Home Secretary, the greater our concern becomes.

Our concern can be described under three headings—first, those things that should have been in the Bill but have been omitted; secondly the interpretations of some of the Bill's provisions; and thirdly, provisions that are unacceptable in themselves. As far as is consistent with the rules of order, I shall attempt to deal with each of these objections in turn.

I know that the rules governing the conduct of Third Reading debates prevent me from dealing in any great detail with the Bill's omissions. However, it is right, and possible, for me at least to assert that no Bill of this sort should be acceptable to the free Parliament of a democracy without the inclusion of adequate provisions for the supervision of the Security Service. The Home Secretary spent some time before he was called to order explaining why, in his view, such supervision was impossible or inappropriate. I shall not transgress to the same extent, but I shall, with your permission, Mr. Deputy Speaker, say something about what the Home Secretary suggested to the House.

Essentially, the Bill provides supervision by Government nominees. It should have provided supervision by a body that would responsibly discharge, at least to some extent, independent oversight. On the first day of the Committee stage, when two rival schemes to provide that supervision were proposed, the Home Secretary—I suspect from his demeanour that he knows this—made no attempt seriously to meet the arguments of either the official Opposition or his hon. Friends. That was the view of the whole House. The hon. Member for Thanet, South (Mr. Aitken) accused him of ignoring the serious arguments. The hon. Member for Aldridge-Brownhills (Mr. Shepherd) said that the Home Secretary failed to understand the need to balance the needs of the security and democracy. The hon. Member for Caithness and Sutherland (Mr. Maclennan) described his speech as completely failing to address the central issue of accountability.

I have no doubt how that failing came about. Insisting that the control of the security services is kept in the hands of the Prime Minister and the Home Secretary and that the only form of inquiry and redress should be under the supervision of Government nominees is politically convenient. But it is intellectually indefensible. The Home Secretary was at the same sort of tactic this evening. He complained about the shortcomings in the proposal of the hon. Members for Aldridge-Brownhills and for Thanet, South and his main argument against that proposal was that I regarded it as inadequate.

No doubt, if he had had time, the right hon. Gentleman would have said that what was wrong with his Bill was that his hon. Friends thought that it went too far. Dredging up as one of his arguments against his hon. Friends the idea that I wanted their proposal to go further is the action of a man not altogether confident in his own brief. I understand exactly why the Home Secretary should take such a peculiarly defensive line. The intellectual inadequacy of his case shone all through his speech on supervision in Committee, and we could not possibly support a Bill that did not include at least some independent supervision.

Our second major concern—the role and duties of the Security Service—was enormously increased by the Home Secretary's speech on the second day of the Committee. The major debate on that day concerned definitions—definitions of subversion, which the Security Service is to resist, and of parliamentary democracy, which it is to protect. It also dealt, in considerable detail, with the second crucial definition of the service's role and function—its role and function abroad, as is incorporated in clause 1(3):

"It shall also be the function of the Service to safeguard the economic well-being of the United Kingdom against the threats posed by the actions or intentions of persons outside the British islands."

I shall deal first with the domestic activities of the Security Service. In Committee, our concern was to ensure that the Security Service did not interfere with, or inhibit, what was described as lawful advocacy, protest and dissent. A number of ways were suggested of avoiding its intrusion into legitimate political activity.

The Home Secretary's response to these genuine concerns was wholly inadequate. He tried to be emollient by offering windy generalisations about—I swear that these are his actual words—

"the safety and well-being of the nation."

He gave assurances that what divided him from those who had moved the amendments—again these are his actual words—was a

"difference of principle, but one of flexibility, or relative flexibility."—[*Official Report*, 17 January 1989; Vol. 145, c. 213-7.]

Such statements have no meaning and answer none of the questions. The question that he should have answered, but has failed to answer, is why, if fears about improper political involvement of the Security Service are groundless, he is not prepared to incorporate safeguards into the Bill.

On Second Reading, the Home Secretary told us that there was no need to be concerned about political bias because clause 2(2)(b) specifically prohibits the Security Service from acting to further the interests of any one

political party. I tell the Home Secretary again, in the hope that at last he may be able to understand, and perhaps even answer, the point, that clause 2(2)(b) does not provide a complete safeguard. Our concern is not that the Security Service might act on behalf of a political party, but that it should not act in any way that reflects a built-in bias against certain activities, certain individuals, certain ideologies and points of view, and certain procedures that are essential to our democracy but that have been frowned on by the Security Service, and in which the Security Service has interfered.

I do not want to risk angering the Home Secretary again by referring to the established history of the Security Service, but we know, and he will readily agree, that in the past, the Security Service has interfered in matters in which every hon. Member, and I suspect the Home Secretary himself, believed that it was improper and wrong for it to interfere. All that we are asking is that the Home Secretary should say more than, "They may have done it in the past, but they won't do it in the future." We need a specific safeguard that can be written into the Bill, and the Home Secretary has not begun to give a reason why that should not be the case.

Mr. William Cash (Stafford): The right hon. Gentleman appears to be confusing the provisions of clause 1(2) with those of clause 1(3) and conveniently merging the two. The reality is that, in dealing with economic well-being, the criterion is whether the person concerned was outside the United Kingdom, which is the crucial point. Does the right hon. Gentleman agree that, if that were being done, whether or not the Labour party were in government, the Home Secretary ought to ensure that that was not being done against the interests of the United Kingdom?

Mr. Hattersley: I know that the hon. Gentleman was making notes for his "impromptu" speech, but I said that I would come to the overseas aspect of the work in a moment. At the moment, I wish to emphasise that what we believe should be in the Bil, and what the Home Secretary has not begun to convince us need not be in the Bill, is provisions, couched either in negative or positive form, to prevent the Security Service from doing those things which it has done in the past and which it would be wrong for it to do in the future. Until the Bill, either by specifying the role of the service or by extending the definition of those things that the service should not or must not do, meets our concern about its possible use against wholly legitimate activities, the Bill will not be satisfactory.

The hon. Member for Stafford (Mr. Cash) asked about the Security Service's external role of safeguarding

"the economic well-being of the United Kingdom against threats posed by the actions or intentions of persons outside the British Islands."

On Second Reading, I attempted to find out what that meant. The debate in Committee was largely based around the question of how that power would be exercised and what that role involved.

Before Committee stage I attempted to find out the meaning of the clause and offered the Home Secretary an example of what it might mean. I asked the Home Secretary whether my suggestion was a good example of what he had in mind. I used the example of the Sultan of Brunei who, as is well known and publicly established, was put under great pressure by the Government not to remove his sterling balances from London. That was certainly an external force and, in the Government's view, it was related to the economic well-being of the British Isles.

I asked the Home Secretary whether clause 2(2)(b) would allow the burgling of the Sultan's palace and the tapping of his telephone in order to protect our economic welfare by deciding whether he was likely to remove his sterling balances. The Treasury and the Chancellor could then take the necessary remedial action at the first opportunity.

Any reasonable reading of the Bill would assume that the clause would allow that. The Home Secretary did not answer my question. Some people might say that that was reasonable, since it was unfair for me to ask for such a specific example that was potentially embarrassing for the Government.

In Committee, the Home Secretary rashly offered his own example of how the clause might operate. He spoke of

"a threat from abroad in respect of a commodity upon which we are particularly dependent. One can think of oil as being such an example from the past, though not now."—[*Official Report*, 17 January 1989, Vol. 145, c. 221.]

The Home Secretary said that a threat to our oil supplies would be a reasonable example of when clause 2(2)(b) might be put into operation.

It is important to remember, as the hon. Member for Stafford would be the first to remind me, that the clause talks about economic well-being, not physical security, of the state—not of convoys being sunk but of supplies being cut off. Fifteen years ago, the OPEC nations were seriously considering denying supplies to some countries in the West, until those developed countries accepted what OPEC believed to be an acceptable pricing structure for oil.

The Home Secretary offered that example and he has a duty—at least, his Minister does—to pursue it. In the Home Secretary's example, would the Security Service's power to interfere be justified? Would it be proper and right under the Bill, for the security services to "interfere" —the word in the Bill—in OPEC premises? Would it be right for the security services to tap telephones in the embassies of OPEC countries? According to the Home Secretary's example, that must be the case.

The Home Secretary has a duty to make clear to Parliament the extent of the powers that he is proposing that we should invest legally, not covertly, in this organisation. There will be mixed feelings about whether that is a legitimate form of operation. For the House of Commons to give such a power without knowing its potentially serious applications is not an appropriate way for the Executive to treat the House.

I referred to the word "interference" and when interference with property might be justified under the Bill. Interference is the power provided for the Security Service in the Bill. Under the Bill, "interference with property" is justified when the Home Secretary "thinks it necessary" and

"likely to be of substantial value in assisting the Service to discharge any of its functions".

As I have already said, those functions are defined in a way that underlines the fear that the service can involve itself in activities from which, in a democracy, it should be precluded. The definition of when the Security Service can act within the limitless parameters of its terms of reference is equally wide. The definitions of how it should act and when it should act are wide. The definition of what justifies

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it acting is wider still. The width of all the definitions, the opportunities it gives for interpretations to the Government of the day, and the discretion it provides for the service and its responsible Ministers are all justifications for voting against the Bill.

Much reliance has been placed by the defenders of the Bill on the ability of any man or woman who is aggrieved by the behaviour of the service to complain to the commission or tribunal. That is provided for under paragraph 3 of schedule 1. The Bill explicitly prohibits a dissatisfied complainant from appealing against a decision or testing it in the courts. We regard that as crucial to the Bill and I asked about it during the debate on the Loyal Address. It is a question on which the Government have hardly touched throughout the consideration of the Bill. That is an inadequacy and an omission which makes the Bill in itself inadequate.

The explicit exclusion of the small and simple powers to appeal or test judgments in court demonstrates more than the Bill's inadequacies. It demonstrates the Government's unwillingness to compromise with any of their critics on either side of the House and even seriously to consider any of the proposals that could have helped to create bipartisan support for the work and existence of the Security Service.

Taken in conjunction with the Official Secrets Bill—the two cannot be separated, because the Official Secrets Bill cloaks the Security Service in absolute, total and permanent secrecy—the Bill demonstrates how hollow is the Government's claim that they would like to see a common position between the parties on the security of this country. They would like to see a common position as long as they are allowed to stake out the ground in every detail and other political parties tamely occupy the area that the Government have defined and from which they are not prepared to budge even by an inch. That is not how bipartisan agreements are made. That is not how services which are essential to the national security are removed from political controversy. The Government have chosen to reject even the most constructive criticisms of what they now propose for the Security Service, and because of that we shall vote against the Bill.

7.27 pm

Mr. Ray Whitney (Wycombe): Virtually every time the right hon. Member for Birmingham, Sparkbrook (Mr. Hattersley) has spoken on the Bill, he has changed his position. That says something for his flexibility but nothing for his consistency or understanding of the issues involved. For example, his initial reception of the Bill was one of welcome and he said that he expected to support it, subject to reading the small print. There was no mention of the problems about oversight. We have now heard yet another change of position. Early in his speech he said that he had discovered that we are changing the scope of the operation of the Security Service. He suggested that intervention in property and other activities of the service will take place now but could not take place before. Later in his speech he said that in years gone by the Security Service had been involved in improper actions.

Mr. Hattersley: I am sorry to explode this part of the hon. Gentleman's speech but it requires a confession. The so-called inconsistency in tonight's speech to which he has just referred was copied verbatim from my speech on Second Reading.

Mr. Whitney: If the right hon. Gentleman considers carefully what he said in his second speech he will understand that he changed his position within the speech. When he reads his first allegation about what is now to be allowed and compares that with what was allowed in the past under the Maxwell Fyfe directive, which he deemed to be improper, he will be able to detect inconsistency in his performance.

I must declare a degree of non-interest. I wish to make it clear, as I have done regularly in the press—I had not felt it necessary to do so in the House but it appears to be necessary—that I have never had the privilege of serving in MI5 or any other intelligence or security organisation. I hope that that is not itself a breach of the Official Secrets Act. I hope also that my statement will save me from having to write endless letters to correct false newspaper allegations or to correct the misapprehensions of Opposition Members.

I declare, however, a deep interest in our security. I well recognise that that interest is shared entirely by all hon. Members on both sides of the House. My experience as an unglamorous and straightforward member of Her Majesty's Diplomatic Service has given me some insight into the straits to which Britain and all democracies are subjected, and when I reach my conclusions on the issues that are before us they may be positioned on a different resting point from that of many Opposition Members and from one or two of my hon. Friends.

If I may say so—I say this with no immodesty—I have some awareness of the nature of the threats to open and democratic societies, and of the way in which they are changing and becoming much more difficult to cope with and much more subtle. In our efforts to preserve the balance between freedom, to which we are all committed, and the security of the nation, of which my right hon. Friend the Home Secretary spoke, we must take careful account of the threats to which our society is subjected. We must proceed cautiously before we change the status quo.

Mr. David Winnick (Walsall, North): Clause 1(2) deals with national security, to which the hon. Gentleman has referred. He has said that he is aware of threats to national security and says that they have become more subtle. Did he protest in any way at the actions of Army officers in the early months of 1974? According to reports which appeared in *The Times*, which were written by Christopher Walker, certain officers were making remarks which were definitely subversive. That was confirmed in 1979 by Lord Carver, who deplored such remarks. Did the hon. Gentleman make any protest?

Mr. Whitney: At the time I happened to be a civil servant. It was scarcely in my gift to protest or otherwise. I share entirely the revulsion which the hon. Gentleman clearly has for any extreme Right-wing or Left-wing coup d'etat to subvert our democracy. I think, however, that the hon. Gentleman seeks to take me far beyond the bounds of the debate.

The balance to which my right hon. Friend the Home Secretary has referred is an extremely difficult one to strike. We would at great risk disturb the system at which we have arrived. I congratulate my right hon. Friend and the Government as a whole on the progress which has been

made and which is enshrined in the Bill. It is a matter for deep regret that the majority of the exchanges in the debate have focused on what is not in the Bill, what might have been in it and on what other countries have or have not done rather than on the changes—I would regard them as improvements—that are now proposed by the Government. The old adage that the appetite grows with the feeding has never been more clearly demonstrated than by the reaction of Opposition Members and of some of my right hon. Friends to what has now been achieved.

It is important for the House to understand the change in the climate in which these affairs are now debated over the past 10 years. I draw the attention of the House to the views of Lord Wilson of Rievaulx. We are led to believe that he, as the Prime Minister of a Labour Government, had especially good reason to be aware of the activities of the security services. In his book entitled "The Governance of Britain", which he was careful to point out was written after he had left office and after the flurry over what did or did not go on during his incumbency of No. 10 involving some MI5 officers, about which the world has been informed or misinformed by the Wright book, he made it clear that he had reason to understand the issues that were involved.

In a book of about 200 pages Lord Wilson devoted only two paragraphs to national security. The chapter in which we find the two paragraphs is entitled "The Prime Minister and National Security". Lord Wilson quotes with approval at the beginning of the first chapter a statement by the late Earl of Stockton, and it is important that the House reminds itself of it. It should be used to set where we were then in 1976 with Lord Wilson and where we are now with the proposals that are contained in the Bill. Harold Macmillan said:

> "It is dangerous and bad for our general national interest to discuss these matters. It has been a very long tradition of the House to trust the relations between the two parties to discussions between the Leader of the Opposition and the Prime Minister of the day. I ask the House now to revert to the older tradition which I think is in our real interest. Otherwise we would risk destroying services which are of the utmost value to us."

Harold Macmillan said that in 1963, I believe that it was true then, the Labour party believed that it was true then and Harold Wilson, as he then was, repeated it in 1976. Most of the Labour party believed that it was true then. I believed that it was true then and I believe that it is still true. Lord Wilson concluded a brief paragraph by writing:

> "There is no further information that can usefully or properly be added before bringing this Chapter to an end."

Mr. Tam Dalyell (Linlithgow): There is another side to the story. As I understand it, these matters were always dealt with by means of private notice questions from the Leader of the Opposition to the Prime Minister of the day. As I further understand it, the present Prime Minister—I am open to correction but I do not think that I am wrong—refused to continue with the time-hallowed way of dealing with these matters with the present Leader of the Opposition, my right hon. Friend the Member for Islwyn (Mr. Kinnock). As I have said, there are two sides to the story.

Mr. Whitney: I must disagree with the hon. Gentleman on the substance. I have no knowledge of the nature of the exchanges that take place between the Leader of the Opposition and my right hon. Friend the Prime Minister. It must be asserted, however—this cannot really be challenged—that the statements that have been made by my right hon. Friend the Prime Minister on security matters, following her statement on the Blunt episode, have been much fuller than any of the statements made by her predecessors, Conservative or Labour. The statement which was made by Harold Macmillan, as he then was, which was endorsed so warmly by Lord Wilson, underlines that change. My right hon. Friend the Prime Minister has been much more forthcoming with the House on security matters but far from satisfying the House, that has whetted its appetite. That is the problem with which we must deal. It behoves all hon. Members to understand just how far we have come.

Why has there been such change? Has something fundamental happened within the security services? With the possible exception of my hon. Friend the Minister of State, Home Office, the Member for Oxford, West and Abingdon (Mr. Patten) who now occupies the Government Front Bench, none of us can seriously answer that question. That applies even to my hon. Friend the Member for Torbay (Mr. Allason), with all his splendid researches and special sources of information.

Throughout the consideration of the Bill we have heard generalised allegations. These have often come from the right hon. Member for Sparkbrook, but not only from him. Whenever we have asked for substantiation of the assertion that something is rotten in our security system, we are taken back 15, 20 or 30 years. That must give us pause for thought.

Mr. Rupert Allason (Torbay): Would I not be right in thinking that the Bettaney case, which caused grave anxiety—especially to the Security Commission—was just three years ago?

Mr. Whitney: Absolutely. I am grateful to my hon. Friend. As I said in Committee, the Bettaney case was an exception.

The main body of complaint has centred on the extraordinary farrago—I do not know how much is true; it is clear that a lot of it is not true—in the Wright book and the replay of the tawdry old stories of a generation ago. The hon. Member for Liverpool, Walton (Mr. Heffer) took us back to Palme Dutt, for example. We have heard many times of the Blunt and Philby saga. It is worth remembering that the Soviet Union had its money's worth about three times over as a result of that little clique of Cambridge traitors who were recruited in the early 1930s. The effect of their recruiting those four, five or however many there were is still reverberating. Such so-called evidence is still used by critics of the status quo, and critics of the changing system as proposed in the Bill, as justification for further change.

My hon. Friend the Member for Torbay mentioned the Bettaney case, which I accept revealed, within the limits of what we have been able to know, a depressing state of affairs. The details of the Security Commission inquiry that were released verify that. It is clear that the Security Service is a particularly difficult service. It spends its whole time looking for spies and subversion. It is, by definition, a closed and difficult world where personnel management and the broader picture are crucial. It is, presumably, not composed entirely of saints and fellows of All Souls—there are weak links in the chain.

We should note that we hear of only one or two failures out of the hundreds or thousands that there may be in the

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service. The lessons of the Bettaney experience have been learnt. The security proposals were put into operation, a staff counsellor was appointed and Sir Antony Duff, whom I know personally from his days in the Foreign Office and who is an excellent administrator, has put things on the right track.

Mr. Eric S. Heffer (Liverpool, Walton): The hon. Member is trying to prove that there has been nothing to argue about since the days of Palme Dutt or what Peter Wright referred to in his book. How does he know that people have not been burgling all over London and elsewhere? It is a secret service. They do not go around with placards saying, "I have just burgled somebody's house," or, "We have just bugged somebody's telephone." They do not do that. That is why we think that they should be under surveillance. Can the hon. Member assure me that, since those books and, perhaps, those written by the hon. Member for Torbay (Mr. Allason) were written, nobody has done any of those things which we know went on before?

Mr. Whitney: I am happy to agree with about 90 per cent. of what the hon. Gentleman said. I do not know whether there are other Bettaneys in MI5. None of us does. Knowing Sir Antony Duff personally, accepting the Security Commission and accepting also the integrity and skills of my right hon. Friend the Home Secretary, I would wager that, of all the security services in the world, our MI5 gives us reason for pride. That view was reinforced by what my right hon. Friend said earlier. Is the hon. Member for Walton suggesting that a parliamentary committee of oversight would discover a Bettaney mark 2? It is inconceivable. The idea does not stand up to a moment's investigation.

It is suggested that, because there are from time to time rotten apples in the barrel and we find them out, that is damaging to the security services. It would be much more in the interests of the security services, as happened with Blunt initially, to hush up the failures. When the failures are exposed, everyone has an opportunity to say, "It has all failed."As my right hon. Friend the Home Secretary said, the success of the security services can never be told.

Mr. Jonathan Aitken (Thanet, South): May I challenge my hon. Friend's sweeping assertion that a future Bettaney could not in any circumstances be discovered by an oversight committee? Surely he accepts that such a committee's duties would include matters such as recruitment, training and supervision generally. At least the terrain would be far better monitored than it has been hitherto.

Mr. Whitney: I ask my hon. Friend seriously to consider much easier territory—the rest of the Civil Service. We have active and energetic Select Committees for the Ministry of Agriculture, Fisheries and Food, for the Department of Health and for the Department of Social Security in respect of which we have no serious problems with official secrets. Is my hon. Friend telling me that recruitment policies and the quality of recruitment is affected by those Committees? If he believes that they are, I have to say that he is living in cloud-cuckoo-land. We must recognise that there is a substantive difference between what we are talking about in the security services and——

Mr. Bermingham: On a point of order, Madam Deputy Speaker. I understand that the purpose of a Third Reading debate is to deal with germane and pertinent points of a Bill and those which were not raised in Committee. I do not recall recruitment policies in the Ministry of Agriculture, Fisheries and Food and other such waffle being part of the——

Madam Deputy Speaker (Miss Betty Boothroyd): Order. The opening speeches widened the Third Reading debate rather more than I would have wanted, but I am sure that the hon. Member will come back to the purpose of the debate.

Mr. Whitney: I shall, but I hope that it is understood that what I have said is germane if we are comparing the secret services with the operations of other parts of the Government service. I submit with great respect, Madam Deputy Speaker, that such issues are central to what we are considering.

We are considering special areas of Government which cannot be compared with any others, so we have to take account of the special characteristics. It is not enough for Opposition Members to say, "Of course we understand the needs of security but . . ." It is the "but" on which the debate turns. Too glibly, the caveats and conditions that should follow that "but" are ignored.

I should like, if I may, to say something about the extent to which the Bill takes us towards what pertains in other countries and the grave expressions of disappointment that we have heard from both sides of the House that we are not going as far as other countries with parliamentary oversight. It is important to understand the crucial change that is being made. We have the commissioner, a senior member of the judiciary, and the tribunal sitting on the Home Secretary's shoulder, as it were. That is a major change.

My hon. Friend the Member for Aldridge-Brownhills (Mr. Shepherd) has sometimes gone too far in suggesting that our Canadian friends have found utopia or nirvana. It is early days for the Canadian experiment, and they will probably end up, not with parliamentary oversight, but with a small group of the great and the good above the parliamentary battle—who may have been in it at one point—in a supervisory role, not distinct from the role of the Commission.

Mr. Richard Shepherd: Does my hon. Friend have no views about the relationship of the Security Service to the rule of law, for example?

Mr. Whitney: It is precisely the rule of law that we are discussing. We are taking a step forward to enshrine by statutory provision the existence of something which hitherto did not exist—MI5. I hope that my hon. Friend will join me in welcoming the embodiment of the security service within what he terms the rule of law. Of course I have regard to that.

We often hear American experience cited as an example, and there is a small paradox in that. Many people on the Left of politics in Britain frequently use America either as a negative or a positive example. Our Health Service is always defended by an immediate reference to

the so-called black example of the American experience —I am glad that the hon. Member for Livingston (Mr. Cook) is here——

Mr. Bermingham: On a point of order, Madam Deputy Speaker. I asked for your guidance earlier. Many hon. Members wish to speak in this debate, but time ticks on and we have had a most wide-ranging——

Madam Deputy Speaker: Order. These points of order are usurping the time of the House. I appreciate that several hon. Members wish to speak and I think that the hon. Member for Wycombe (Mr. Whitney) was about to reach his peroration.

Mr. Whitney: You are entirely right, Madam Deputy Speaker.

By contrast, those on the Left heartily welcome the American security service experience. I draw to their attention the views of the last—I mean that in every sense —Labour Prime Minister on the American experience—those of Lord Callaghan. He said:

> "I think the Americans wrecked their system by allowing covert intelligence to be discussed by Congress. It is absolute madness."

The Bill has achieved the right balance and I have great pleasure in supporting it this evening.

7.52 pm

Mr. Michael Foot (Blaenau Gwent): I must disagree immediately with the opening remarks by the hon. Member for Wycombe (Mr. Whitney) when he criticised the speech of my right hon. Friend the Member for Birmingham, Sparkbrook (Mr. Hattersley). My right hon. Friend's speeches, far from becoming weaker, have grown increasingly strong on each occasion and his attack on the Government and the Bill has grown increasingly devastating. Whether that is because of the weakness of the Bill or his natural capacities, I do not know, but I think that it is a combination of the two. Nobody who has listened to these debates could say that the Opposition have not presented a consistent and persistent attack on what is being done, and we have had sound reasons for doing so.

I speak partly as a journalist. Long before I ever heard how the House of Commons would try to settle matters of official secrecy, I had to look at these questions from the view of a journalist who was trying to print what he thought was right. If before the war, or even during it, anyone had suggested that there should be such an absolute prohibition on what should be properly printed as a defence of the existing position, most reputable journalists would have denounced the idea as a gross interference with the freedom of speech.

When the Home Secretary introduced these measures he said that he was taking the past into account, introducing a new method of control over the security services and a novel system of operating and that he should be given the benefit of the doubt on that. If he were present I would gladly compliment him on his diligence in attending almost all our debates and listening to what we have had to say. He does not seem to have understood what we were saying, or at least he has not translated it into legislative fact, and that is the argument to which I shall return in a moment. The right hon. Gentleman has a whole series of measures so dangerous that he is afraid to leave it to his subordinates to speak on them. That precaution may be wise.

Some Conservative Members, including the hon. Member for Wycombe, try to give the impression that we in the Labour party are not eager to see the Security Service properly protected and able to do its work. One of the attacks on my right hon. Friend involved taking one of his remarks out of context and using it for that purpose. Far and away the most damaging revelation—if it is a revelation; I shall come to the truth of it in a minute—about the Security Service that has been made from any quarter in recent years was not made by the Labour party. It was the charge that for many years the head of the service, Sir Roger Hollis, was a Soviet agent. If that was true, obviously it would be deeply damaging to the whole Security Service. That was not a wild charge thrown up by the Labour party. The charge came into the public forum partly thanks to the actions of other people in the secret service.

If the Security Service is saying that we in the Labour party have not been sufficiently vigilant in trying to protect it, I repudiate the charge entirely. We want the service to be properly controlled and conducted and able to do its job. The direct responsibility for the worst and most damaging charge against our Security Service over the past 10 years was the charge that the head of the service was for a long period a Soviet agent. I do not believe that he was.

I know that there is the Chapman Pincher theory. I do not know whether we have a Chapman Pincher clause in the Bill yet. It is not specified in those terms, but there has been one operating over the past 15 years. Although members of the Security Service are not supposed to say anything to anybody, they are entitled to go and speak to Chapman Pincher. Some of those people told Chapman Pincher that Roger Hollis was a spy and he printed it, as did Peter Wright and others. Every time that that has been investigated it has been repudiated, and I hope that it will be repudiated now.

That is an example of how the Security Service cannot be protected by the forms of secrecy which the Home Secretary thinks can be erected to protect it. It cannot be protected in that way. A point is reached where the matter must be argued in public, and if it cannot be argued in public, the security services will be as damaged as they were when the charge was made against Sir Roger Hollis.

When people do not believe the repudiation, that also damages the service. The Labour party, and certainly my right hon. Friend the Member for Morley and Leeds, South (Mr Rees), who was partly responsible for the conduct of the services when he was Home Secretary, utterly repudiate the charge that we are not in favour of the security services being able to do their job properly. Of course we are.

This has been going on since 1911, and nobody now claims that the accidental measure introduced in 1911, which has governed the proceedings since then, has worked properly. It has worked shockingly. Neither this Bill, nor the Bill to be introduced next week, deals with the problem, and we must examine the two together. In many respects the Bill will make matters worse, because the law will have been laid down in a way that makes it even more difficult to protect freedom when matters are to be settled in the courts.

First, we object strongly to having a Bill of this nature brought to us. We were told on the first day of our debate

[Mr. Michael Foot]

that there could be no proper parliamentary surveillance. I shall not go into all the arguments, because my right hon. Friend the Member for Morley and Leeds, South presented them fully, but the Government have made no attempt to answer them, and it is particularly important that they should do so in the light of the most recent evidence on how Select Committees could deal with such matters. The Select Committee on the Falklands, on which my right hon. Friend served, showed that a matter of boiling, burning topicality could be examined by a Committee of the House. There was no suggestion of any leakage or of any threat to the security of the state. What would have happened if that investigation had not taken place? We can imagine the amount of rumour and tittle-tattle, and the charges of various kinds, that would have spread throughout the country.

It was absolutely right to establish that Committee. It was a much larger Committee than the Prime Minister wanted, but, as my right hon. Friend and those associated with him proved, it was a perfectly proper way to examine the issues. It is the most recent example of the ability and versatility that the House has shown in dealing with such questions, and one that the Government should have noted when they brought the Bill forward.

Mr. Dalyell: I should like to praise the Franks committee, on which my right hon. Friend the Member for Morley and Leeds, South (Mr. Rees) served. I appeared before the committee for an hour and 25 minutes, and wonder retrospectively whether it was given all the information that it should have been given. This encapsulates a real problem. How can we be sure that such a committee is given all the information to which it is entitled? I doubt whether it can be.

Mr. Foot: I cannot say for certain whether all the information was provided; neither can my hon. Friend. Even those who were on the committee could not know for certain whether they had all the information, but I have little doubt that many of them strove to ensure that they would obtain most of it.

What is certain is that that committee, investigating as it did so soon after the event, had much more information on the conduct of the services at the time than they would have if there had been no parliamentary surveillance. The form of surveillance set up by Parliament may not be perfect, but that is no reason not to have it at all. Once we have set out, as we do in the Bill, to establish a new form of responsibility for the security services, it is quite wrong for the Government to push aside the arguments of hon. Members from various parties for the forms of effective surveillance that the House can establish. It is an insult to the House to say that we cannot devise secret methods of governing our own Security Service, but that is what the Government have persistently told us.

My second major charge against this inadequate Bill is contained in what the Home Secretary himself has said. He went out of his way to try to listen to what we were saying and to meet it if he could. In Committee, he read out a formula which he said should govern these matters. He said that he would not put it in the Bill, for various reasons which he did not give. He clearly wanted to believe that a statement of that character would influence the way in which we would consider the Bill, and perhaps also influence the courts. I shall not read all his statement, although it is worth reading; nor shall I try to take one part of it out of context. He said:

> "There is no power in the Bill to enable the Security Service to take any interest in any person or organisation or any activity or enterprise which presents no threat to the security of the nation as a whole. It does not matter if such people have views on the structure or organisation of Parliament or if they are involved in seeking to change industrial practices in this country or to negotiate a better deal."

The right hon. Gentleman says that that should set all our minds at rest. Some of us ask whether it would have excluded or prohibited the investigation into CND, or some of the other investigations operated by the Security Service. The right hon. Gentleman will not give us direct answers. In Committee, hon. Members on both sides tried to devise a legislative method to get round the difficulty, and I think that an appropriate and sensible method was devised. I say that particularly in the light of what the Home Secretary said a few minutes ago——

Madam Deputy Speaker: Order. The right hon. Gentleman is such a considerable parliamentarian that I hestitate to interrupt him, but he is now dealing with matters that are not contained in the Bill. I must caution him about that.

Mr. Foot: Let me say with the greatest deference, Madam Deputy Speaker, that I understand the problems of ruling on Third Reading debates. I have attended a number of such debates, on different sides of the House. Nevertheless, what is in the Bill is certainly a matter for Third Reading debate, and I am discussing what is in the Bill. Provisions that should be in it are not in it, and I am certainly criticising that, but I am also criticising the form in which the Home Secretary has left what is in the Bill. Let me underline that by repeating what the Home Secretary said a few minutes ago. He said that language as clear and unequivocal as possible was used to define the nub of the Bill, and that is what I dispute.

Hon. Members from both sides of the House put it to the Home Secretary that if he wanted to win the consent of the House and create a security measure that commanded national support, the language should surely be made clear. There were two or three ways in which that could be done. My hon. Friend the Member for Walsall, North (Mr. Winnick) has one suggestion; the hon. Member for Thanet, South (Mr. Aitken) had another. Various hon. Members suggested different methods, but we all wanted a clause to define some of the activities that would not be dealt with by the Security Service.

I shall read the right hon. Gentleman's reply, because I think that it is relevant to the Bill. I had asked him, why did the Government not

> "seize the opportunity to remove some fears by incorporating such a provision, in their own words if they wish? If, as he has said, that is what the Home Secretary means, why does he not say it in the Bill?"

We said that time and time again. I ask hon. Members to note the Home Secretary's answer. He did not push the proposal aside and say that it was of no importance; nor did he say that it could not be done. He said:

> "The Bill sets about the problem in a different way. It sets out to say what the Security Service can do rather than what it cannot do. It uses the Harris definition, which the right hon. Gentleman so dislikes, of subversion and the restrictions to damage to the United Kingdom as a whole, and the other restrictions that I have spelt out. Although, as is the custom in statute, the Bill approaches the question by saying what a

Government can do, I think that the right hon. Gentleman will find that it arrives at the same conclusion."—[*Official Report*, 17 January 1989; Vol. 145, cc. 218-222.]

The Bill does not arrive at the same conclusion, however. If we do not take the opportunity to insert a clause covering all the matters that will not be properly investigated by any security service, the opposite will be the outcome. These matters are bound to come before the courts, perhaps a good deal more frequently than in the past, because no one will know exactly what the law is. Some hon. Members, including the hon. Member for Thanet, South, have had close experience of the wretched way in which the law has operated in the past, but neither the hon. Gentleman nor anyone else in the country has any guarantee that its operation will be any better in the future.

When matters investigated by Government security officers came before courts and judges in the past, at least there was some chance of arguing the matter, and some of these cases were won. The argument against the right hon. Member for Henley (Mr. Heseltine) was won, as were some others. However, when the question comes before the courts now, they will quote what is in the Bill but I am afraid that it does not provide the protection required. They will not quote what the Home Secretary said to me in his reply, when he said that the Bill is intended to say exactly what he has said.

The Government will not change their mind easily—they will not do it on Third Reading—but I hope that, when a clause designed to protect proper free debate in this country is introduced in the other place, the Government will not have the insolence to come back here and throw it out.

8.10 pm

Mr. Robert Boscawen (Somerton and Frome): This debate has been rather extraordinary, because right through the proceedings at which I have been present the underlying theme has been that the Opposition are deeply concerned about the way in which the Security Service has worked, because they believe that all the time there has been a sinister plot to undermine Left-wing activists. Nobody, however, has mentioned any action taken by the Security Service against the National Front or the extremists of the Right-wing. The Opposition have an underlying fear that there is a sinister plot which has been maintained by the secrecy of the Service under Governments of different complexions. Whether it has been a Labour or Tory Prime Minister, that sinister plot has been there. Opposition Members fear that their telephones are being tapped and people have been looking into what they have been doing, which has been the purpose of the Security Service. I believe that the Opposition are not that important. The Security Service has more important things to do than to study Left-wing or Right-wing activists.

Mr. Buchan: We agree with that.

Mr. Boscawen: The Security Service has an important job to do, and it must do it as efficiently as it can, as hon. Members have agreed, especially the right hon. Member for Blaenau Gwent (Mr. Foot). The question asked in this debate has been whether it will do its job more efficiently if the House has a window into that job. I do not believe that to be so.

The security services are not perfect. They make blunders and mistakes and from time to time they are bound to employ the wrong people. The biggest failure of the Security Service and the special branch of the police—it cannot be laid at the feet of any individual—was to allow the head of Government, most senior Ministers of that Government and the senior people in that party to be within an ace of being destroyed in the Brighton bombing a few years ago. Had that been successful, that failure of the Security Service would have destabilised whatever party had been in power for a long time. Such actions must be the most important matters into which the Security Service must look.

Perhaps agents of a foreign power intent on invading or destroying this country by military action may be an important factor, but I do believe that it is as important for the Security Service to counter the evil intentions of terrorism and such actions that could destroy stable government and could change the policy of the Government.

Mr. Buchan: The hon. Gentleman is describing exactly what was happening when they did not have any supervision. We are suggesting that we should have supervision to stop such things occurring.

Mr. Boscawen: I am not suggesting that supervision in the way proposed will stop it in any way. I do not see how it can. How will the Security Service become more efficient in carrying out its job by spreading its secrets a little bit wider and making them known to some worthy people in this place? My main criticism about the Opposition's proposal is that, if they are told all the operational secrets and the purposes of the Security Service's investigations, what good will they do? If they are told those secrets, I believe that we are spreading the knowledge of those operations and the purpose of the Security Service's investigations far too wide. I do not agree with the right hon. Member for Blaenau Gwent (Mr. Foot), however experienced he may be, that it is an insult to the House not to be able to devise a system for overseeing the Security Service. I believe that it would be an insult to the House if we were not able to show a little more wisdom than that. The wisdom is that there are some things that we should not know too much about, because the more people who know about them, the less effective the Security Service will be, and the more likely it will be that the sort of outrages committed in this country in recent years will escape detection.

The old thrust of the Opposition's argument, which is to try to spread the secrecy of the Security Service to the knowledge of a lot more people, worries me. If I were asked to go on to a Select Committee, if it were set up, I should be worried because I am bound to learn things that I would not want to know.

Mr. Tony Banks (Newham, North-West): Ignorance is bliss.

Mr. Boscawen: I know that there are willing recruits to that Select Committee on the Back Benches—they are all queuing up to be on it—but my experience is that there are certain things that, if one does know, and one has to keep them to oneself, one would rather not know. I believe that that is true of the House as a whole. That would not be a good Committee to be on. One would be stuck with that information and knowledge, which one would know one could not impart——

Madam Deputy Speaker: Order. I must bring the hon. Gentleman to order. We are on Third Reading and we can debate in this House only what is actually in the Bill. I am afraid that the hon. Gentleman is wandering on to issues which are not in the Bill.

Mr. Boscawen: I accept that what is proposed by the Opposition is not in the Bill, and I am delighted that it is not, because it would worry me greatly. I believe that it would reduce the effectiveness of the Security Service, which is in the front line in trying to prevent the sort of actions that we have seen in the past few years.

8.18 pm

Mr. Merlyn Rees (Morley and Leeds, South): As I have sat here, I have realised that the point of a Third Reading is to deal with the Bill as it is and not with how it should be. Nevertheless, it still leaves many questions to ask about the way that this Bill, when it becomes an Act, will be carried out by the Home Secretary of the day. As I want to pursue that point, I shall not proceed with my argument that I regret that parliamentary accountability of some sort, which should have been discussed between both sides of the House, is not being followed.

I want to make it clear that I regard bringing MI5 under the law as an important step forward.

When I read about officers burgling their way across London I realised for the first time that MI5 should be brought under the law. I am glad that that has happened. I believe that the use of a commissioner is a step forward. I will bear your instruction in mind, Madam Deputy Speaker, and not discuss what should be in the Bill, even though my right hon. Friends the Members for Birmingham, Sparkbrook (Mr. Hattersley) and for Blaenau Gwent (Mr. Foot) have cogently argued that there are deficiencies in the drafting of the Bill.

There are seven clauses and a number of schedules that the Home Secretary must operate and they will be in his left or right-hand drawer when deciding whether to agree to a warrant. He and the Prime Minister must operate the measure. I repeat, however, that, sometimes, there is a great misunderstanding about the place of MI5 in the Home Office. It is not a Department, nor is it in wide commission—only the Home Secretary and one or two others have dealings with it.

About two years ago I remember—I shall be writing books about it soon—I was at a memorial service in Jerusalem. I was standing above the city and listening to the moving service when a man came up to me and said, "Thank you for protecting my life and getting a decision in Cabinet." I said, "Don't thank me, I didn't know you existed." The man then went. I asked the special branch man who was protecting me who he was, but the man had gone. If that man thought that all such issues were discussed in Cabinet, he should think again. For that reason it is important that the Bill is drawn up correctly and cogently.

We are not dealing with a normal political issue. On those grounds I want to consider parts of the Bill and some of the issues that have arisen as a result of reports in newspapers and wider discussion. The hon. Member for Thanet, South (Mr. Aitken) spoke about six of his fellow Members being the subject of investigation. If those people had been members of the Labour party, I too would have raised the matter. He said that those people had been fingered, or whatever, by MI5. I must ask myself whether those people would try to subvert the constitution.

Mr. Foot: They are old Tory trade unionists.

Mr. Rees: I doubt that.

I read a report in a newspaper about this matter. We have all learned to discount the complete accuracy of newspaper reports, but it raised new information. How did it happen that six Members of this House were fingered by MI5? Perhaps there was a visit to an embassy and an expansive young man or woman talked as though he or she were more important than was the case. Perhaps a young official at the embassy took up what they said and made it more important than it was. That is the way it sometimes happens. Immediately, that information was written down, signalled out or whatever, and picked up.

If the Security Service felt it necessary to go to the leader of the Conservative party to report on six Members, and given that it has come to light only as a result of our debate, those Members should be told. They should be given the chance to explain what it is they are supposed to be guilty of. It is only as a result of public discussion that this information has come out. What usually happens—I speak with some experience of listening around—is that people visit countries on the other side of the iron curtain for business or other reasons and there are always those who will make a meal of it in some foreign security service. The moment that is done, that person's name is damned—maybe for the wrong reasons.

The information about Members of the House has been a turn-up for the books, because it is not only the Labour party that was supposed to be involved in such things, but members of the Government Benches. As my right hon. Friend the Member for Blaenau Gwent has said, the weakest part of the Bill is how it deals with subversion. That has been the weakness of the Maxwell Fyfe directive and was apparent as long ago as 1972 when the director-general of MI5 gave evidence to the Franks committee about subversion. I have always been extremely concerned about this matter because too much subjective slandering occurs.

In Right-wing circles it is too easy to say that someone is a Communist, but it also happens in the Left—it used to happen far more. The word "Fascist" comes to too many lips too glibly. "Communist" and "Fascist" are descriptive words that should not be used because there is no proof. As my right hon. Friend the Member for Blaenau Gwent has said, it is not good enough to have the Home Secretary's words about what subversion means. The Maxwell Fyfe directive of 1952 states:

> "It is essential that the Security Service should be kept absolutely free from any political bias or influence and nothing should be done that might lend colour to any suggestion that it is concerned with the interests of any particular section"

and so on. That did not do much good, and I suggest that the words of the Home Secretary will not do much good either.

In the 1970s there were those—I do not have enough evidence to know, absolutely, where the information came from—who were engaged in denigrating the then Conservative Prime Minister. I remember the stories, and the bits of paper that I now collect are all on the same theme. The information denigrated some Conservative Members and, of course, Labour Members.

The Bill talks about the Security Service, but there is no doubt that, at least in the 1970s, other branches of Government were involved in the game. It is all finished now—I have checked most carefully—but there is no doubt that the Army information service and those associated with it in Lisburn in Northern Ireland, played their part. They provided lists of possible successors as Conservative Prime Minister and gave their weaknesses and strengths. The information provided was such illiterate rubbish that it makes Bulldog Drummond look as though he had obtained a first-class degree from a prominent university.

We should remember that the right hon. Member for Henley (Mr. Heseltine) set up a DS department within the Ministry of Defence to deal with the Campaign for Nuclear Disarmament. I found that indefensible. The moment one has a DS department in MOD it can talk directly with other Government Departments. That should not have been allowed. The Bill refers to MI5 and the Security Service, but does it refer to other people in Government service? We may have to return to this matter shortly.

It is important to consider the role of Ministers once the Bill becomes an Act. Home Secretaries come and go. We are dealing with non-political issues and it is difficult for any Home Secretary to check all the information that should be brought to his notice.

I shall give another example. A year or two ago I was on holiday in Spain and I was sitting on the beach reading *The Times*. I had driven down to a nearby village to buy it. It reported a story in a Sunday newspaper that a member of MI5 used to vet applicants for jobs, or people who work, at the BBC. *The Times* report said that the newspaper had been in touch with the Home Office and the press officer at the Home Office and said that that was exactly what had happened in 1979 when I was in office. That was news to me, so when I got back I wrote to the Cabinet Secretary and said that I had known nothing about it. Shortly afterwards I received a letter saying, "That is absolutely correct. You did not know because we checked our briefing notes and you were never told." I was supposed to be responsible for broadcasting and for MI5 and I was the only bloke in the country who did not seem to know about it.

It has all stopped now. The BBC does not use such vetting and it was certainly never used in the IBA companies. But it enables me to ask the Minister how any Home Secretary can know the full extent of what is going on when his position is so transient. There is not even a relevant department. I am against a Ministry of security or whatever it would be called, but the Bill should provide that information should be passed on to successors if they are from a different political party. It is most important that that should be done and it is not done.

Mr. Tony Banks: My right hon. Friend regularly gives us confessions. I am beginning to think that he has learnt more out of office than in office. Is my right hon. Friend aware that the BBC senior personnel management have a military background and that that area is still a favourite recruiting ground for the BBC personnel department?

Mr. Rees: That may or may not be the case. I am concerned that if there is a case for positive vetting in any organisation it should be for those who deal with a particular job concerning a wartime situation or something similar and that there should not be vetting by MI5 of people's political views and the programmes that they produce.

Mr. Winnick: Does my right hon. Friend agree that if the story had not appeared in *The Observer* in August 1985 —perhaps the hon. Member for Torbay (Mr. Allason) should note that I read it while I was on holiday in Yugoslavia and not in Spain—and if there had been no disclosure then or later, it is quite likely that such vetting would have continued?

Mr. Rees: No doubt that issue will be raised in the debate on a different Bill in a few days' time.

I cannot comment on the new type of warrant because it did not exist in the past. It is right that there should be warrants. I am certainly not clear how they will work or how they will stand in a court of law, if for some reason they affect a decision in a court of law. My hon. Friend the Member for Walsall, North (Mr. Winnick) asked the Home Secretary about tapping the telephones of Members of Parliament and received the correct answer from the Home Secretary. Are there any limitations on the use of the warrants? If there are limitations on the warrants used for interception, are there any limitations on these new warrants, for whatever purpose they are used? I believe that the next changes in legislation will be on warrants.

This Bill has been brought about by events. The story from Wright has brought about the Bill. All Governments are driven by catastrophes about which something has to be done. Perhaps it is inevitable. I believe that the next changes will have to be made on warrants. However, I have to pull back because I do not want to discuss what ought to be done.

We need a Security Service to fight against espionage and international terrorism. I hope that MI5 and special branch know far more than we learn in the papers about the rest of the Semtex that was not discovered at Clapham. I hope that they have a great deal more information on that, because it would benefit the country. Nobody on either side of the House should do anything but applaud when the Security Service, special branch and the CID break through, but it was luck that produced the discoveries at Clapham.

I am concerned about subversion. I do not really know what it means, but it is a subjective feeling in all of us. I used to believe that it had something to do with whether someone was in touch with a foreign embassy or was carrying out the orders of a foreign embassy, but I do not believe that that alone is enough. It is very important that any Home Secretary considers very carefully the matter of subversion.

As for the security services, I found the two or three members with whom I have had close dealings to be excellent officers, who knew what they were talking about politically. They had experienced a wider career than most people and their knowledge was first class. I had trust in them, but obviously others do not see it in that way. The right hon. Member for Old Bexley and Sidcup (Mr. Heath) once said that if one reads the *Daily Mirror* or *The Guardian* one is regarded as a subversive. That aspect has to be considered, as no piece of legislation gets it right. That was one reason why, in the 1950s, when Lord Attlee was considering the subject he smarted at what he knew about the Zinoviev letter and for that and other reasons wanted an inquiry into the security services at the time.

[Mr. Rees]

Subversion cannot be determined subjectively. Espionage and international terrorism can be determined subjectively, but it is too easy to make mistakes about subversion. That is one reason why I would prefer a general oversight by the House, with people appearing before Members of Parliament. We learn to appreciate each other, whatever our political views. There would be a learning process the other way when we found out what is the balance of the use of the Security Service and what changes have been made in the past year. Of course that should be for general discussion. I do not want to know the details of the missions or bandy them around.

One reason why that man in Jerusalem was right is that I had taken a decision because it protected people's lives. We would not wish to do anything here that would put anyone's life at risk, but we have every right to find out in general what the Security Service is doing, because, if only marginally, things have gone wrong. We have every right to examine the Security Service in the way that I would suggest, but I fear that I would be incurring your wrath, Madam Deputy Speaker, if I pursued that argument. The Bill has many defects, and because of those defects and not because of the step forward that it represents, I shall vote against it.

8.38 pm

Mr. Richard Shepherd (Aldridge-Brownhills): It is difficult for Ministers to say much on Third Reading. However, my right hon. Friend the Home Secretary and my hon. Friend the Minister of State talked almost in terms of Home Office press releases rather than to the substance of the Bill. Tonight the Home Secretary advised us that the commissioner could tell the Home Secretary if his definition of national security under the warrant was correct. When challenged where that was to be found in the Bill, the Home Secretary would not give way. The difficulty about a number of measures is that the Home Secretary seems to be captivated by his press releases and does not use his analytical talents when he addresses the Bill.

I do not want to be uneven-handed, and I move to the Minister of State's ability to be just the same. When we considered what the Bill did or did not contain, we discussed warrants and whether they should be judicially issued. Many hon. Members will recall that debate. A compelling argument that has been advanced by the Minister of State, based on the Bill, is that there can be no judicial issue of warrants because that would extend the circle of secrecy; people would not know on what basis the warrant had been issued because they would not have the expertise, or access to the information. Then, doing a pirouette, he told us that any Secretary of State may issue a warrant. First the Minister of State said that judges would not have the expertise to issue warrants and therefore that they were not suitable, but within seconds he announced that any Secretary of State might issue a warrant, even if he had no experience, knowledge or understanding of the matter.

That is the intellectual thrust which informs this Third Reading debate. I am mindful that we are discussing what the Bill contains. It contains a duty, placed on the security services, to guard national security. What is national security? One would ordinarily expect, when reading a Bill, to find a definition of such a term. From what the Home Secretary has told us, we know that national security is what the Home Secretary determines it to be. The House should be cautious of a definition that gives any successor of the current Home Secretary such overwhelming powers to determine what national security should be. During this century, other states in continental Europe have used the term "national security" to do horrific things to human nature and the soul of people. How can a democratic House of Commons accept a definition of a function that is anything that the Home Secretary determines it to be, without any redress? But that is what the Bill says.

Mr. Ivan Lawrence (Burton): Clause 1(2) makes it patently clear what the protection of national security means. It particularises national security. It refers to

"protection against threats from espionage, terrorism and sabotage, from the activities of agents of foreign powers and from actions intended to overthrow or undermine parliamentary democracy by industrial, political or violent means."

How can my hon. Friend persist in saying, as he has before, that there is no definition of national security? What it means is patently clear from the text.

Mr. Shepherd: I am grateful that that issue has been raised. Had my hon. and learned Friend been a Member of the Committee, he would have learnt that those are merely illustrative of some of the functions that the Security Service may address. However, those functions are not exclusive, and that is the matter which causes concern. If they are not exclusive functions, the House should consider what functions the Security Service may look into. This power may be used in a malign way. We should be cautious about accepting on Third Reading the provisions of this Bill, as unamended in Committee.

The Home Secretary has made much of the fact that the commissioner may look over his shoulder—if I have misunderstood him, I hope that the Minister of State will draw my attention to the clauses in the Bill that deal with this matter—and identify something as not being in the interests of national security. We are giving the Home Secretary a clearly unreviewed function to determine what is national security. We are providing something along the lines of what was contained in the Interception of Communications Act 1985. The House knows that, by and large, that was a travesty. *The Times* called it a travesty. That measure was designed to meet the contentions that were placed in front of the European Court of Human Rights, when we were found wanting over the telephone tapping of an antiques dealer in Sussex.

That was the purpose of the Bill. What were the commissioners able to review? They could review something only if an innocent citizen, by some form of osmosis, came to the conclusion that the security services had acted. The Home Secretary fairly said that, under the Official Secrets Bill, no one may, under penalty of imprisonment or the possibility of imprisonment, mumble a word that a crime, fraud or improper act has taken place. The idea of the innocent citizen referring something that he does not know about—and if anybody tells him about it, that renders that person liable to imprisonment—to the commissioners is an extraordinarily obtuse way of trying to bring about the protection of individual rights and a correct balance within our society.

This is not a credible Bill for a Conservative Government to introduce. Conservative Members should be cautious about it. Our worry about the powers of the

state and our anxiety that they can be used in malign ways are respectable arguments. The Bill does not meet those arguments. I welcome—as did the right hon. Member for Birmingham, Sparkbrook (Mr. Hattersley)—a statutory basis for our intelligence and security services for domestic purposes. That is admirable. I have not heard one person criticise it. High Court judges believe that, to the ordinary citizen, burglary is a criminal offence. They are nervous about placing our security services in an unprotected position in front of the courts without a proper mandate or a proper warrant system.

The constraints that are provided by the Bill are insufficient. Insufficient regard is paid to ministerial responsibility and accountability. The Bill pays no regard to the rule of law and it does not acknowledge the right of lawful dissent, a right that is fundamental to our democracy.

8.47 pm

Mr. Robert Maclennan (Caithness and Sutherland): Like the hon. Member for Aldridge-Brownhills (Mr. Shepherd), who has just spoken, and the right hon. Member for Morley and Leeds, South (Mr. Rees), I started from the position that to bring the Security Service within a statutory framework seemed, on the face of it, a step forward. However, as one has listened to the debate —and today to the Home Secretary's speech—my initial view has considerably changed.

The right hon. Member for Morley and Leeds, South, who speaks with great authority as a former Home Secretary, did not get it quite right when he said that he wanted to bring the Security Service under the law. The fact is that the Security Service has always been under law. The question is whether the law is enforceable. That the Security Service has always been under the law has been repeatedly stated in the courts. It was stated by Lord Denning in the Profumo inquiry. It was stated by Sir John Donaldson, the Master of the Rolls, in an important judgment in the Wright case—the Attorney-General *v. The Guardian*. Parliament has been considering whether we are changing the situation in a way that strengthens and enhances individual liberties by statutory means or whether we are stemming the effectiveness of the control over the operations of the Security Service.

In many ways, the present position is safer than that which the Bill provides. In the case of a transgression by the Security Service, the citizen has the right to take his case to the courts. The position was well spelt out by Sir John Donaldson. In the case to which I have referred, he said:

> "It may be that the time has come when Parliament should regularise the position of the service. It is certainly a tenable view. The alternative view which is equally tenable is that the public interest is better served by leaving members of the service liable to prosecution for any breach of the law at the instance of a private individual or a public prosecuting authority but may expect that prosecuting authorities will exercise a wise discretion and that in an appropriate case the Attorney General would enter a nolle prosequi justifying his action to Parliament if necessary."

He went on:

> "It is not for me to form or express any view on which is the most appropriate course to adopt in the interest of the security of the nation and the maintenance of the rule of law."

The most troubling aspect of Ministers' interventions in our debates has been their unwillingness to address the important point about the maintenance of the rule of law. If the rule of law means anything, it must mean some certainty in knowing the difference between what is permissible and what is impermissible. The Bill does not provide for that, because its definitions are imprecise. Above all, it does not define the function of the Security Service. In a sense, that did not matter in a common law situation. If a security officer transgressed, bugged or burgled his way around the country, he could have been taken to court. That is no longer to be the position. A complaint will now go through the new statutory procedure, which rules out appeal to the court. A security officer has a narrower defence for a wrongdoing than he had before the introduction of the Bill.

Mr. Rees: I concede that point. It is not for me to defend the Government's position, but I thought that one reason the Government had moved was to deal with those who had burgled their way through London without a warrant—those who had broken the law.

Mr. Maclennan: That is undoubtedly the case, but if a member of the Security Service is argued, or found by the tribunal or the commissioner, to have acted contrary to the provisions of the statute, in that the warrant was defective in some way, that is final. Under clause 5(4), there can be no appeal to any court if the matter has been considered by the tribunal or the commissioner. That is cutting the rights of the citizen.

Far from congratulating the Home Secretary, as he invited us to do at the conclusion of his speech, we should take strong issue with the narrowing of citizens' rights in the manner which the Bill provides. It is deeply disturbing. I would not have been disturbed if the Bill had defined its terms and the functions of the service in a clear and not so all-embracing manner. Once again, when he was considering what is meant by the protection of national security, the Home Secretary said that everybody knew what it meant and that the phrase appeared in several statutes. He said that we must rely upon him or his successors. He said that the language of the Bill is as clear and as unequivocal as possible. Merely to use the term "national security" and treat it as though its meaning were pellucid is to treat hon. Members as though they were innocents abroad. The phrase is capable of being interpreted by a Home Secretary in many different ways.

It is not correct to suggest, as did the hon. and learned Member for Burton (Mr. Lawrence) said in an intervention during the speech of the hon. Member for Aldridge-Brownhills (Mr. Shepherd), that the phrase is defined by the particularisations which appear in the clause merely as examples. The Bill gives considerable power to be exercised by the Security Service in the issuance of warrants by a Home Secretary, or by any other Secretary of State if the Home Secretary is not available, regardless of knowledge of the matter. Such great powers cut the freedoms of our citizens, and they should not exist with so little control.

The Bill's provisions on supervision have been discussed at this and other stages of the Bill's passage. The provisions for supervision of the issuance of warrants by a commissioner, who is a man appointed by the Home Secretary and holding high judicial office, do not cover more than they purport to cover. They do not cover more than the issuance of warrants and the handling of complaints, as set out in schedule 1. They do nothing to strengthen the effectiveness of the scrutiny of the Security Services to protect it, as many hon. Members would wish,

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from the kind of outrage of which former servants such as Bettaney were guilty as recently as three years ago. We are doing nothing to strengthen the Security Service. We are doing nothing to increase the protection of the individual from abuses of power. We are not providing a proper channel of appeals.

Some of these matters are likely to go before the European Court of Human Rights. The Bill is a response to pressure. It may be argued that there is an inadequate domestic remedy. The Bill is not an improvement on the law as it stands. For that reason, I shall vote against it.

8.57 pm

Mr. Jonathan Aitken (Thanet, South): The hon. Member for Caithness and Sutherland (Mr. Maclennan) was right to remind the House that the Bill began its parliamentary journey with a quite substantial measure of good will on both sides of the House. The hon. Gentleman certainly supported it. The right hon. Member for Birmingham, Sparkbrook (Mr. Hattersley) seemed to make a genuflection in the direction of its support. I certainly gave it my willing vote on Second Reading. But all that good will has been disdainfully dissipated by a charade of a two-day Committee stage.

I call it a charade because, during its proceedings, my right hon. Friends on the Front Bench systematically flouted the usual parliamentary conventions, to the extent of completely refusing to accept or even reconsider in another place a single amendment, irrespective of its merits. In blunt language, the Bill was given the bum's rush by the Government. The Home Secretary will live to regret it.

One good reason is that, instead of removing the Security Service from the arena of political controversy —surely we all want that—the Bill leaves it in the crucible of political and parliamentary argument and debate. The desirable objective of taking the Security Service away from political controversy could have been achieved if there had emerged, as there started to, a broad cross-party consensus that the Bill was on the right lines.

The Home Secretary's Third Reading speech mysteriously kept concentrating on what he called the deep divisions in the House that caused him to realise that there was no hope of solidarity on this Bill. In fact, any fair-minded observer who listened to the Committee would have been amazed at the genuine degree of agreement between such diverse sections of the House as my hon. Friends the Members for Torbay (Mr. Allason), for Aldridge-Brownhills (Mr. Shepherd) and myself on one side, and the hon. Member for Caithness and Sutherland (Mr. Maclennan), the right hon. Members for Morley and Leeds, South (Mr. Rees) and for Plymouth, Devonport (Dr. Owen) and several others I could name, on the other, all of whom seemed to be moving broadly in the same direction. It was my hon. Friends on the Treasury Bench who were left in far from splendid isolation.

Having started with this consensus on his side, the Home Secretary steadily and inexorably lost it as the Bill progressed, because of his intransigence. It takes a remarkable parliamentary footballer to begin with the ball at his feet in the goal mouth with no goalkeeper in sight and, instead of scoring, to dribble the ball all the way back to his own goal mouth with most of the players, including those on his own side, shouting "foul", "offside" and "Let's have a replay." The analogy of football is not wholly invalid. A replay of the Bill is exactly what is likely to happen in the not-too-distant future. I cannot predict who will force it; perhaps, as the hon. Member for Caithness and Sutherland said, it will be the European Court of Human Rights picking a quarrel with the sweeping definitions of the functions of the Security Service in clause 1. Perhaps it will be the next scandal to emerge in the Security Service.

This is a world in which Murphy's famous law—if something can go wrong, it will—seems to apply in spades, and it will not be too long before trouble boils up. Perhaps it will be a future House of Commons with a majority of one sort or another of such slenderness that the current buzz phrase, "elective dictatorship", will not be applicable. Whatever the cause, the argument about the statutory basis for the Security Service will be back on the political agenda soon, because the Bill has been left in the category of unfinished business as a result of Home Office ministers failing to accommodate any point of view other than their own.

As far as Parliament is concerned it is , to put it mildly, unusual for a major Bill to pass all its stages without amendments of any kind, especially when amendments have been moved in a responsible and constructive fashion by major parliamentary figures such as a former Home Secretary, a former Foreign Secretary, a former Defence Secretary and others with experience in this area.

The Bill cried out for amendments, not only in places in which policy differences prevail, such as oversight, but in quite small non-controversial areas. For example, when we came to the part of the Bill that dealt with warrants, I thought that my hon. Friend the Minister of State was left with egg all over his face. To mix my nutritional metaphors, he made a complete Horlicks of his explanation of why the Bill did not follow the much more precise and accurate rules on warrants in the Interception of Communications Act 1985. The arguments about a staff counsellor, which I was able to draft in the exact words of the Prime Minister, were rejected on the baffling ground that there was no need for such an amendment, even though the Prime Minister thought it necessary to introduce such a staff counsellor by means of a written parliamentary answer.

As these amendments were rejected by my hon. Friend the Minister of State in that tone of unconvincing bonhomie which reminded me of a minor character in John Le Carré's novels, Roddy Martindale, I asked myself what we are to make of all this in the cold light of day. Has the Home Office grown so complacent that it sticks up a notice on Queen Anne's Gate saying, "No hawkers, no gypsies, no unsolicited circulars and no parliamentary amendments"? Or has the Home Secretary suddenly moved his Department into a fairyland in which perfect legislators bring forward perfect legislation and they all live happily ever after in a silver-lined cloud of self-satisfaction with no amendments?

Perhaps we should take a more sombre view of all this and remind ourselves of Lord Acton's famous aphorism about power tending to corrupt, and reflect that it may be coming true in a House of Commons in which there is a majority of over 100. Either way, it is bad for Parliament and for Government, and perhaps bad because, when the Official Secrets Bill comes to the Floor of the House we shall be given the same contemptuous treatment—no

amendments accepted because they are all terrified of a Report stage. That would be a disgrace to parliamentary proceedings.

I solemnly warn my right hon. and hon. Friends that if they think that they have had trouble so far on this Bill —it has been good-natured—they will have much worse trouble if they take the same haughty line.

The Minister of State, Home Office (Mr. John Patten): I did not quite catch my hon. Friend's reference to Roddy whoever-it-was, but perhaps he will give me chapter and verse from the Le Carré novel in due course so that I can seek to identify myself. May I reassure my hon. Friend —I hope to bring a smile to his face—that my right hon. Friend and myself have already tabled at least one amendment to the Official Secrets Bill, so that will ensure a Report stage on that measure.

Mr. Aitken: I am delighted to give a smile to my hon. Friend. If we are to have a Report stage on the Official Secrets Bill, that is a great deal better than has happened on this Bill.

I shall return now to the Security Service Bill, Madam Deputy Speaker, because I know that you wish us to stick closely to Third Reading rules. Two areas remain in which the cauldron of political controversy will continue to bubble because of the Government's short-sighted refusal to accept any amendments. The first relates to the functions of the service and to the definitions of those functions. At first glance, many of us felt that clause 1(2) implied that the Security Service would in future limit its activities to espionage, sabotage, terrorism and attempts to overthrow parliamentary democracy.

Even my hon. and learned Friend the Member for Burton (Mr. Lawrence) fell neatly into that trap, not having attended the Committee stage to any great extent, when he thought that the clause somehow defined the activities of the Security Service and limited it to those provisions. However, he was absolutely wrong, as we discovered in Committee. Of course, we wanted a hopeful sign that the Security Service would no longer engage in dubious fishing expeditions of the kind that Mr. George Wigg persuaded the service to indulge in when he was in some way in charge of the Security Service in the 1960s, with results that were at times deeply unfair to some of his colleagues in this House. In fact, it meant no such thing.

The phrase "the protection of national security" has never been defined. It can be extended far beyond the mere illustrations given in clause 1(2). That is a grave defect in the legislation and one to which the House will undoubtedly wish to return.

Secondly, the oversight argument will not go away. We had a full day's debate on that, so there is no need to go over old ground. However, it was illustrative of the Home Secretary's approach to the oversight case that in his reply last Monday he made no reference to the outstanding speech by the right hon. Member for Devonport. Indeed, my right hon. Friend made only glancing references of the most cursory nature to the speeches made by the right hon. Member for Morley and Leeds, South, by my hon. Friend the Member for Torbay, by the hon. Member for Caithness and Sutherland, and by many other hon. Members. That was a surprising and uncharacteristic departure from the usual courtesies of a wind-up speech, especially when there was no real pressure of time.

My right hon. Friend's failure to recognise that the call for oversight will only redouble in volume and intensity when the story of the next Blunt, Bettaney or Burgess hits the fan—as it surely will—is a great mistake. A "no oversight" Home Secretary, like a "no amendment" Home Secretary, is at best short-sighted and at worst, a fundamental error of judgment.

The Bill could have been a parliamentary success story for the Home Secretary, with congratulations from all sides for crafting a Bill that would stand the test of time and put the Security Service on a secure footing. Instead the Bill should be retitled the Security Service (Temporary Provisions) Bill. It will not last and that is why I shall vote against its Third Reading.

9.8 pm

Mr. David Winnick (Walsall, North): I am pleased that the hon. Member for Thanet, South (Mr. Aitken) will vote against it the Bill and I hope that he will be joined by other Conservative Members. Like my hon. Friends, I shall vote against it because there has been no improvement since Second Reading.

As it stands, the Bill makes only cosmetic changes. It provides no effective remedy against the serious complaints made against the Security Service and we should not forget that we are so concerned because of the complaints and disclosures made by a former official of MI5, Cathy Massiter. No one has denied that she was speaking the truth. There have been no Government allegations that she was lying. As I have said before—I repeat it today—I believe that Cathy Massiter is an honourable person. By the manner in which she revealed matters which had gone on, but which should not have gone on, she has performed a public duty and a public service and we should be very pleased that we have people like her——

Mr. Allason: Is the hon. Gentleman aware that Cathy Massiter's allegations were investigated——

Madam Deputy Speaker: Order. We are now straying from Third Reading. That is a result of my tolerance in allowing the hon. Member for Walsall, North (Mr. Winnick) to stray so far. Perhaps the hon. Gentleman would come back to the matter before us.

Mr. Winnick: The need for a security service, whether it is MI5 or a similar organisation, was never questioned during the course of the Bill. Everyone recognises that it is necessary to have an organisation for the protection of national security. That is set out in the appropriate clause, clause 1(2). The need for national security and related matters and the need for the defence of the realm is recognised in all parts of the House. We know what goes on in dictatorships, but it is unlikely that there is any democracy that does not provide for some sort of protection and does not have some sort of security service. It is the other part of the clause that gives rise to a great deal of controversy.

I am certainly in favour of opposing anything that would overthrow or undermine parliamentary democracy. As I said repeatedly in Committee, I am keen that our democratic system should be permanent. I would be the last person to do anything or be in favour of anything that would undermine it. Equally, I am against targeting and spying on those who are active in organisations such as the

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Campaign for Nuclear Disarmament or in campaigns for civil liberties and who have no wish whatever to overthrow or undermine parliamentary democracy.

One of my reasons for voting against the Bill was echoed by the hon. Member for Thanet, South. Protest, advocacy and dissent are the very life blood of parliamentary democracy. That is the basic difference between a democracy such as ours and a dictatorship. In a democracy one can protest, advocate and dissent if one disagrees with the Government of the day and one will not be penalised, put away or punished in any way. Some hon. Members have spoken about the reasons for the Bill, and the name of Wright has been put forward.

I wonder whether we would have such a Bill if it had not been for the complaint brought by my hon. Friend the Member for Peckham (Ms. Harman) and Patricia Hewitt to the European Court of Human Rights. No doubt when that case is before the court the Government's answer will be that some improvements have taken place, and they will give the Bill as an illustration of the progress that has been made.

Clause 2(2)(b) says:

"that the Service does not take any action to further the interests of any political party."

On the face of it we should be quite content about that, because it is obviously right that the Security Service should not further the interests of any political party. The same words, more or less, were in the Maxwell Fyfe directive of 1952. It was described at the time as a Security Service that would be completely politically impartial. How seriously can we take the claim of political impartiality when we know that the right hon. Member for Henley (Mr. Heseltine), when he was Secretary of State for Defence, decided to ask the Security Service to target CND? What kind of political impartiality existed then? Did the right hon. Member for Henley take into account the Maxwell Fyfe directive, or did he say to himself that there should not be any distinction between the Security Service——

Madam Deputy Speaker: Order. More than once, I have had to remind hon. Members that debate on Third Reading is very limited. I regret having to remind the hon. Member for Walsall, North yet again.

Mr. Winnick: I defer to your ruling, Madam Deputy Speaker. I was speaking about clause 2(2)(b), which says quite clearly

"that the service does not take any action to further the interests of any political party."

Madam Deputy Speaker: Order. The hon. Gentleman has widened the debate too much.

Mr. Winnick: I was trying to illustrate that that was already in the Maxwell Fyfe directive of 1952 and did not prove at the time the point that we should like to see proven.

I said that the basic difference between a democracy such as ours and a dictatorship is that in a democracy protest, advocacy and debate are permitted and are part of everyday life. Like my hon. Friends and me, many believe that such views and actions should not be undermined by the Security Service. I believe strongly that Parliament itself should be able to scrutinise the Scrutiny Service. No doubt, as the hon. Member for Thanet, South said, the debate about that will not be ended by the passing of the Bill.

National security should not be a disguise for narrow political interests, or scoundrels or rogues, be they those like Wright or any similar person, to undermine the parliamentary democracy and civil liberties about which we are concerned and which we are determined to defend. The matters that have come to light must cause us the maximum amount of concern and disquiet. What a pity that, throughout the debates on the Bill, neither the Home Secretary nor the Minister could bring himself to admit that mistakes and abuses have occurred. It would have been better if they had frankly admitted that. That is yet another reason why we are so concerned about the Bill and why we do not believe that its enactment will avoid the mistakes and serious abuses that have occurred in the past.

I am sure that the Secretary of State wishes that MI5 was not such a source of continuing political controversy. I understand the feeling in Government circles, and certainly on the part of the Home Secretary, that MI5 should not have such a high political profile. If the Bill had been amended, MI5 would have a far lower political profile in the future, and it would not be the subject of so much continuing controversy. I regret that, since the Bill's introduction, we have not been able to make the necessary changes and reforms that would have largely avoided the abuses about which I have spoken. Unfortunately, the Government were not willing to concede anything, having introduced the Bill for the reasons I have explained.

No matter how much the Home Secretary and other Ministers hope that this matter will go away, MI5 will continue to be the subject of controversy. The Opposition will raise the matter whenever we have the opportunity because we strongly believe in democracy and civil liberties. I have already said that it is necessary to have a Security Service, but one that is accountable to Parliament. That is the essence, I believe, of a parliamentary democracy, and I regret the Government's attitude throughout the proceedings on the Bill.

9.18 pm

Mr. Rupert Allason (Torbay): In my misplaced optimism—call it inexperience or perhaps ignorance—I rather hoped and assumed that, in Committee, the Government would actively pursue many of the constructive ideas put forward by both sides of the House. Nobody has a monopoly of wisdom on this subject, and I was terribly disappointed, inexperienced though I am as a parliamentarian, by the Government's attitude.

I have at least one contribution to make, which I hope will clear up the mystery created by my right hon. Friend the Home Secretary, I think deliberately, when he rejected the opportunity to introduced parliamentary oversight. He chucked out the idea of a committee of Privy Councillors, rejected the idea of a detailed report from the commissioner and declined to take up the quite sensible suggestion to extend the role of the commissioner. Cogent examples and arguments were put before him. I could not understand why he was so unwilling to share the burden of his responsibility, particularly when other examples had been given—Canada was identified as a classic example. I now know why.

The Home Secretary said that Canada had its own solutions and we should examine the problems that face

this country. There are great parallels between the two countries. Canada endured the bombing of an Air India jet and had to take appropriate measures thereafter. Canada also has considerable loyalty problems. Security Service officers in Canada say that one of their great challenges is that Canada is such a cosmopolitan community and there is no such thing as a born Canadian. People have different backgrounds and loyalties.

What made Canada so different from the United Kingdom? What was the spike upon which the Home Secretary was determined to impale himself? It is that the Canadian intelligence community does not have a foreign intelligence gathering group. I have subsequently discovered that the advice given to him was that, if he was to give way on oversight—to allow any supervision of the Security Service—it might lead to the supervision and oversight of another organisation that successive Governments have declined to admit exists in peace time. That is the sole reason why the Home Secretary has been so obstinate. It is uncharacteristic of him because usually, with great courtesy, he takes——

Mr. William Cash (Stafford): My hon. Friend is making a generalised point about another service. Is he saying that there is no supervision? Under the Bill, legal duties imposed upon the Secretary of State, the commissioner and the director general would be required to be assessed and interpreted by the courts. Therefore, there is supervision by judicial review if a person wants to challenge the basis on which the functions are carried out. Surely my hon. Friend recognises that.

Mr. Allason: I regret that my hon. Friend was not present during our two days in Committee. We outlined all the different opportunities for parliamentary oversight. The Home Secretary obstinately resisted this point all the way through. In essence, he said that everything was fine, there may have been one or two problems in the past and we were placing great trust in the Home Secretary. He said that he had wide shoulders and could bear that burden.

When the Home Secretary talked about the past he spoke of "ill-defined" legality. The Bill—if it does nothing else—at least gives the Security Service a cloak of legality. The pressure from both sides of the House has been not just for legality but for a measure of oversight.

Mr. Lawrence: If my right hon. Friend the Home Secretary does not wish to concede anything on oversight on the secret service because he does not want to concede oversight on another branch of the security services, will my hon. Friend say why he thinks that would be a bad reason?

Mr. Allason: My hon. Friend the Member for Thanet, South (Mr. Aitken) characterised the Home Secretary as King Canute because he opposes something that has been widely and successfully introduced around the world, in New Zealand, Australia and Canada. Sooner or later there is bound to be a measure of oversight. Those who were in their places throughout the consideration of the Bill in Committee will recall the continuing argument that there should be some improvement in the existing system.

We know that everything has not been entirely satisfactory in the past. Mention has been made of the contribution to this continuing debate of Mr. Macmillan, and his role in the Profumo affair was one of profound ignorance. He was never aware that Stephen Ward was an agent of the Security Service. That ignorance, which has been argued for by at least one of my hon. Friends, cannot be sustained. There have been numerous incidents where it has been shown that the Home Secretary and the Prime Minister have been unable to keep their finger on the day-to-day operations of the Security Service.

It has often been said that the lesson that is never learned from history is that people never learn things from history, and we know that history has a tendency to repeat itself. I have no doubt that we shall be debating these issues again with a view to having some parliamentary oversight or scrutiny, or to make the Bill acceptable to the European courts.

9.26 pm

Mr. Norman Buchan (Paisley, South): I do not know whether the Home Secretary was in his place on the Government Bench when the hon. Member for Torbay (Mr. Allason) said that Home Office Ministers behaved abominably on Monday and Tuesday of last week—they treated the House with contempt and, therefore, the country as well—because they wanted to preserve MI6 from any following investigation. The Home Secretary might want to comment on that.

I believe that that attitude of boorishness stems from the fact that they ignored the warning of Francis Pym some years ago, which was based on the size of the majority that the Tory party might gain in the then general election. He warned of what the consequences would be. We have seen this boorishness on issue after issue. The Government have treated the House with contempt. I have been a Member of this place for 20 years and never previously have I encountered the behaviour that I saw on Monday and Tuesday of last week, on an issue that to a great extent had brought both sides of the House together.

It is our concern that we have an effective secret service. We are concerned also that it is placed under proper democratic control and supervision. Faced with that concern, the Home Secretary still resisted even the mildest of amendments which were designed to introduce some supervision. The right hon. Gentleman should be warned. The people of England have not yet spoken. Incidentally, the people of Scotland have spoken, and the Government might learn a lesson from that.

This is not an isolated Bill. It is one of a series of measures that have limited freedom of speech in every possible way. That has applied to the BBC and the press, and it will be the effect of what will be the new Official Secrets Act. That legislation stems from the exposure of the security services' failure. It has arisen in part from the Wright case. Agitation for change stemmed from that issue and many others. The Government spent two foolish years dragging a senior civil servant through the courts, which humiliated him and the nation in the eyes of the world. Eventually the final decision was reached that the public interest should be taken into consideration, and that was right. Everybody expected that to happen. Unfortunately, the public interest is ignored in the Bill. The inadequacies of MI5, including those of the past, have not been properly denied by Peter Wright, and that is one of the inadequacies of the book. It is regrettable that the Government have not taken the opportunity to put the organisation under proper control.

We are concerned with the failure to bring the secret service—MI5 and the other security services—under

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proper democratic control. The seriousness of that failure is magnified when we consider the looseness of the definition. Opportunities were presented, not to alter the guts of the Bill, and MI5's role, as the Secretary of State defined it, by adding words such as "protest" and "dissent". The same would have been true if what the Home Secretary had said had been put in legislative form. Why in heaven's name should he come to the House, make a speech saying what the Bill is about and then flatly refuse to put what he says into legislative form? That is but another example of the Government's boorishness.

We are witnessing the end of the sovereignty of Parliament, and we are halfway through the sovereignty of the Executive. Its sovereignty has increased, is increasing and ought to be diminished. We are put at enormous risk when we allow that to happen.

We are told that the Bill is based on the Maxwell Fyfe directive, but it is infinitely weaker. I understand that he jotted his five points down on a napkin when he was away from the office for lunch for an hour. In regard to political control, he said that it was essential that the Security Service should be kept absolutely free of any political bias or influence and that nothing should be done that might lend colour to any suggestion that it is concerned with the interests of any section of the community or with any matter other than the defence of the realm. The Home Secretary claims to have incorporated that argument in the Bill, but he has not—he has weakened it significantly. Clause 2(2)(b) provides:

"that the Service does not take any action to further the interests of any political party."

The thrust of Maxwell Fyfe has been thrown out of the window.

We do not believe that the security services are entirely the paid servants of the Conservative party, even though some of their actions might imply that they are. Those of us with experience at the other end of the process are in no doubt, however, about the bias of their thinking. I do not know of any example of MI5 bugging the boardrooms of directors in the City. We know of their bugging people who want more democracy in Britain, or want to change our war policy, or who want to demonstrate on the streets in support of their jobs. We do not yet know of any time when boardrooms have been bugged——

Mr. Winnick: Or the so-called Freedom Association.

Mr. Buchan: Indeed. We were presented with an opportunity to bring the service under control. The Home Secretary says that we cannot copy Canada because it is different, or America because it has a different political structure, or France or Germany. We are now the only western democracy which has failed to bring its Security Service under any kind of supervisory control. We are not arguing that we should copy the example of others. What we want, and what the Bill fails to provide, is some democratic supervision.

Resisting that, when the Franks committee dealt with a much more sensitive situation, is an insult to every hon. and right hon. Member. The Home Secretary is saying that only the Home Secretary can be entrusted with the information, and that it can be reported to the Prime Minister. He is wiping off 649 other hon. Members, including you, Mr. Speaker. We cannot leave supervision with the Executive—it has too much power. That power should be diminished. We should make a start on that later this week when we discuss the Official Secrets Bill.

9.33 pm

Mr. Ivan Lawrence (Burton): We are witnessing, not the break-up of parliamentary democracy as we know it, but a number of hon. Members going right over the top. Apart from possibly, the hon. Members for Paisley, South (Mr. Buchan) and for Walsall, North (Mr. Winnick), who appeared to complain that we are making illegal something which he shamefully says went on in the past —namely, that the Security Service concerned itself with the interests of a political party—which is an odd way to behave when we are changing the law for the better, one can conclude from the debate that there is a fair amount of common ground.

Hon. Members on both sides agree the objectives of the Bill. They are to establish a clear framework of statute, defining in law the functions of the service and the responsibilities of Ministers, and providing for the first time a statutory remedy for members of the public who have complaints about the security services. This is a recognition of the public anxiety inside and outside Parliament and a substantial step forward in protecting society generally and the rights of citizens who are involved in the Security Service in particular.

In general, the criticism seems to have been that much more should be done to provide an oversight which is completely independent of the Government, more accountability and a more dependable remedy for those wronged. Hon. Members have called for more definition of functions—a wider definition and more functions. Only the hon. Member for Caithness and Sutherland (Mr. Maclennan) seems to think that the Bill provides too much and that we should remain as we are. He says that clause 5(4) means that there is no longer a recourse to the courts. It does not mean any such thing. It cannot. The Bill provides for new institutions—the tribunal and the commissioner—and the restriction governs only them. The provision does not mean that security matters cannot be raised in the courts as they can at present. It means that the decisions of the tribunal and commissioner alone shall not be questioned by any court. Obviously, it would be remarkable if any other provision were made.

My hon. Friend the Member for Thanet, South (Mr. Aitken) took me to task for not agreeing with what he said about the meaning of national security. He says that the Bill should spell out in even more detail what is meant by such understandable words as espionage, terrorism, sabotage, parliamentary democracy and political, industrial and violent means. Why should it be more specific? What more would be achieved? We could go on for ever defining ever more closely and still the courts would be asked for an interpretation of some sub-meaning of some other sub-definition of some general word used in the clause. I do not know what my hon. Friend is trying to do. Perhaps he is trying to whittle away completely the protections enshrined in the Bill, with which most people broadly agree.

Are the calls for more and wider definition practical? In all the circumstances, are they sensible? My right hon. Friend the Home Secretary has resisted all the blandishments, however persuasively and enchantingly

they have been offered, and I am sure he is right, because two problems of substance lie in the way of the bold reformers.

First, we are talking about a secret service. Strange as it may seem, its activities must remain secret or there is no point in them. One does not have to speak evilly against one's colleagues as unreliable safeguarders of secrets, as people who can harbour malice, as people capable of political bias, or as being incompetent, or because they chatter to journalists, perhaps in the most convivial circumstances, and journalists piece together bits of information and reach conclusions. Such observations would be wholly unworthy and out of place in this House. But in reality, the more people who know a secret, the more likely it is to get out. That is the most important reason why a Select Committee with oversight, or even a Select Committee of Privy Councillors, would be inappropriate.

The second problem is volume. My hon. Friend the Member for Thanet, South requested that the Bill should contain more reference to what should be done in a case such as Bettaney's. There should be more consideration of recruitment, training and functions. So much goes on in the secret service, at such a rate and with such complexity, that it would be well nigh impossible for any Member of Parliament to follow such matters with the closeness that they require and not put his foot in it. Such matters are of particular importance because they often affect the very lives of the people concerned. It follows that Parliament is not the most efficient or appropriate body to supervise the Security Service, and that the Government are entirely right to resist the amendments.

The right hon. Member for Blaenau Gwent (Mr. Foot) said that the conduct of the Franks committee on the Falklands proved that parliamentary scrutiny of a substantial nature could work, but, for a start, few Members have the integrity, good sense and reliability of the right hon. Member for Morley and Leeds, South (Mr. Rees), who can be entirely trusted not to open his mouth —perhaps in a bar, under pressure from his colleagues or under any other kind of pressure —and vouchsafe any of the secrets that he has learnt.

Moreover, the Franks committee was a single inquiry into a single subject, which was under the eyes of the press for as long as it endured. That is not the same as continuing supervision by a continuing body. The eyes of Parliament and the media are not constantly on the functioning of such a body. The hon. Member for Linlithgow (Mr. Dalyell) even suggested that the Franks committee was not given all the information, in which case setting up such a committee would be a waste of time.

It is obvious that no form of oversight can guarantee no errors, but there is some sense in having as much oversight as is reasonably possible consistent with the need for secrecy and for a body that is more reliable, because more constant, than any body of Members of Parliament can be. To the question, "Is there some serious deficiency in the oversight protections in the Bill?" I have to answer that I can see none.

It is ridiculous to suppose that the additional methods of oversight in the Bill do not close the gap considerably between the free hand that it appears that the Security Service used to enjoy and an enforceable obligation to behave correctly. Not only is there the director-general, with a statutory duty to ensure that the rules are followed —and why should we assume that such people are incompetent, malicious or unable to follow the requirements laid on them?—but there is the Secretary of State, who must authorise all the warrants. There is also the Commissioner, a senior judge who can review the Secretary of State's use of his authority. The Secretary of State must then report to the Prime Minister, and the report must be laid before Parliament.

There is also a tribunal consisting of three to five of the most distinguished kind of people in our society—lawyers, the most dependable, reliable, important and splendid people—to receive and consider complaints about the activities of the Security Service. They will have power to order the ceasing of inquiries, to order the destruction of records and to order compensation. It is wholly unrealistic to conclude that the Government could reasonably do more than they are doing to strengthen accountability, without at the same time threatening the secrecy that is the essence of the secret service.

Opposition Members in particular have consistently shown concern about the member of the Security Service who cannot complain about any wrongdoing that he or she sees within the service—the whistleblower. That whistleblower may be prosecuted, under the Official Secrets Act, if he complains in a way that is against the interests of his superiors. I can understand that concern, but the breach of the Official Secrets Act will involve doing something "without authority". The whistleblower can go to the staff counsellor, who is an independent body set up with the particular end in mind of helping the whistleblower by giving that authority. If he does not want to do that, he can still go to the Minister. If he does not want to do that, he can still go to the Secretary of State. If he does not want to do that, he can still go to his Member of Parliament.

His Member of Parliament can go to the Prime Minister, and his Member of Parliament can say to the Prime Minister—I do not believe that the Prime Minister would not listen to any hon. Member who said this to her —"I have a constituent who is very concerned about something that has happened to him as a servant of the state in the Secret Service, which was grossly wrong and improper and may be criminal. Will you give him the authority to tell you what it is?" It is unthinkable that that authority would not be given. If that authority were given, there would be no breach of the Official Secrets Act. The concern, therefore, for the whistleblower, while it may be in the past have been justified in some cases, need not be justified when one bears in mind the functions that we as Members of Parliament in this place can legitimately perform. I believe that that criticism of the vulnerability of the whistleblower is therefore unfounded.

I continue with this thought. One's attitude towards this Bill depends upon one's attitude to the Security Service. If one believes that it is a wild animal to be caged, to be watched at every moment of the day by keepers, and that it cannot possibly work unless Members of Parliament have something to do with it—dabbling and poking away in case this animal escapes from the cage and devours the innocent public—of course it is an unsatisfactory Bill.

But is this not the closer approximation to the truth? The Security Service is a body of thoroughly decent people, using their ingenuity to protect us from espionage, subversion, terrorism and threats to the economic well-being of the United Kingdom. It is not perfect, but it operates as near perfectly as any human machine dealing

[Mr. Ivan Lawrence]

in secrecy can. The public appreciate that, even if Opposition Members do not. During all the discussions, I have received no more than two letters opposing this legislation, from which I conclude that the people who sent me here do not distrust the Security Service or this Bill. Nor do they wish to see the Service opened up to the eyes of the world.

9.48 pm

Mr. Tony Banks (Newham, North-West): I found the speech of the hon. and learned Member for Burton (Mr. Lawrence) acutely depressing. It is no wonder that not many of his constituents have written to him and protested because, frankly, it would have been a waste of time for them to have done so. I felt that it was depressing, because, once again, the hon. and learned Gentleman—like a number of Conservative Members this evening—has effectively sold Members of Parliament short. He said that we are not responsible enough to be exercising some form of accountable control over the Security Service.

Mr. Whitney *rose*——

Mr. Banks: I shall not give way to the hon. Gentleman, because I shall be short and sharp on this point, which is a reasonably good description of myself.

I believe that the Bill, unamended, creates as many problems as it seeks to resolve. I do not think that it has sincerely sought to resolve many of those problems. It is vague in its definition. We have heard that said in good speeches from the decent Tories that remain. I pay tribute from this vantage point to the hon. Members for Aldridge-Brownhills (Mr. Shepherd) and for Thanet, South (Mr. Aitken) for at least speaking out for freedom, because there are not many Conservative Members who are prepared to do that.

The Bill is vague in its definition. It is a lawyer's paradise—perhaps that is why the hon. and learned Member for Burton is so enthusiastic for it to reach the statute book. The definitions in the Bill mean precisely what the Home Secretary means them to say. Therefore, that means that this Bill could have been drafted by Lewis Carroll, because it will leave MI5 in Wonderland. It gives inadequate safeguards to our people. The Home Secretary ventured to give us a number of proposals that he said would answer our fears, but, as hon. Members on both sides of the House have recounted, when we sought to push him to include those safeguards in the Bill, which would then go some way to meet our objections, he steadfastly refused.

We all know that what is said on Second Reading, in Committee or what appears in the *Official Report*, will have no bearing or influence on any judges who are subsequently called upon to interpret the Act. Therefore, the words of the Home Secretary were not worth the breath he used to utter them.

In the end, MI5 will be left as a barely regulated state within a dangerously centralised state—that is the way the Government are leading us. There is no chance of a judicial review of the issuing of warrants. I find that totally unacceptable. The idea is that we cannot trust the Commons, we cannot trust the courts and, in the end, we cannot trust the people. Whom can we trust—the Home Secretary of the day and no one else? A bunch of apologists behind the Home Secretary?

Mr. Cash *rose*——

Mr. Banks: No, I will not give way.

I do not believe that the freedoms of our country are safe in the hands of Conservative Members or in the hands of the Home Secretary. I consider that this is a weasel Bill full of weasel words and, in that sense, it is appropriate that it should be passed by a weasel Government.

9.51 pm

Mr. Bob Cryer (Bradford, South): I shall speak for no more than five minutes, but I should like to start with a correction to my speech of 16 January at column 103. I implied that Dr. Adrian Tibbetts had been entrapped by a British National party member, Mr. Peter Maranchenko, in conjunction with the special branch. In fact Dr. Tibbetts was at home and had nothing to do with this matter. It was his mother and father, Mr. and Mrs. Tibbetts, who were entrapped. I want to make that absolutely clear.

That correction also illustrates the value of having such things on some sort of record that can be challenged by the people about whom comments are made. If comments are made behind closed doors the consequence, just like the consequences of the Bill, is that there is no opportunity for those comments to be challenged. Such remarks can stick. If files are drawn up by members of the security services, without any democratic check by this place, which would provide some accountability, such a stigma can grow and fester without the possibility of correction.

One reason why I shall vote against this shoddy little measure is that there is no definition as to who can issue warrants to burgle. My hon. Friend the Member for Newham, North-West (Mr. Banks) repeated the name of the Home Secretary on several occasions—as have other hon. Members—but the truth of the matter is that the legislation does not give power to the Home Secretary because the power to issue warrants is given to any Secretary of State—ten, 12 or however many there might happen to be. Those warrants to carry out a serious criminal act do not have to be in writing to be undertaken.

This is a shoddy piece of legislation that will not easily fasten round the neck of the Home Secretary. He does not even have the responsibility that is normally ascribed to Secretaries of State. That lack of responsibility was brought out only in the debate in this House. The House was mistaken to allow the Committee stage to be taken on the Floor of the House. It would have been far more effective if consideration had been undertaken in a Committee upstairs because there would have been much more time and much more analysis of the reasons for the Government putting forward the various clauses.

People describe the security services as undertaking heroic deeds. It is possible that individuals may do so and may have their lives put at peril. If that is the case, they are heroic, but we also know that, by the very nature of their job, members of the security services must lie, cheat and deceive. To allow that to take place with the added authority of a warrant to burgle, issued by the Secretary of State without any accountability, is to put serious power into the hands of people who have the ability to lie and cheat, allowing them to burgle and even to kill, if accounts in various newspapers have been accurate in the past.

That is a heady combination. Democratic accountability is a tried, tested and practised means of ensuring that the heady mixtures which the security services can distill behind closed doors are held in check. Democracy is about checking things. The Bill does not do that and that is why I hope that hon. Members will vote against it tonight.

9.56 pm

Mr. Stuart Randall (Kingston upon Hull, West): One thing that became apparent during the Committee stage of the Security Service Bill was the yawning gap between the legislature and the Executive on this important issue. Quite frankly, it appears that the Government are contemptous of the House of Commons. That contempt manifested itself in the fact that the Home Secretary has ignored the will of the House on issues which are fundamental to the operation of our national democracy and the protection of the civil liberties and basic freedoms of people in this country.

The Bill has been rushed through the House of Commons by the Government deliberately in such a way as to minimise any discussion and consultation. The rigidity of the Home Secretary in not conceding fundamental points that are important to hon. Members on both sides of the House was partly aimed at avoiding a Report stage. That was designed to stifle full and open discussion on the legislative framework in which the Security Service should operate in future.

One important consequence of the Government's appalling attitude is that the Security Service, a very powerful and insular organisation which conducts some of its business outside the law of the land, is being allowed to continue its operations without any form of effective democratic accountability. It will continue with inadequate restrictions on it in regard to possible abuses of the civil liberties and freedoms of the British people. It is a very sad picture, and when in future we talk about Britain being a democracy, we should think about the way in which the Government have dealt with the Bill. In my view, the Government verged quite dangerously on being anti-democratic.

Another thing that became clear in the early stages of the Bill is that the existing system of so-called parliamentary accountability is totally inadequate. The arrangement is based on the Home Secretary being inside the barrier of secrecy and the understanding that he should monitor the Security Service on behalf of Parliament. When we ask questions about the Security Service, more often than not we are told that information cannot be made available for security reasons. The upshot is that Parliament has not a clue as to what is going on.

In reality, I believe that the Home Secretary does not always know what is going on in any depth and we all rely on the permanent secretaries and the chiefs of MI5 to operate the service without any effective external scrutiny. I believe that that arrangement has been rejected by many of our allies because they believe that external scrutiny and accountability is necessary as a safeguard against abuse, corruption and inefficiency. More positively, however, experience in these countries has shown that the security and intelligence services operate much better when there is some external oversight.

Our debates have also shown that the Home Secretary —I should add that I am talking not just about this Home Secretary but about previous ones too—does not seem to be interested in what is going on within the Security Service. They seem to have given up trying to counter the influence of the MI5 senior management and the permanent secretaries. That is a strong statement. I notice that the Home Secretary commented that that was based on——

It being Ten o'clock, the debate stood adjourned.

Ordered,

That, at this day's sitting, the motion relating to the Security Service Bill may be proceeded with, though opposed, until any hour.—*[Mr. Lightbown.]*

Question again proposed, That the Bill be read the Third time.

Mr. Randall: I was commenting on Cmnd. 8787, the Falkland Islands review.

What is the solution? At the moment we have scales —with all the permanent secretaries and the MI5 chiefs on one side and the Home Secretary, almost on his own, on the other side. As we know, the Home Secretary is busy with a huge range of responsibilities and has little spare time. Also, he does not have under his control a structure that would enable him to formulate policy to counter all the influences that are weighted against him. The answer, therefore, is to put Parliament on the same side of the scales as the Home Secretary.

If the Home Secretary were properly accountable to Parliament—the Labour party believes that a Select Committee is the best mechanism for achieving that accountability—the pressures from Parliament would serve to bring more balance than is possible under the existing arrangement. The Home Secretary would have more clout over the MI5 establishment than he has at the moment because both he and MI5 would feel obliged to respond to parliamentary pressures. With this approach, I believe that everyone wins—MI5, the Home Secretary and Parliament.

As for the duration of debate, two main areas of policy were considered during the Committee stage. The first was accountability, both of the Security Service and of the Home Secretary. Essentially, it was all about the best mechanism to achieve better accountability. The second main area of debate related to protecting civil liberties, along the lines proposed when new clause 4 was moved by my hon. Friend the Member for Walsall, North (Mr. Winnick). It proposed that nothing in the Act should be done that undermined the right of protest, advocacy or dissent. Amendment No. 47 contained the same phrase but it was more specific and limited because it contained a definition of threats to national security. However, it permitted people to take part in protest, advocacy or dissent.

To return to accountability, my right hon. Friend the Member for Birmingham, Sparkbrook (Mr. Hattersley) moved new clause 73, which advocated that the Security Service should come under the scrutiny of the Select Committee but that it should remain under the authority of the Secretary of State. New clause 5 was tabled by the Labour party to illustrate the scope of the Select Committee.

When he commented on new clause 5, I believe that the Home Secretary showed a terrific lack of faith and trust in the Members of Parliament who would serve on the proposed Select Committee. He also demonstrated the Prime Minister's lack of confidence in being able to select 12 Members of Parliament—just six from either side of the House—who would be sufficiently reliable and trust-

[Mr. Randall]

worthy to serve on the Select Committee. The Home Secretary thinks that it is impossible to select six Members of Parliament from either side of the House who could be trusted not to leak secret information. It seems also that the Home Secretary believes that it is impossible——

Mr. Whitney: On a point of order, Mr. Speaker. Is not the hon. Member for Kingston upon Hull, West (Mr. Randall) continuing the debate that we had in Committee instead of taking part in a Third Reading debate?

Mr. Speaker: That is correct. I was contemplating that very matter a moment ago. The hon. Member for Kingston upon Hull, West (Mr. Randall) must stick to Third Reading and not go through amendments that have already been debated in Committee, but not made.

Mr. Randall: I am commenting on what is in the Bill, not on what we would like to have in it.

Nevertheless, the Home Secretary showed a lack of faith in hon. Members being able to be relied on to suppress the publication of information via a Select Committee that would be against the national interest. Frankly, I cannot see why hon. Members are supposed to be such a potential threat to the security and wellbeing of the country, as so many of them become Foreign Secretaries, Home Secretaries, Secretaries of State for Northern Ireland, and Defence Secretaries. Added to that list are the Ministers of State in each Department. All hon. Members with office must be trusted with secret information, as part of their day-to-day responsibilities.

According to the Government's arguments, when an hon. Member becomes a member of the Government, he or she suddenly undergoes some sort of physical or mental change that mysteriously makes them less of a security threat. The hon. Member for Somerton and Frome (Mr. Boscawen) actually agreed that a metamorphosis takes place when an hon. Member becomes a member of the Government—that he or she suddenly becomes safer and more reliable as soon as the new appointment is announced.

That is a load of nonsense. I cannot accept that a Select Committee is unworkable on the ground that hon. Members cannot adhere to the necessary rules of secrecy under which a Select Committee would have to work. From my experience, when people are given responsibility, they rise in stature and become—*[Interruption.]*

Mr. Speaker: Order. I ask hon. Members to listen to the hon. Gentleman's speech or, if they are not wishing to listen, to leave the Chamber.

Mr. Randall: There were some long speeches in the debate. I appreciate that hon. Members want to be away. I am cutting out a lot of my speech. The hon. Member for Wycombe (Mr. Whitney) almost did a filibuster. That is why we are running late tonight.

The Home Secretary's assertion on the point about hon. Members' reliability was not only wrong but insulting. I am convinced that I could easily select six hon. Members from both sides of the House who could do the job admirably and would have the necessary personal attributes.

Mr. John Patten: Name them.

Mr. Randall: The Minister of State says, "Name them." That is for another occasion.

The Home Secretary has used the argument merely to reject amendment No. 73 and new clause 5. He was told by MI5 that it did not want any form of accountability. I am sure that the word "resist" was written in bold letters on the briefings that were provided for him.

The Home Secretary is not his own man when it comes to decisions on these matters, partly, as I have already said, because he does not have under his control a structure which enables him to formulate policy.

The other long debate in Committee was about civil liberties and, in particular, an individual's right of protest, advocacy or dissent. New clause 4 and amendment No. 47 were prominent in that debate—*[Interruption.]*

Mr. Speaker: Order. We really must not go back to the Committee stage. We are dealing with the Third Reading.

Mr. Randall: I consider that I am in order for the Third Reading.

There appeared to be an overwhelming feeling in Committee that, as currently presented, the legislation does not protect the rights of individuals to protest advocacy or dissent without the Security Service regarding such people as a threat to national security and recording that information in its files and possibly using it in a way that could be detrimental to the interests of the people.

I will not go into any detail, but I refer to *Hansard* of 17 January. It was referred to by my right hon. Friend the Member for Blaenau Gwent (Mr. Foot). There, the Home Secretary found it necessary to make a statement on the meaning of clause 1(3). I only wish that he had included that as part of the legislation; he would have won a great deal of good will had he done so.

The Bill is inadequate as it stands, as it will be for the courts to interpret the definitions within it. They will accept the legislation at face value, and will not look up *Hansard* to see what the Minister really meant. We believe that this matter is of such importance for the protection of civil liberties and the freedom of the individual that a positive statement implying a restriction on the powers of the Security Service is vital. I hope that the House of Lords will give that careful consideration.

What makes the Home Secretary think that the service will take any notice of a ministerial statement in *Hansard* on the meaning of the protection of national security, which is for the courts to interpret? If the service is to respond to anything, it must be to the contents of the Bill—that is important. The reason why we wanted the Bill changed to include a statement of what the Security Service is not allowed to do is not that we are against the service or anything silly like that. It is because we believe that the Bill is out of balance. How can we be confident that the senior management of MI5 has the slightest concern for protecting the civil liberties of the people of Britain? A number of scandals in the past have damaged MI5's reputation. That destroys the trust that some members of the public have in the service and can have a bad effect on staff within it.

I should have liked the Home Secretary to accept amendments Nos. 4 and 47. Many of us who appealed so passionately to him on Tuesday evening think that he should have accepted those amendments there and then.

There was unquestionably a great feeling of disappointment at the stance that the Home Secretary adopted on this important issue.

In Committee I told the House that I believed that the Security Service should adhere to three important criteria. First, it should be efficient and effective in its operations. Secondly, it should use——

Mr. Allason: On a point of order, Mr. Speaker. Should not the hon. Gentleman restrict his remarks to what is in the Bill rather than to what is not?

Mr. Speaker: I have already drawn attention to that. Let us get on with the debate.

Mr. Randall: I shall be as brief as I can.

It is clear that the operation of the British security and intelligence services seems to be out of step with developments taking place in other countries throughout the world. The general move seems to be towards more openness and external scrutiny. In some instances that has happened in response to abuses and corruption. At present there seems to be no inclination on the part of the Security Service to promote such changes, and it would appear that the motive behind the introduction of the Bill had nothing to do with modernising the service and making it more accountable. It had to do with meeting the requirements of the European Court of Human Rights in the context of alleged abuses of civil liberties by MI5, and the alleged lack of effective remedies for those who feel that their rights have been abused.

Reviewing the progress of the Bill, I must conclude that it is a wasted opportunity. It does little for the people of this country and little to improve the Security Service. One thing is clear, however: external scrutiny of the service is on the political agenda, and it will not go away.

10.14 pm

The Minister of State, Home Office (Mr. John Patten): I shall be as brief as I can be, consistent with replying fully to the debate. It is a great pity that the hon. Member for Kingston upon Hull, West (Mr. Randall), who has been assiduous throughout our proceedings on the Bill, chose not to refer to this afternoon's Third Reading debate, but referred merely to the Committee Stage, when and where he got the chance.

All hon. Members who have addressed themselves to the issues this afternoon have said that whatever criticisms they may have of the Bill, they welcome the fact that the Security Service will be put on a statutory footing. There was one exception to that, the hon. Member for Caithness and Sutherland (Mr. Maclennan), who, pursuing the unworldly approach of the Social and Liberal Democratic party, thinks that the situation is much better left alone.

This Third Reading debate has allowed the House to take stock of the principles upon which the legislation is founded. In my brief reply to the debate, I shall begin and end with the right hon. Member for Birmingham, Sparkbrook (Mr. Hattersley). He addressed one particular question to me, which I must answer, about economic well-being. My right hon. Friend the Home Secretary gave an example earlier which seems entirely reasonable. The right hon. Member for Sparkbrook sought today to draw us into further precision about the operations that might become necessary under the provisions.

I do not think that the House really expects to go into operational details of the workings of the Security Service. Indeed, I cannot responsibly provide or appear to be providing a list of Security Service targets, actual or hypothetical, from this Dispatch Box. The right hon. Member for Sparkbrook knows well that the phrase "economic well-being" is taken from the European convention on human rights. It has been approved already by Parliament in the restrictive form in which it appears in the Bill. That provision is essential for the country's well-being.

I turn now to the comments made by my hon. Friend the Member for Aldridge-Brownhills (Mr. Shepherd) who, with my hon Friend the Member for Thanet, South (Mr. Aitken), has addressed himself to the issues although we disagree on the fundamentals of the Bill. He had made a criticism this evening of alleged pirouetting by the Minister of State at the Dispatch Box. My hon. Friend— *[Interruption.]*——

Mr. Speaker: Order. I appeal again to the House to listen to the speeches. If hon. Members below the Gangway wish to carry on private conversations, they should do it outside.

Mr. Patten: My hon. Friend the Member for Aldridge-Brownhills suggested that there was a logical inconsistency in the arguments used from the Dispatch Box when the issue of whether or not there should be judicial review of the warrant procedure was to be considered. He criticised the argument that to have judicial review meant that the circle would be widened. An additional reason why I believe that judicial review and intervention is not acceptable is the need for speed, which is often the case in terrorist issues in this country.

My hon. Friend the Member for Aldridge-Brownhills then related that to the need, as he saw it, for no flexibility under the rule of my hon. Friend the Secretary of State for the Home Department in relation to those who could and could not sign warrants. My hon. Friend seemed to think that there was an inconsistency in that line of argument. The hon. Member for Bradford, South (Mr. Cryer) also raised that issue a moment ago. It is nonsense to say that my right hon. Friend the Home Secretary will be shopping around to find people to sign property warrants.

The House must recognise that my hon. Friend the Member for Aldridge-Brownhills raised an important point because the Security Service is under the authority of my right hon. Friend and my right hon. Friend has the commissioner at his elbow. Therefore, it is absurd to suggest that my right hon. Friend will make arrangements for the signing of property warrants at any stage that would cause the commissioner to suggest that they were being put in an incorrect framework.

Mr. Cryer *rose*——

Mr. Patten: The hon. Gentleman did not give way, so I do not propose to give way.

No Home Secretary would knowingly lay himself open to findings by the commissioner that his powers had been abused in any way. It is only those Secretaries of State who are in an informed position who would take a decision of that nature and who would be approached. At an earlier stage of our proceedings, I pointed out that my right hon. Friends the Secretaries of State for Northern Ireland and for Scotland have obvious responsibilities in that area.

The right hon. Member for Blaenau Gwent (Mr. Foot) did not seem to understand that which my right hon.

[Mr. Patten]

Friend the Home Secretary said earlier in the debate, that we have sought to explain fully to the House the way in which the language of legislation must operate on the work and judgments of Ministers and on the Security Service. He was stating the obvious and I should have thought, given the long parliamentary experience of the right hon. Member for Blaenau Gwent, that it would have been obvious to him.

My right hon. Friend the Home Secretary has not been offering statements of ministerial intent during the debate and then expecting a court to interpret them. We all know that courts address themselves to the language of statute and not to the language of Ministers. My right hon. Friend has offered not a statement of ministerial intent but an explanation of the consequences of the language of the Bill. There is no need to fill the Bill with a vast amount of declaratory material of one sort or another.

We benefited from listening to the speech by the right hon. Member for Morley and Leeds, South (Mr. Rees) who welcomed the fact that the Bill will put the Security Service on a statutory footing. In answer to his question I can confirm that the Bill refers only to the Security Service. I can tell the right hon. Gentleman in response to his anecdote about the BBC that, as always, the fullest briefing is provided to Home Secretaries. There will be full scrutiny of the warrants provision by the commissioner.

My hon. Friends made some notable contributions. My hon. Friend the Member for Wycombe (Mr. Whitney) showed his deep understanding of the need for the Security Service. My hon. and gallant Friend the Member for Somerton and Frome (Mr. Boscawen) put his finger on the plot mania that so often seems to run among the Members of the Left. My hon. and learned Friend the Member for Burton (Mr. Lawrence) clearly demonstrated the need, if we are to have a Security Service at all, to have secrets. My hon. and learned Friend was stating the obvious and I am glad that he chose to do so.

The understanding of my hon. Friends underpins the basic principles of the Bill. It places the Security Service on a statutory basis and this is a great step forward in the history of this place. It ensures that there are now new procedures for the authorisation of warrants and that those procedures will be kept under review by an independent commissioner. These steps about authority, control and review are important. As the long title of the Bill says, it establishes the criteria for investigations by a tribunal or, in some cases, by a commissioner of complaints about the service. No one can doubt that the mechanism for redress is suitable for the general public and that it will be regarded as suitable in a wider and European context.

The Bill is a significant reform and will increase and improve public confidence. It has to be seen in the context of the attitude of the Labour party to the security of Britain and to terrorism as a whole. Earlier in the debate my right hon. Friend the Home Secretary contrasted the attitude of one Opposition Front-Bench spokesman, the hon. Member for Kingston upon Hull, East (Mr. Prescott), who was asking for greater and greater preventive action against terrorism, with the attitude of Labour Front-Bench spokesmen to security overall. The Bill deals with the Security Service and that is why I want to give the right hon. Member for Sparkbrook one last opportunity to withdraw the terrible slur that he cast upon the Security Service. That was referred to earlier in the debate.

Taking it in context, as reported in the *Official Report*, the right hon. Gentleman said——

Mr. Speaker: Order. I hope that the Minister is not going back to the debate in Committee.

Mr. Patten: This was referred to by my right hon. Friend the Secretary of State in his opening speech. The right hon. Member for Sparkbrook said, in what I think is one of the most shameful statements made in the House:

"In truth, since the war MI5 has been one of the worst and most ridiculed security services in the western Alliance".—[*Official Report*, 15 December 1988; Vol. 143, c.1124.]

That is disgraceful. I give the right hon. Gentleman the opportunity to take that back. It is clear that he will not withdraw that slur, which came from the deputy leader of a party that is seeking to form a Government at some future date. I am sorry that the right hon. Gentleman will not take that course.

The speeches made by my right hon. and hon. Friends, with the exception of only three of my hon. Friends who did not like the Bill, show that Conservative Members are solidly behind this important reforming measure. I invite the House to give it a Third Reading.

Question put, That the Bill be now read the Third time:—

The House divided: Ayes 276, Noes 214.

Division No. 44] **[10.25 pm**

AYES

Adley, Robert
Alexander, Richard
Alison, Rt Hon Michael
Amess, David
Amos, Alan
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Tom *(Hazel Grove)*
Ashby, David
Aspinwall, Jack
Atkins, Robert
Baker, Rt Hon K. *(Mole Valley)*
Baker, Nicholas *(Dorset N)*
Baldry, Tony
Batiste, Spencer
Bellingham, Henry
Bendall, Vivian
Benyon, W.
Bevan, David Gilroy
Biffen, Rt Hon John
Blackburn, Dr John G.
Blaker, Rt Hon Sir Peter
Body, Sir Richard
Bonsor, Sir Nicholas
Boswell, Tim
Bottomley, Peter
Bottomley, Mrs Virginia
Bowden, A *(Brighton K'pto'n)*
Bowden, Gerald *(Dulwich)*
Bowis, John
Boyson, Rt Hon Dr Sir Rhodes
Braine, Rt Hon Sir Bernard
Brandon-Bravo, Martin
Brazier, Julian
Bright, Graham
Brown, Michael *(Brigg & Cl'Y's)*
Browne, John *(Winchester)*
Bruce, Ian *(Dorset South)*
Buck, Sir Antony
Burns, Simon
Burt, Alistair
Butcher, John
Butler, Chris
Butterfill, John
Carlisle, John, *(Luton N)*
Carrington, Matthew
Carttiss, Michael
Cash, William
Channon, Rt Hon Paul
Chapman, Sydney
Chope, Christopher
Churchill, Mr
Clark, Dr Michael *(Rochford)*
Clark, Sir W. *(Croydon S)*
Clarke, Rt Hon K. *(Rushcliffe)*
Conway, Derek
Coombs, Anthony *(Wyre F'rest)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon John
Cormack, Patrick
Cran, James
Critchley, Julian
Currie, Mrs Edwina
Curry, David
Davies, Q. *(Stamf'd & Spald'g)*
Davis, David *(Boothferry)*
Day, Stephen
Devlin, Tim
Dickens, Geoffrey
Dorrell, Stephen
Douglas-Hamilton, Lord James
Dover, Den
Dunn, Bob
Durant, Tony
Dykes, Hugh
Eggar, Tim
Evans, David *(Welwyn Hatf'd)*
Evennett, David
Fairbairn, Sir Nicholas
Fallon, Michael
Favell, Tony
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Finsberg, Sir Geoffrey

Fishburn, John Dudley
Fookes, Dame Janet
Forman, Nigel
Forsyth, Michael *(Stirling)*
Forth, Eric
Fox, Sir Marcus
Freeman, Roger
French, Douglas
Fry, Peter
Gale, Roger
Gardiner, George
Garel-Jones, Tristan
Gill, Christopher
Glyn, Dr Alan
Goodhart, Sir Philip
Goodlad, Alastair
Goodson-Wickes, Dr Charles
Gow, Ian
Gower, Sir Raymond
Grant, Sir Anthony *(CambsSW)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Gregory, Conal
Griffiths, Peter *(Portsmouth N)*
Grist, Ian
Ground, Patrick
Grylls, Michael
Gummer, Rt Hon John Selwyn
Hamilton, Hon Archie *(Epsom)*
Hamilton, Neil *(Tatton)*
Hanley, Jeremy
Hannam, John
Hargreaves, A. *(B'ham H'll Gr')*
Hargreaves, Ken *(Hyndburn)*
Harris, David
Haselhurst, Alan
Hayes, Jerry
Hayhoe, Rt Hon Sir Barney
Hayward, Robert
Heathcoat-Amory, David
Heddle, John
Hicks, Mrs Maureen *(Wolv' NE)*
Hicks, Robert *(Cornwall SE)*
Hind, Kenneth
Hogg, Hon Douglas *(Gr'th'm)*
Holt, Richard
Hordern, Sir Peter
Howard, Michael
Howarth, G. *(Cannock & B'wd)*
Howe, Rt Hon Sir Geoffrey
Howell, Ralph *(North Norfolk)*
Hughes, Robert G. *(Harrow W)*
Hunt, David *(Wirral W)*
Hunt, John *(Ravensbourne)*
Hunter, Andrew
Hurd, Rt Hon Douglas
Irvine, Michael
Irving, Charles
Jack, Michael
Jackson, Robert
Janman, Tim
Jones, Gwilym *(Cardiff N)*
Jones, Robert B *(Herts W)*
Kellett-Bowman, Dame Elaine
Key, Robert
Kilfedder, James
King, Roger *(B'ham N'thfield)*
Kirkhope, Timothy
Knight, Greg *(Derby North)*
Knight, Dame Jill *(Edgbaston)*
Knowles, Michael
Latham, Michael
Lawrence, Ivan
Lawson, Rt Hon Nigel
Lee, John *(Pendle)*
Lennox-Boyd, Hon Mark
Lester, Jim *(Broxtowe)*
Lightbown, David
Lilley, Peter
Lloyd, Sir Ian *(Havant)*
Lord, Michael
Luce, Rt Hon Richard
Lyell, Sir Nicholas
McCrindle, Robert
Macfarlane, Sir Neil
MacKay, Andrew *(E Berkshire)*
Maclean, David
McLoughlin, Patrick
McNair-Wilson, Sir Michael
McNair-Wilson, P. *(New Forest)*
Major, Rt Hon John
Malins, Humfrey
Mans, Keith
Maples, John
Marland, Paul
Marlow, Tony
Marshall, John *(Hendon S)*
Marshall, Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Mayhew, Rt Hon Sir Patrick
Mellor, David
Meyer, Sir Anthony
Miller, Sir Hal
Mills, Iain
Miscampbell, Norman
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David
Moate, Roger
Molyneaux, Rt Hon James
Montgomery, Sir Fergus
Morris, M *(N'hampton S)*
Morrison, Sir Charles
Morrison, Rt Hon P *(Chester)*
Moss, Malcolm
Moynihan, Hon Colin
Mudd, David
Neale, Gerrard
Needham, Richard
Nelson, Anthony
Neubert, Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Norris, Steve
Onslow, Rt Hon Cranley
Oppenheim, Phillip
Page, Richard
Paice, James
Parkinson, Rt Hon Cecil
Patnick, Irvine
Patten, Chris *(Bath)*
Patten, John *(Oxford W)*
Peacock, Mrs Elizabeth
Porter, David *(Waveney)*
Price, Sir David
Raffan, Keith
Raison, Rt Hon Timothy
Rathbone, Tim
Redwood, John
Renton, Tim
Rifkind, Rt Hon Malcolm
Roe, Mrs Marion
Rost, Peter
Sackville, Hon Tom
Scott, Nicholas
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shersby, Michael
Skeet, Sir Trevor
Speller, Tony
Squire, Robin
Stevens, Lewis
Stewart, Andy *(Sherwood)*
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Tebbit, Rt Hon Norman
Temple-Morris, Peter
Thompson, Patrick *(Norwich N)*
Thornton, Malcolm
Thurnham, Peter
Townend, John *(Bridlington)*
Tracey, Richard
Tredinnick, David
Trippier, David
Trotter, Neville
Twinn, Dr Ian
Vaughan, Sir Gerard
Waddington, Rt Hon David
Wakeham, Rt Hon John
Waldegrave, Hon William
Walden, George
Walker, Bill *(T'side North)*
Waller, Gary
Ward, John
Wardle, Charles *(Bexhill)*
Watts, John
Wells, Bowen
Wheeler, John
Whitney, Ray
Widdecombe, Ann
Wiggin, Jerry
Wilshire, David
Wolfson, Mark
Wood, Timothy
Woodcock, Mike
Yeo, Tim
Young, Sir George *(Acton)*
Younger, Rt Hon George

Tellers for the Ayes:
Mr. Kenneth Carlisle and
Mr. Alan Howarth.

NOES

Abbott, Ms Diane
Adams, Allen *(Paisley N)*
Aitken, Jonathan
Allason, Rupert
Allen, Graham
Alton, David
Anderson, Donald
Archer, Rt Hon Peter
Armstrong, Hilary
Ashdown, Rt Hon Paddy
Ashley, Rt Hon Jack
Ashton, Joe
Banks, Tony *(Newham NW)*
Barnes, Harry *(Derbyshire NE)*
Barnes, Mrs Rosie *(Greenwich)*
Barron, Kevin
Battle, John
Beckett, Margaret
Beith, A. J.
Benn, Rt Hon Tony
Bennett, A. F. *(D'nt'n & R'dish)*
Bermingham, Gerald
Bidwell, Sydney
Blair, Tony
Blunkett, David
Boateng, Paul
Boyes, Roland
Bradley, Keith
Bray, Dr Jeremy
Brown, Gordon *(D'mline E)*
Brown, Nicholas *(Newcastle E)*
Brown, Ron *(Edinburgh Leith)*
Buchan, Norman
Buckley, George J.
Caborn, Richard
Callaghan, Jim
Campbell, Menzies *(Fife NE)*
Campbell, Ron *(Blyth Valley)*
Campbell-Savours, D. N.
Canavan, Dennis
Carlile, Alex *(Mont'g)*
Clark, Dr David *(S Shields)*
Clarke, Tom *(Monklands W)*
Clay, Bob
Clelland, David
Clwyd, Mrs Ann
Cohen, Harry
Coleman, Donald
Cook, Frank *(Stockton N)*
Cook, Robin *(Livingston)*
Corbett, Robin
Corbyn, Jeremy
Cousins, Jim
Cox, Tom
Cryer, Bob
Cummings, John
Cunliffe, Lawrence
Cunningham, Dr John
Dalyell, Tam
Darling, Alistair
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Ron *(Caerphilly)*
Davis, Terry *(B'ham Hodge H'l)*
Dewar, Donald
Dixon, Don
Dobson, Frank
Doran, Frank
Dunwoody, Hon Mrs Gwyneth
Eadie, Alexander
Evans, John *(St Helens N)*
Fatchett, Derek
Fearn, Ronald
Field, Frank *(Birkenhead)*
Fields, Terry *(L'pool B G'n)*
Flannery, Martin
Flynn, Paul
Foot, Rt Hon Michael
Foster, Derek
Fraser, John
Galbraith, Sam
Garrett, John *(Norwich South)*
Garrett, Ted *(Wallsend)*
George, Bruce
Gilbert, Rt Hon Dr John
Godman, Dr Norman A.
Golding, Mrs Llin
Gordon, Mildred
Gould, Bryan
Graham, Thomas
Grant, Bernie *(Tottenham)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Hardy, Peter
Harman, Ms Harriet
Hattersley, Rt Hon Roy
Haynes, Frank
Healey, Rt Hon Denis
Heffer, Eric S.
Henderson, Doug
Hinchliffe, David
Holland, Stuart
Home Robertson, John
Hood, Jimmy
Howarth, George *(Knowsley N)*
Howell, Rt Hon D. *(S'heath)*
Howells, Geraint
Hughes, John *(Coventry NE)*
Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport E)*
Hughes, Sean *(Knowsley S)*
Ingram, Adam
Janner, Greville
Jones, Barry *(Alyn & Deeside)*
Jones, Ieuan *(Ynys Môn)*
Jones, Martyn *(Clwyd S W)*
Kaufman, Rt Hon Gerald
Kennedy, Charles
Lambie, David
Lamond, James
Leadbitter, Ted
Leighton, Ron

Lestor, Joan *(Eccles)*
Lewis, Terry
Lloyd, Tony *(Stretford)*
Lofthouse, Geoffrey
Loyden, Eddie
McAllion, John
McAvoy, Thomas
McCartney, Ian
Macdonald, Calum A.
McFall, John
McKelvey, William
McLeish, Henry
Maclennan, Robert
McNamara, Kevin
McTaggart, Bob
McWilliam, John
Madden, Max
Mahon, Mrs Alice
Marek, Dr John
Marshall, David *(Shettleston)*
Martin, Michael J. *(Springburn)*
Martlew, Eric
Maxton, John
Meacher, Michael
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Michie, Mrs Ray *(Arg'l & Bute)*
Mitchell, Austin *(G't Grimsby)*
Moonie, Dr Lewis
Morgan, Rhodri
Morris, Rt Hon A. *(W'shawe)*
Morris, Rt Hon J. *(Aberavon)*
Mullin, Chris
Murphy, Paul
Nellist, Dave
Oakes, Rt Hon Gordon
O'Brien, William
Orme, Rt Hon Stanley
Parry, Robert
Patchett, Terry
Pike, Peter L.
Powell, Ray *(Ogmore)*
Prescott, John
Primarolo, Dawn
Quin, Ms Joyce
Radice, Giles
Randall, Stuart
Redmond, Martin
Rees, Rt Hon Merlyn
Reid, Dr John
Richardson, Jo
Robertson, George
Robinson, Geoffrey
Rogers, Allan
Rooker, Jeff
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Ruddock, Joan
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Shepherd, Richard *(Aldridge)*
Shore, Rt Hon Peter
Short, Clare
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, C. *(Isl'ton & F'bury)*
Smith, Rt Hon J. *(Monk'ds E)*
Snape, Peter
Spearing, Nigel
Steinberg, Gerry
Stott, Roger
Strang, Gavin
Straw, Jack
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Matthew *(Truro)*
Turner, Dennis
Vaz, Keith
Wallace, James
Walley, Joan
Wardell, Gareth *(Gower)*
Wareing, Robert N.
Welsh, Andrew *(Angus E)*
Welsh, Michael *(Doncaster N)*
Wigley, Dafydd
Williams, Alan W. *(Carm'then)*
Wilson, Brian
Winnick, David
Wise, Mrs Audrey
Worthington, Tony

Tellers for the Noes:
Mr. Allen McKay and
Mr. Ken Eastham.

Question accordingly agreed to:
Bill read the Third time, and passed.

Housing (Scotland)

10.38 pm

The Parliamentary Under-Secretary of State for Scotland (Lord James Douglas-Hamilton): I beg to move,

That the draft Housing Support Grant (Scotland) Order 1989, which was laid before this House on 15th December, be approved.

I know, Mr. Speaker, that a number of hon. Members hope to catch your eye this evening and I therefore propose to keep my opening remarks brief. Nevertheless, it may be helpful if I remind the House that housing support grant is a deficit subsidy that is paid to certain local authorities——

Mr. Speaker: Order. Will it be for the convenience of the House to take together the two motions on the Order Paper?

Mr. Donald Dewar (Glasgow, Garscadden): Will we have a three-hour debate if both matters are taken together, Mr. Speaker?

Mr. Speaker: Yes.

Mr. Dewar: Very well.

Lord James Douglas-Hamilton: It would be sensible to take both together if the complete picture is fully to be understood.

Mr. Speaker: Then we shall discuss also the following prayer:

That an humble Address be presented to Her Majesty, praying that the Housing Revenue Account General Fund Contribution Limits (Scotland) Order 1988 (S.I., 1988, No. 2081), dated 29th November, a copy of which was laid before this House on 7th December, be annulled.

Lord James Douglas-Hamilton: Housing support grant is a subsidy that is paid to certain local authorities to help them meet their council housing costs. To be more precise, it is a subsidy paid by the Government to those authorities which, on reasonable assumptions about the income and expenditure falling on their housing revenue accounts, would otherwise have an excess of expenditure over income.

Full details of the housing support grant settlement for 1989-90 are set out in the draft order and in the report which accompanies the draft order. The amounts of grant which will be paid to individual authorities are listed in annex C of that report. The House will wish to note that the total amounts to over £60 million. This is an increase of 11 per cent. over the £54·6 million which is being paid during the current year.

Before discussing in detail certain aspects of the settlement, I should record my thanks to the Convention of Scottish Local Authorities, with whom I have had full discussions about the settlement.

I mentioned earlier that the housing support grant calculations depend upon reasonable assumptions about local authority income and expenditure levels. These assumptions give rise to a certain amount of misunderstanding. They are crucial, however, to an understanding of how housing support grant is calculated and to the determination of the grant entitlements of individual authorities. It may therefore be helpful if I deal briefly with each of the main items of income and expenditure associated with housing revenue accounts and describe the assumptions underlying the estimates.

The loan charges which we estimate authorities will pay in 1989-90 are based on a projection of each authority's capital debt to mid-1989-90, taking account of the estimated amounts of new borrowing and debt redemption. To calculate interest charges, we apply to these figures of capital debt the average interest rate expected for local authority borrowing in 1989-90. At present, this is estimated to be 10·2 per cent. I appreciate, however, that interest rates may fluctuate. I can assure the House, therefore, that if in practice interest rates are significantly different from our estimate we shall bring forward an appropriate variation order. At present, however, we estimate loan charges for all authorities in 1989-90 to be just over £464 million.

Mr. John Home Robertson (East Lothian): The Minister just made an important statement to the effect that the Government will bring forward a variation order if there is what he rather quaintly described as a fluctuation in interest rates. How much of an increase would there have to be for the Government to reimburse Scottish housing authorities?

Lord James Douglas-Hamilton: It is customary to bring forward a variation order if there has been a significant change in the level of interest rates applying to local authority borrowing. This year, the latest estimate of the pool interest rate for 1988-89 is the same as it was when the 1988-89 order was made in January 1988. I have no plans, therefore, to bring forward a variation order for 1988-89 but, as I said, if there are significant changes in interest rates, we shall bring forward an order for next year.

The other major item of expenditure on housing revenue accounts concerns the cost of managing and maintaining the stock. For 1989-90, we have increased the management and maintenance assumption in the housing support grant formula by 8·5 per cent. I am pleased to tell the House that this is the third year in succession in which we have been able to adopt an increase which is higher than inflation. The per house allowance will rise from £333 during the current year to £361 in 1989-90, which should encourage further real growth in repairs expenditure.

On the income side, we are assuming for the purposes of the settlement that rents will increase by £1·48 per house per week over the 1988-89 order levels, bringing rents to £18·93 in order terms. This increase of 8·5 per cent. matches that of the management and maintenance assumption. I invite the House to note this deliberate linkage, which reflects the fact that improved levels of service have to be paid for by increased rents.

I should also stress that, in making these assumptions, the Government are not seeking to fetter the discretion of authorities to make their own decisions about the level of rents and about the level of management and maintenance expenditure. We are making these assumptions for the purposes of calculating housing support grant and we do so in the interest of equity—to ensure that all authorities are treated fairly in the distribution of grant. We thus avoid an authority receiving more grant because it is inefficient at carrying out repairs, so loading up its housing revenue account with maintenance expenditure. Similarly,

[Lord James Douglas-Hamilton]

if an authority chooses to set a higher rent to improve the levels of service it provides to its tenants, it may do so without being penalised in grant terms.

Mr. Dennis Canavan (Falkirk, West): The Minister mentioned rent levels. Is he aware that, since the Government came to power, council house tenants in Scotland have suffered rent increases of 230 per cent.? In view of that, how can the Minister possibly justify a situation in which out of the 56 housing authorities in Scotland, 33 will not receive a single penny in housing support grant and 48 will be prohibited from taking a single penny from the general fund for the housing revenue account? How on earth can the Minister possibly justify that vicious attack on the living standards of council house tenants?

Lord James Douglas-Hamilton: My first point in reply to the hon. Gentleman relates to the formula. Essentially, the amounts of housing support grant payable are derived from an assessment of the expenditure and the income falling on local authority housing revenue accounts in 1989-90. The means by which the various items of such expenditure and income are estimated are set out in the report accompanying the order, and the way in which the HSG is calculated is known as the HSG formula.

Mr. Canavan: Answer the question.

Lord James Douglas-Hamilton: If the hon. Gentleman wants me to spell out the formula in greater detail and explain how it works, I would be pleased to do so.

The Government choose an average rent level and an average level of management and maintenance expenditure which they consider reasonable for all authorities. Those reasonable levels are known as the HSG assumption, and the Scottish Office recalculates the housing revenue account of each authority using those assumptions about rent levels and management and maintenance expenditure.

The hon. Member for Falkirk, West (Mr. Canavan) wants to know why we use assumptions rather than actual figures. I will give him an example. The average expenditure per house in 1988-89 in Aberdeen is £294, but it is £552 in Dumbarton. That does not necessarily mean that Aberdeen is more efficient than Dumbarton. Levels of expenditure depend not only on efficiency, but also on political decisions about the level of service to be provided and on technical decisions about the extent to which repair programmes should be capitalised. That is why we use the assumptions to which I referred.

If there is still a deficit on the recalculated account, that deficit is made up by paying an equivalent of housing support grant to the authority concerned. The main factor in determining whether an authority receives a housing support grant is its level of loan charges.

The hon. Member for Falkirk, West asked why rents have increased so much and he referred to a figure of 230 per cent. Rents have indeed risen by more than the level of inflation since the Government came to power. However, that reflects the artificially low rent policies that many Scottish authorities maintain at the expense of their ratepayers.

Mr. Canavan: Oh, come off it.

Lord James Douglas-Hamilton: The hon. Gentleman disputes that. I will give him the figures. On average, the rents for local authority tenants in Scotland are £2·55 less than those paid on average south of the border. The estimated average rent increase for this year will be less than that for last year. We calculate that the rise last year was £1·65 and that the estimated average rent increase for 1989-90 will be about £1·30 to £1·34.

Mr. Ron Brown (Edinburgh, Leith): Why is Edinburgh district council treated so disgracefully while the Scottish Development Agency, a Government body, is given finance that is essentially a subsidy for Barratt, which will benefit in a part of Edinburgh known to the Minister—West Pilton Circus? The company will make a vast profit.

Does the Minister think that that is a good thing, or does he realise that it is one of the cynical cons repeatedly condemned by the people of Edinburgh?

Lord James Douglas-Hamilton: I am proud that, when West Pilton was in my constituency rather than that of the hon. Gentleman, I invited the SDA chairman and chief executive down. Through their intervention, considerable environmental assistance was given so that an adventure playground could be built. The SDA has continued the tradition, and I am very glad that it is assisting with urban regeneration projects in the hon. Gentleman's constituency which I believe will benefit his constituents.

Our calculations in December suggested that an increase of about £1·73 would be sufficient to allow Edinburgh district council to make a small but real improvement in the services that it provides for its tenants. While rises in interest rates may now suggest a slightly higher increase, the figure suggested by the council's Labour group appears excessive. Tenants should be in no doubt that, if rents are increased by the threatened £4 a week, it was the council—not the Government—that imposed an increase on that scale.

Mr. Nigel Griffiths (Edinburgh, South) *rose*——

Lord James Douglas-Hamilton: I should like to go on. I shall listen to the hon. Gentleman's speech and reply to him when I wind up the debate.

I must repeat that, despite the increase in housing support grant for 1989-90, it is the Government's policy to reduce indiscriminate subsidies to council housing so that resources may be concentrated on capital investment, and to target money towards individuals who need it. This year housing benefit in Scotland is expected to reach £623·8 million. We are limiting contributions that authorities may estimate to make to their housing revenue accounts from their general funds. Hon. Members will have noted that for 1989-90 the limits on such contributions have been set at £3·5 million in aggregate. That compares with limits totalling £22 million this year and an outturn figure of £42 million in 1987-88.

I make no apology for those figures. The progressive reduction in the amount of general fund contributions means that authorities can no longer maintain rents at unreasonably low levels by systematically subsidising their housing revenue accounts at the expense of their ratepayers. In achieving that position, I believe that we have put the finances of council housing on a much sounder basis. Housing support grant remains to help authorities that have particular difficulties in meeting their loan charges because of historically acquired debt; but

indiscriminate subsidies to tenants, regardless of their ability to pay for their housing, have been substantially eliminated. Because rents are now at a more realistic level, council tenants can look forward to a real improvement in the levels of service provided by their landlord.

Mr. Dewar: Will the Minister briefly explain why it is so obnoxious to give some subsidy to the public sector tenant, while the bill for the Treasury contribution to mortgage interest relief continues to escalate without let or hindrance?

Lord James Douglas-Hamilton: Housing benefit in Scotland this year is expected to be more than £623 million. That is not being obnoxious to the council tenant, but targeting subsidy to those who need it. If mortgage tax relief has continued to rise, as indeed it has, it is largely because the Government have enabled many more people to buy their own homes. We believe that that fits in with the aspirations of the Scottish people.

I welcome the fact that local authority rents are able to make a greater contribution towards meeting housing costs——

Mr. Nigel Griffiths: Will the Minister give way?

Lord James Douglas-Hamilton: No. Many hon. Members wish to speak, and I want to develop the points that I am making.

Let me return, however, to our proposals for general fund contributions in 1989-90. As I have said, the aggregate of the limits on contributions amounts to £3·5 million and positive limits have been allocated to eight authorities. The contribution limits have been calculated to ensure that the average rent increase in those authorities can be restricted to £2 per house per week, or that the average rent can be held to £20·50 per house per week. The calculations are based on the Scottish Development Department's estimate of the loan charges which each authority will face in 1989-90. They assume that there will be an increase of 8·5 per cent. in authorities' management and maintenance expenditure over the levels for which they themselves budgeted in 1988-89. Let me emphasise that we are working from authorities' own figures, as reported to CIPFA—the Chartered Institute of Public Finance and Accountancy. Those calculations are therefore as realistic and as accurate as we can make them.

I should also stress that in no sense should the maximum £2 per house per week increase be regarded as a norm or standard to which authorities are expected to conform. It is not the business of this Government to set local authority rents. Authorities will be making their own decisions about the levels of management and maintenance expenditure in their area and about the rents which they will need to set in order to balance their housing revenue accounts.

Finally, I should like to touch briefly on the combined effect of the subsidy proposals before us tonight. I calculate that the overall effect of housing support grant and general fund contributions on the housing revenue accounts of local authorities in Scotland will be to generate an overall rent increase of around £1·34 per house per week.

Mr. Thomas Graham (Renfrew, West and Inverclyde) *rose*——

Lord James Douglas-Hamilton: I want to finish this point.

Mr. Graham: Can the Minister tell the tenants of the Scottish Special Housing Association—which the Minister controls—why he is putting their rents up by an average of £1·88, when they already have some of the highest rents in Britain?

Lord James Douglas-Hamilton: The rents of SSHA tenants will not be as high as tenants of new towns and certainly will not be as high as those of many housing association tenants. The estimated average rents of SSHA tenants for 1989-90 will be £20·82. The estimated average rents for Scottish local authority tenants will be £17·57 and for new town tenants £21·26.

I express my conviction that the fact that there has been an increase for the SSHA tenants will mean that there will be a considerable amount to spend on management and maintenance.

If authorities decide to increase rents by more than the figures we have calculated——

Mr. Adam Ingram (East Kilbride): Will the hon. Gentleman give way?

Lord James Douglas-Hamilton: I shall listen carefully to what the hon. Gentleman says in his speech, and I shall be happy to respond to it in my reply.

This order relates to local authorities. If the authorities decide to increase rents by more than the figures we have calculated—for example, to meet expenditure on management and maintenance increased by more than the 8·5 per cent. we have assumed—this is their prerogative. But I emphasise that that will be the authorities' own decisions, and that high rent increases are not being imposed by the Government. An average increase of £1·34 per house per week would be rather less than the amount of the increase last year. That would bring average local authority rents in Scotland to £17·57 per week. I do not regard that as unreasonable. It is well below the current year's average council rent of £18·78 in England and Wales. It is also substantially below current rent levels in housing association, SSHA and Scottish new town houses.

The hon. Member for Motherwell, North (Dr. Reid) made an interesting contribution to the debate. I was, of course, forewarned about what he would say, because much of his speech was reported in advance by last Wednesday's *Evening Times*. Indeed, this debate was reported as having taken place, which was no doubt attributable to the hon. Gentleman's pioneering approach in favour of exclusive journalism.

I must tell the hon. Gentleman that a tribute was paid to him by the Leader of the House, who said:

"The detailed speech that the hon. Member for Motherwell, North (Dr. Reid) appears to have made in the House in the early hours of the morning and which is set out with such cogency and clearness by Mr. Hernon is a tribute to the hon. Gentleman's foresight rather than an indication of the hours that he keeps in the House."—[*Official Report*, 19 January 1989; Vol. 145, c. 488.]

Dr. John Reid (Motherwell, North): I thank the Minister for raising this matter, which is testimony to the efficiency of my press operations and the absolute incompetence of the Government in cancelling the debate in the first place. Lest the Minister is disappointed, my name is down to speak tonight and I shall ram every one of those words down his throat.

Lord James Douglas-Hamilton: I was just about to say that I looked forward with interest to discover whether he would use the same speech, but I am grateful, at least, for the opportunity to respond tonight.

The hon. Member for Motherwell, North complained about excessive rent increases and about the lack of housing support grant for Motherwell district council.

Mr. Dick Douglas (Dunfermline, West): On a point of order, Mr. Deputy Speaker. Perhaps you could explain how the Minister will reply at the end of his speech to the interventions that hon. Members have made, if he is now to reply to a speech that has not been made?

Lord James Douglas-Hamilton: The article appeared under the headline:

"Rents rise hammers the Scots"

I am glad of the opportunity to reply to the hon. Gentleman. Despite the absence of housing support grant, Motherwell district council has consistently maintained rents at a level substantially lower than the Scottish average. The management and maintenance expenditure of the council is also well below the Scottish average. In effect, the council's low-rent policies are restricting the levels of service that it provides to its tenants.

It is, of course, within the council's discretion to take such a course of action, but I do not believe that we would be justified in providing subsidies to maintain that situation.

Dr. Reid *rose*——

Lord James Douglas-Hamilton: I shall not give way, but I look forward with great interest to the hon. Gentleman's speech, which I shall follow carefully.

I believe that the proposals considered tonight constitute a fair and reasonable subsidy package. They set an acceptable balance between the interests of the council tenant, the community charge payer and the taxpayer. We have consulted the authorities in detail about the orders, and I commend them to the House.

11.3 pm

Mr. Donald Dewar (Glasgow, Garscadden): One of the differences between the Minister and my hon. Friend the Member for Motherwell, North (Dr. Reid) is that my hon. Friend writes his own scripts, which has some virtue.

I thought, however, that the Minister organised and shuffled his many bits of paper with unusual dexterity and I enjoyed some of his remarks. It is always fascinating to know—it has never struck me before—that the way in which the housing support grant is calculated is known as the housing support grant formula. That is a gem worth preserving.

The Minister then plunged into a remarkable farrago of nonsense about notional figures, bordering on myth, as he dealt with the way in which the formula works.

Sir Nicholas Fairbairn (Perth and Kinross): I am interested in the concept of notional figures based on myth. If the hon. Member for Motherwell, North (Dr. Reid) writes his own script and delivers notional speeches that were never given, but were nevertheless published in the press, and does not admit that that is a misleading and dishonest thing to do, why are we worried about myth?

Mr. Dewar: All I can say is that I welcome the presence of the hon. and learned Gentleman. It is refreshing to see him here as he is one of the great entertainers of the place. I hope that he will contribute later.

One of the problems that we face is that we get locked into debate on specific orders. Each of the litany of orders is taken as a whole and debated intensively. The danger is that we may lose sight of what has been happening to housing in Scotland. If we try to achieve some sense of perspective, it is clear that the situation is deeply depressing and that some of the carefully presented figures used by the Scottish Office represent no more than creative accountancy, which does not disguise the fact that housing has been harder hit than any other sector or that the prejudices of Government have directly impacted on the lives of our constituents.

There are many myths, some of which are at the basis of the Government's approach. In Conservative circles there is still a feeling that council house tenants are heavily subsidised. All too often in ministerial minds, and certainly in the minds of Conservative Back Benchers, the word "subsidy" becomes associated with the term "lazy". We are told that the system is corrupt. I recall the Secretary of State for Scotland making a dramatic speech in which he said that local government finance was a corrupt system designed to favour people who voted Labour, in a tendentious attempt to suggest that the local government finance system is one of the ways in which the dependency culture is perpetuated. I believe that that is to misrepresent and misunderstand in a grotesque and wounding way.

Despite the special pleading of the Minister, there is a painful contrast between the treatment of public-sector tenants and that of owner-occupiers. Tax relief on mortgages constantly escalates. It is difficult to defend a system in which the value of one's mortgage increases with one's income and in which anyone with a substantial middle-class income would receive genuine advice from his accountant that he should plunge into the maximum debt that he can raise. We all know that that is a crazy system, and the Minister wisely did not try to defend it.

I understand that the best estimate of the cost to the Treasury of mortgage tax relief in 1984-85 was £3·5 billion. In 1988-89 it has gone up to £5·25 billion. That is certainly an under-estimate, because it has not caught up with the recent escalation in interest rates. It is difficult to calculate a Scottish figure because the statistics changed in 1982-83 with the introduction of MIRAS. However I understand from the Library, using the family expenditure survey, that the figure is probably just under 7 per cent. of the total —an annual figure of perhaps £350 million. When we compare that with the £55 million or £60 million that will be spent on housing support grant, the point is eloquently and brutally made. I find the Minister's attempt to use housing benefit as an alibi totally unconvincing.

Mr. Douglas: My hon. Friend has failed to remark on an additional advantage to the owner-occupier, particularly in cities such as Edinburgh where the capital value of the assets have increased in the past year. An article in the property page of last week's edition of *The Scotsman* shows enormous increases in capital value which cannot be available to council tenants.

Mr. Dewar: That is a fair point. I am strongly in favour of helping people to get into home ownership if they so wish. However, I object to a system which is designed to

help those who are already prosperous, who are almost certainly already property owners and who will use the system as a tax advantage and not as a way of broadening the base of what was once called the property-owning democracy.

For the Minister to use housing benefit as an alibi is a joke. Housing benefit provides help for the lowest income group in distress. By pushing up rents, as the Minister is determined to do, more people will be forced into the housing benefit net. No doubt he will then parade it as evidence of the Government's generosity, and the whole process will become a pathetic intellectual fraud.

Lord James Douglas-Hamilton: Is the hon. Gentleman in favour of abolishing mortgage tax relief?

Mr. Dewar: I hardly imagine that the Minister is not aware of my answer. No, I am not in favour of doing that, but I am in favour of spending money to help those in need of help to get into the home-ownership market. I should have thought that in his better moments, the Minister might have taken some interest in achieving that end.

The Government's approach to housing is not even-handed. The public sector is being manipulated in a way that puts ever-increasing burdens on those who wish to continue to rent. The impenetrable good nature of the Minister is no consolation. I fear that he is a man who knows not what he does but who is prepared to accept it.

Housing support grant in the coming year will be £5 million higher than it is in the current year. That will be paraded by some people as good news, but if we look back to 1980-81 we find that we spent £228 million on housing support grant, whereas next year we shall spend only £60 million. That is a measure of the Government's indifference. In 1980-81 it made up 37 per cent. of total housing costs in Scotland. Next year it will be 7 per cent. and 33 authorities will receive no grant.

Let us take Glasgow as an example. In some ways it is the best case to take from the Minister's point of view, because it is one of the few authorities that is still receiving a significant amount of help. In 1980-81 Glasgow received £49·4 million, whereas in 1989-90 it will receive £27·8 million, in cash terms. In real terms that is a fall over that comparatively limited period of 65 per cent. For Scotland as a whole, in 1987-88 constant prices, between 1980-81 and 1989-90 the drop is from £338 million to £54 million, a fall of 84 per cent. Yet Ministers say that they are generous to the public sector and that they bring good news. We are creating a massive housing crisis. There is no way in which the Minister can hide that.

The general fund contribution to rents has dropped this year from £22 million to £3 million. I apologise for using so many figures, but they put into sharp perspective the reality of what is happening. In 1983-84, the figure was £125 million—18 per cent. of total housing costs. In the coming year the figure will be less than 1 per cent.

The Minister says, with almost breathtaking complacency, that he is not trying to set rents for authorities, but that does bear even the most cursory examination. It is a disgrace. It is not just an abstract entry in a municipal balance sheet. It means that rents, which have increased in nine years by over 230 per cent., as my hon. Friend the Member for Falkirk, West (Mr. Canavan) mentioned, will again be substantially increased.

The Minister does not convince anyone when he says that rents in Scotland are still below those south of the border. I do not believe that anyone would accept as a rational argument the claim that everything south of the border has to be duplicated in Scotland. That is the whole point of having a different form of housing stock, a different form of local government finance and a different approach to the social responsibilities of providing housing. It is a puerile argument—one of which the Minister should be ashamed—merely to say that, on average, tenants in England pay £2·55 a week more. If one considered housing costs, wages and incomes per head in Scotland, one would find that the picture was very different.

The point, as Renfrew pointed out in its representations to a number of hon. Members last week, is that many local authorities are now reaching the stage where housing is entirely self-financing. That is extraordinary, particularly when we look at the contrast with the other end of the housing market. It has been done largely in order to keep down the poll tax in its first year of operation and to make a few political points.

Ministers are full of brave talk about choice, but choice for them has a very special definition. It is distorted and destroyed for those in the public sector who wish to exercise choice by continuing to rent. Renting has, quite deliberately, been made a very unattractive option for anyone who is above the rebate level. That cannot be defended.

The Minister may be a nice man. *[Interruption.]* A lively debate has broken out in the ranks behind me. I am prepared to accept that he is a nice man, although my judgment may be distorted by my knowledge of some of his predecessors. At one time, Opposition Members thought of having the Michael Ancram memorial meeting tonight, but we decided to resist the temptation. The Minister cannot wander into politics and not be answerable for what he does.

The structure of housing finance is now based more and more on sales and anticipated receipts. In 1989-90, the general fund contribution will be £3 million. Housing support grant will be £60 million. Borrowing in the normally accepted sense and authorised by central Government will be £125 million. On top of that, the standstill in real terms which is being allowed for this year includes £307 million from anticipated receipts of council houses. For the first time we have a redistribution of receipts. Thirteen authorities have been asked to give up £10 million of their receipts which are now being reallocated.

I shall encapsulate the point. In 1987-88, of the total sum available for housing in the public sector, about 33 per cent. came from the sale of council houses. In 1989-90, only two years later, that figure went up to 71 per cent. That is an unsatisfactory basis on which to fund the totally inadequate effort, without commitment, to do something about the collapse of housing stock in this country and its impact on the individual living standards of many of our constituents.

Mr. Home Robertson: My hon. Friend is touching on a point of enormous interest in my constituency. East Lothian local authority, a comparitively small authority, is the hardest hit by the new concept of negative capital allocation. How can it possibly make sense for a small district council to pay the Government as much as £2·8 million of the proceeds of council house sales before it is

[Mr. Home Robertson]

allowed to start to spend any capital funds on the renovation or building of new houses to meet the urgent housing need in that district?

Mr. Dewar: I accept entirely what my hon. Friend says. They are now real problems for many district authorities, and not just on the capital side. There is another important problem that I might mention, and I shall fall to that temptation. I refer to what is happening to homeless persons and to the provision of hostel accommodation. Perhaps my hon. Friend the Member for Edinburgh, South (Mr. Griffiths) will return to this point if he catches your eye, Mr. Deputy Speaker.

A reasonable man may think that this matter should be taken account of in the revenue support grant, but it is not. A few authorities are accommodated in the housing support grant calculation, but for many that do not have housing support grant, anything that they do for hostels and in trying to cater for the real problem of homelessness in the community must fall as a direct charge upon rent-paying tenants. I am told by the Scottish Council for Single Homeless—perhaps the Minister will deal with this point—that the figure in Edinburgh is as high as £1·27 a week for every tenant. That is an extraordinary figure. It shows the Government's absolutely deplorable failure—on occasions, I tend to under-use language; I shall settle for "deplorable"—to face up to their responsibilities in regard to homelessness.

If we put it all together—the tragedy and the impact upon the individuals to whom I have been referring and the problems on the capital side—it means the gradual and steady deterioration that every hon. Member can see in the statistics, incomplete through they are, and in our own constituencies, week in and week out.

In its brief report—I make no apology for quoting it—the Convention of Scottish Local Authorities gives the Government's figures for 1986 and suggests that, of the 843,000 council houses in Scotland, 88,000 require major rewiring, about 234,000 suffer from dampness problems of one sort or another, and 153,000 require major renovation and repair. Of course there are arguments about whether the figures are accurate. It is difficult to know, because the Government will not carry out a house condition survey. We do not even have a Select Committee on Scottish Affairs to examine the evidence and come up with authoritative estimates.

No hon. Member could in all honesty deny that the situation is deteriorating. Whatever rent level may be fixed, we are sliding towards asking people to accept housing that they should not be asked to accept and in which they cannot reasonably be expected to live. My district council, Glasgow, would be the first—it would want—to concede that even preliminary inspection of dampness problems may be put off for many months because of the pressure on limited resources and limited staff.

Sometimes I do not know what to say to a tenant who tells me that he has reported something which, rightly or wrongly, he believes is affecting the health of his children. Such people may wait for two or three months without anyone approaching them to deal with the problem. I know that the answer is that it will be some time yet before anything happens, and even when property is inspected it will be longer before the remedial work is carried out. That cannot be satisfactory. It is worlds removed from the—at times—almost insufferable complacency with which the Government inspect their housing record. It is the result of 10 years of neglect by the Government—sins of omission and of commission.

Worse still, the Government seem to want to weight and distort their arguments and policies even further. Their arithmetic on housing finance is a cruel message to anyone who wants to remain in the public sector. That message is getting through, but should never have been sent out: those who live in council houses should be there only because they have nowhere else to go or cannot manage to escape. That is not choice, by any standard. It is the end product of the misconceived policies which the Minister has followed so slavishly and complacently in recent years.

We hear about the Government's commitment. Let us examine public expenditure on housing, as shown by Government figures. At 1987-88 prices, it was £866 million in 1982-83. In 1989-90 it will be £537 million, a drop of almost 40 per cent. If a real cut of 40 per cent. measures up to the enormity of the crisis, if it shows the sort of commitment about which the Secretary of State boasts, and if he is really the sort of Member who is proud to represent public sector housing as well as owner-occupiers, he should examine these figures, and then his conscience.

This is a tragic error. It is the wrong approach, carried out in the wrong way with the wrong social objectives. We believe in and want to create choice. We are not opposed to owner-occupation: it should be encouraged—but sensibly. On the other side of the equation, there should be genuine choice that can be exercised in decent conditions by people who do not want to buy and who want to continue to rent in the public sector.

We oppose the orders because they directly threaten to compound the errors that have accumulated over the past decade or so. If unchallenged and continued, they will inevitably deepen the real crisis that we face in Scottish housing.

11.23 pm

Mr. Bill Walker (Tayside, North): It was a bit rich of the hon. Member for Glasgow, Garscadden (Mr. Dewar) to talk about creative accounting, given that he is a member of the party that, between 1974 and 1979, introduced massive real cuts in local government and had to go to the IMF.

We also heard from the hon. Member for Motherwell, North (Dr. Reid), with his creative and enterprising mind. We always knew that he was one of the intellectuals of the Opposition, but even he was stretching the imagination by claiming to have participated in a phantom debate.

Dr. Reid: I am sure that the hon. Gentleman will forgive the eccentricities of a humble Back Bencher like myself, who was quoted on a speech that he did not make, but what would he make of a Government Department, such as the Scottish Office, responding in detail in the same article to the speech that I had not made in a debate that had not taken place?

Mr. Walker: I would say that, once more, the hon. Gentleman is indulging in fantasy and creative accounting. It is right and proper that some defence should be made to even a phantom debate because something that appears in the press does not appear to be phantom and it must

therefore be dealt with. That is why the other side of what appears in the press must be answered. It is no good just saying that the debate did not take place or "We didna ken it was on", because the fact is that the hon. Gentleman has been caught out and he must live with it.

The hon. Member for Garscadden referred to mortgage interest relief, which is just a continuation of what has gone on for many decades under successive Governments. If I heard the hon. Gentleman aright he was suggesting that the way in which the Government approach mortgage relief encourages people to enter into the maximum amount of debt. How can he explain the capital borrowings of local authorities, if that is not also entering into the maximum amount of debt? There is certainly a lot of creative accounting in that.

I remind the hon. Gentleman that tax allowance is exactly what it says—it is an allowance; it allows people to keep the money that they have earned whereas, quite properly, housing benefit is taxpayers' funds being directed to individuals in need. That is the difference. To pretend that the two are the same is to distort the truth.

It is interesting to note that housing support grant in Scotland will increase, as it has previously, from the figure of £54·6 million to £60·4 million—an increase of over 10 per cent. That is a real increase. It is directed towards only 23 of our district councils—33 are outside the apportionment, including my own two district councils of Perth and Kinross, and Angus, and will not receive any of the £60·4 million. Once again, taxpayers in my constituency are seeing their funds directed to councils outside Tayside.

One should also consider the huge sums that are paid directly to individuals into the housing coffers from housing benefit. That is what my hon. Friend the Under-Secretary of State for Scotland was saying. The important point is that we are talking about the vast sum of £600 million-plus going directly into the housing coffers. It is creative accounting to pretend that that is not an aid to public sector housing.

One should recognise that at least this Government are working on both fronts. There is no question but that £600 million is a lot of money. Quite properly, that money is going to individuals in need rather than a blanket figure going to a statutory body. That is the difference between the Government and the Opposition. The Government recognise that those in council housing, local authority housing or public housing of any kind, who are in need of financial support because of their financial circumstances, quite properly, should be, and are being, assisted.

Anyone who has made any attempt to study public sector housing, will realise that two major problems have been management and maintenance. Many of the houses built in the past 30 years have been found to be badly designed and poorly built. That is why the repairs allocation of £361 per house is welcome. It is an increase of 8·5 per cent.—again, a real terms increase—and following two years of real increases, it must mean that many more repairs will be completed during 1989-90, which is to be welcomed.

I am sure that I am not alone in thinking that 73,700 houses improved in 1987, a greater number than in any of the previous 10 years, is welcome. Certainly, for people who have been living in sub-standard local authority houses, these improvements are welcome. When we add that number to the almost 332,000 local authority dwellings, we find that almost 40 per cent. of the stock has been included in modernisation schemes at a cost of over £1,000 million.

For the Opposition to say that the Government do not care and have not directed any funds is a distortion of the facts. We can at least produce hope in Scotland, which is the finest part of the United Kingdom in which to live. The quality of life in large areas of Scotland is far superior to that in the south-east of England. We should be pleased to know that things are being done in parts of Scotland where they need to be done.

Many of the messages coming from the tenants say that local authorities are not always good landlords. Many dreams have been turned into nightmares by defects such as dampness and condensation, which have created health hazards and misery. Some of that was the direct result of bad management and lack of supervision by local authorities. Local authorities would not admit that dampness and condensation existed until they were proved wrong.

The Scottish Special Housing Association, the other public sector landlord, has also had substantial resources devoted to it to meet its needs and the demand for new houses. We have seen 7,500 new homes costing £485 million, and £930 million has been spent on 32,000 new and rehabilitated houses. At the same time we have seen a drop in the number of households renting in the public sector. That is welcome, because it means that people are buying their homes, and for the first time in decades the figure fell below 50 per cent. in Scotland, until today it stands at about 48 per cent.

Over 132,000 tenants have been able to buy their homes, and that is a direct result of the Government's legislation, which was opposed by the Opposition. The proportion of households owning their own homes has risen in Scotland from 35 per cent. to over 44 per cent. That is good news for the people who own their homes. The Opposition say that our record in office is not good. The Labour party's record in office was abysmal and ours is far superior.

Since 1979, the resources made available for improvement and repair grants have, on average, been seven times higher per year than during the years of the last Labour Government between 1974 and 1979. The Conservative Government have spent £77 million per year compared with the Labour Government's derisory £11 million per year. Between 1982 and 1984, the maximum rate of repair grant was boosted from 50 per cent. to 90 per cent. During that time, Scotland's cities were transformed and private sector stock in the stone-built tenements was restored to its original structural magnificence. That is true of Dundee and of many of our other cities. The inside of those lovely buildings was modernised to a standard beyond the dreams of the original builders. Over 272,000 grant applications were approved, and today the private sector stock stands at about 1 million dwellings. The number of houses below tolerable standard has been more than halved to fewer than 56,000. That is still too many and there is still much to be done, but to suggest that the Government are doing nothing is a travesty of the truth.

We are continuing our programme of improvements, new building and change. Part II of the Housing (Scotland) Act 1987 came into effect on 2 January this year. All new private lettings after that date will be assured or short assured tenancies. Under both forms of tenancy, landlords and tenants will be able freely to negotiate rents

[Mr. Walker]

before the start of the tenancy. That is choice. Scottish Homes will work in partnership with other bodies to develop new approaches in housing that are long overdue and very necessary. Scottish Homes will have the benefit of experienced staff from both the Housing Corporation and the Scottish Special Housing Association. This background of knowledge, expertise and experience should combine with the new powers and functions to give Scottish Homes the ability to achieve the change in quality for the life of tenants that has eluded local authorities since 1945.

The motion will continue that change. We introduced the tenants charter as part of the Tenants' Rights, Etc. (Scotland) Act 1980. It has granted public sector tenants several important new rights, such as the right to buy at generous discounts—the Opposition opposed that—security of tenure, the right to succession, the right to a written lease and the right to alter or improve one's home. To suggest that the Government have done nothing is nonsense. Now, tenants' choice and rights will be extended by the Housing (Scotland) Act, which will also allow them more responsibility.

Tenants in Scotland will have the opportunity to seek a new landlord and new forms of tenancy, if they so wish, without moving out of the houses in which they live. There is no compulsion, so this is choice. All the Opposition can do is wring their hands. One has only to look at the results of their stewardship between 1974 and 1979 to realise just how hollow are their speeches.

We, the Conservative Government, have improved conditions and increased choice, and have made it possible for many more people to own their homes, giving them the opportunity to pass a capital asset on to their children, an opportunity denied to them by previous Administrations. We continue to increase grants and choice, while the Opposition girn and greet and complain. Worst still, the Labour Opposition steal the clothes of the Scottish National party, and make them respectable, with the devastating results that we have seen in the recent opinion polls. That should be worrying the Labour party. Instead of shadow boxing, and making speeches in debates that do not take place, they should be working out how to become a real Opposition, one capable of alternative Government. They should be turning their minds to that rather than to the negative nonsense that we have heard this evening.

11.38 pm

Mr. Michael J. Martin (Glasgow, Springburn): It is important to remind the hon. Member for Tayside, North (Mr. Walker), and the Minister, both of whom talked about subsidies going to council houses, that council tenants are also taxpayers. They are not getting money for nothing. The hon. Member for Tayside, North spoke nonsense about mortgage interest relief, which is a blanket subsidy that goes to people who are not necessarily in need.

It is significant to note that just before Christmas there was a by-election in Glasgow. The successful candidate, the hon. Member for Glasgow, Govan (Mr. Sillars) promised the people of Govan that he would be here to defend their interests. Glasgow district council has been forced, because of the order, to increase rents by £4 a week but the hon. Member for Govan is not present to defend the people of Glasgow. The hon. Member for Govan can afford any council rent rise because he writes for a dirty Tory rag.

Mr. Andrew Welsh (Angus, East): The hon. Gentleman is playing a dangerous game. Only a quarter of his hon. Friends have bothered to turn up for the debate. My hon. Friend the Member for Glasgow, Govan (Mr. Sillars) is in Govan working for his constituents, which is what three quarters of Labour Members seem to have chosen to do. It is a silly game to play.

Mr. Martin: If I was in Springburn tonight, which I would like to be because I am a resident there as well as its representative, many people would be asking why I was not here defending their interests. The hon. Member for Govan should get his priorities right. He had tears running down his cheeks when he told the people of Govan what he intended to do for them, but he conned those people. He is interested only in writing for a Tory rag.

I listened with interest to what the Minister said about the standard of repairs. He was suggesting that some local authorities give too high a priority to the level of repairs and will have to cut down. The Minister knows that much of the council housing stock, particularly in Glasgow, Springburn was built after 1945 when the Government told the local authority that it would have to embark on building non-traditional houses. For example, we have the Blackburn houses and houses with hardly any timber because of those policies.

Until the 1960s, local authorities such as those in Glasgow were forced to build houses such as those on the Easterhouse estate because the Tory Government of the day told them to do so. Also, in the early 1960s local authorities were forced to build multi-storey housing. It is one thing to leave a tenant without rewiring or double glazing but how can the Minister expect a local authority to leave multi-storey flats without a lift so that people have to walk up 22 storeys? The only thing a local authority can do is use its housing budget to ensure that repairs such as that are carried out. If the Minister takes subsidies away from local authorities, he is forcing council tenants to accept more responsibility, and some of them do not live in the non-traditional houses.

Many of the non-traditional houses have flat roofs. With hindsight it is easy to say that no house that has to endure damp such as that in the west of Scotland should have a flat roof. We know that that leads to dampness problems. However, when they were being built, the architects—the experts—told local authorities to use flat roofs and they conned the Governments involved—usually a Tory Government—into providing subsidies for the building of such houses. As a result there were severe problems with damp. Hutchinson E type houses were an example of that, as were the Balgrayhill corridor-type houses in my constituency. The problems were so great that the Government have encouraged local authorities to put the traditional gable roofs back on.

That type of dampness has caused bronchitis. Those with chest complaints such as asthma have been forced out of their houses. It is unfair to force local authorities to say to these tenants, "It does not matter whether your son has chronic asthma; he will have to stay in the house." That is morally wrong. The Minister's comments about the level of repairs were extremely unfair.

There has been talk about the sale of council houses. I think that my hon. Friend the Member for Glasgow, Garscadden (Mr. Dewar) will agree with me that some houses that were bought in Knightswood for £8,000 with discounts have since been sold for £38,000. The ex-tenants have moved to Bearsden.

Mr. Sam Galbraith (Strathkelvin and Bearsden): Yes.

Mr. Martin: But there are 8,000 unemployed in my constituency, and I am not the only Member who represents a constituency with such unemployment. Few of those who are on the dole can say, "I shall buy that house for £38,000." The hon. Member for Tayside, North need not talk to me about choice. There are many other tenants who are still sitting in council houses in Possilpark and Hamiltonhill who have been forced into that position.

There are other ex-tenants who have bought their house, and good luck to them. They have bought because the Government have forced up rents. The only option for many is to buy. But parents are coming to local councillors, myself and other hon. Members and asking, "Why cannot my son and daughter have a council house in the area in which they were born and bred?" The answer is simple: the council houses have been bought and the Minister will not allow any more local authority houses to be built.

The Minister had better put on his thinking cap. If he wants communities in areas such as my constituency, where there are still good, sound communities, he must ensure that if council houses are being sold at one end of the market, there is decent housing stock at the other for those who are in dire circumstances.

I came across a tragic case a few weeks ago of three members of a family suffering from cancer. The mother of the family was one of them. It was her dream to get a part of what everyone wants, the Swedish houses. Why not? She had spent 25 years in her house. She could not fulfil her dream because there was no ground floor accommodation available for her, which was what she needed because of her disability.

We say that we want to help the sick and the disabled and integrate them within the community, not isolate them. We should not be saying to tenants, "You are severely disabled and we are sorry, but you cannot have the house that you want in the community in which you have lived for 25 years."

The Minister should understand what he is doing with local government. There has been talk about 1974 to 1979, the period during which I was a councillor. I enjoyed much satisfaction from being able to get things done during those five years. There is evidence of the rehabilitation that took place in Glasgow. We saw the implementation of modernisation schemes in Knightswood and Govan, for example. Unfortunately, councillors are now suffering from despair because they do not have a decent budget. It is wrong to treat the dedicated in that way. Local government is a means of ensuring that there is proper housing, to provide people with a decent quality of life. Unfortunately, the Minister is removing that opportunity from almost every generation in Glasgow.

11.49 pm

Mrs. Ray Michie (Argyll and Bute): I have heard nothing tonight which leads me to believe that the number of letters that I receive about housing problems in my constituency will diminish.

The order goes nowhere near to tackling the housing problem in Scotland, and the Government continue to turn a blind eye to the housing crisis by understating the need for expenditure and overstating the level of income likely to be achieved. The Minister predicted that the average rent will increase by £1·34 a week, but already some increases are higher. In my constituency, the projected increase is £2 a week.

The Government have identified 356,725 houses which need to be modernised or improved. They are suffering from condensation, dampness, warped doors and windows and cracked fabric, inside and out. The £5 million increase in housing support grant is welcome, but it is destroyed by taking away £19 million of general fund contributions, leaving tenants to pay an extra £14 million to bridge the gap.

The average weekly rent in 1988-89 is £16·23—an increase of 10·8 per cent. over the last year. In Argyll and Bute, the average rent last year was £18 a week, and it is projected to rise to £20—an increase of 11 per cent. Rents are rising faster than inflation and contribute to the rate of inflation. The hon. Member for Falkirk, West (Mr. Canavan) has told us about the unbelievable 230 per cent. rent rise since 1979.

Part of the reason for the rent rise is the rise in interest rates, which is the result of Government policy to dampen a boom in the south-east of England. Scotland can go hang. The order seems a waste of paper. There is a long list of local authorities with the word "nil" against each. It would be easier to say that only five districts and three islands councils will receive anything.

I believe that the Government are attempting to worm out of their responsibilities by ignoring the need for investment in the public sector. Rents are rising so quickly that they are making renting unattractive. Are the Government pushing up rents just to encourage more people to buy their council houses? Many do not want to buy because their homes are in such poor condition, and the incidence of mortgage default is growing significantly. Can the Minister tell us, although perhaps not tonight, how much housing benefit is paid out in each local authority area and how much mortgage tax relief is given in the same area?

The most important and disturbing thing of all is the plight of the homeless. According to Shelter, the number of homeless people in Scotland last year was an appalling 29,185. It is unfair that local authority tenants should have to bear the cost of a statutory service which is used equally by all sectors of the community. Such costs should be met from the revenue support grant, which would spread the load more fairly. The Government have failed singularly to tackle the problem of homelessness. In my constituency the number of homeless has risen from 180 in 1984 to 308 in 1988. To an hon. Member representing Glasgow or Edinburgh, that may not be a large rise, but in small areas and pockets of my constituency that is a large increase. That is not even the true figure. It reflects only those who go to the local authority and officially declare themselves to be homeless. The figure does not include those people

[Mrs. Ray Michie]

who live in overcrowded conditions, single people or childless couples who have no legal rights under the homeless persons legislation.

Not only is the plight of those people a stain on a so-called civilised country; those people cause resentment and bitterness among local people, particularly in rural areas where everyone knows everyone else, because the people in greatest need are often allocated houses before people who have waited patiently for their turn on the housing list.

Genuinely affordable housing for single people is in very short supply. They will continue to make up an increasing proportion of the homeless. It is now not possible for many local authorities to secure sufficient permanent accomodation or to make what is available available quickly enough. Some authorities have to rely on costly temporary accomodation for longer and longer periods. Local authorities are unable to perform their statutory duties adequately. There is a decline in new building and renovation and that is reducing the lettings available to homeless families to say nothing about those on the waiting lists.

All that is compounded by a further problem which particularly affects rural areas. It was estimated in 1986 that there were 19,446 second homes in Scotland. There were three in Bearsden and Milngavie and 2,763 in my constituency, and that was the highest figure for any area in Scotland.

It is very sad to see wealthy people out-pricing locals by thousands of pounds. Young couples who cannot now afford those houses must give up jobs and homes because they cannot match the inflated prices. Therefore, we lose the indigenous population and a priceless heritage and culture. House upon empty holiday house is visited perhaps once or twice a year. In this day and age where money is the god, no one in the Government cares. The order will do nothing to help the housing crisis in Scotland.

11.58 pm

Mr. Nigel Griffiths (Edinburgh, South): The order does nothing for the homeless and even less for the tens of thousands of Scottish tenants living in terrible conditions. It turns the screw on people who rent and do not buy and it is yet another manifestation of the Right-wing extremism which is gripping the Tory party in Scotland. I have never seen the Minister responsible for housing in Scotland look so worried at the Dispatch Box nor the Secretary of State look so craven. The Secretary of State would sell out his own city to appease the new Right.

Never has Edinburgh had two Conservative Members of Parliament—two members of Government—who have done so little for its people, or so much to damage the reputation of our great city. While Glasgow's housing budget is receiving nearly £28 million from the Government this year, Edinburgh is getting nothing. While Shetland receives nearly £4 million, Edinburgh is getting nothing. Are there no homeless people in Edinburgh? Do Edinburgh's tenants not deserve fair treatment? Clearly not. If only the Minister and the Secretary of State treated Edinburgh in the same way as Glasgow—and that is far from generous—Edinburgh would get at least £8 million from the Government this year to help towards its budget for the homeless.

The Government's own figures show that in Scotland more than 88,000 houses need rewiring. Over 150,000 need major structural repairs. A quarter of a million are damp or have condensation, and over a third of a million need modernising. In each and every one of those houses, hundreds of thousands of Scots and their families are suffering from the effects of unmodernised houses with draughty and leaking windows and damp. That is the reality behind the Government's figures; those are the issues that the Minister has sought to dodge from the Dispatch Box.

Between 1986 and 1990 the Government will allow councils' spending on their capital accounts to fall from £200 million to £125 million. That will be the amount of their guaranteed borrowing. The plight of home owners who are still awaiting 90 per cent. grants is uncertain. The Minister will know from his mailbag, as I know from mine, that many of his constituents—like mine—will still not be guaranteed to receive a contribution towards "grant-aided" work. Some have been waiting for many years.

Figures have never been the Minister's strong point. The withdrawal of grants from Edinburgh district council, the cut in rent income resulting from Government policies and the Government's failure to help the homeless should have resulted in an average rent increase of £5 a week for every tenant in Edinburgh. But, through prudent management and cost-cutting measures, the district council has managed to cut the increase by a fifth. Revenue support grant, of which the Minister gave details earlier, has meant that that Labour council is having to squeeze even more value for money from its services and receive an even smaller contribution from the Government.

If the Government's calculations of what Edinburgh should be spending are correct, they are an insult to the people whom I represent. The figures in today's and last week's statements show that the Government are allowing Edinburgh to spend far less than other areas. The Minister thinks that Edinburgh should be spending only £214 per annum on services for each adult: £214 to keep the streets clean, stock the libraries and equip and staff the schools. Perhaps he will tell us why he is letting Dundee spend £226 and Glasgow £336, according to the Government's calculations. Those are the facts which the Minister seeks to dodge.

The Government's contribution to the poll tax in Edinburgh is, frankly, bare-faced robbery. They are allowing only £438 per head, which is £244 less than for Glasgow. That means that Edinburgh's poll tax payers are having to pay through the nose for council services. If they received equal treatment to Glasgow, instead of having to set a poll tax of £385, Edinburgh and Lothian councils would have to set a combined figure of only £151. It is sad that the Minister is now selling out Edinburgh, but it is typical of the Government bowing to the extremism which has now gripped the Tory party in Scotland.

The message that we have received today is that the Government care nothing for the tenants and even less for those groups who are under pressure because of Government measures. The Secretary of State's figures for the budget which deals in part with homelessness show the shameful record which he must defend, but which he is defending so inadequately. In the Labour Government's last year in office, they set a budget which at today's prices was £418 million, out of which councils were allowed to

spend money on the homeless. Under this Government, that has dropped to a grant of only £60 million, which is one seventh of its previous levels.

The Government's record on helping the homeless reflects that trend. We can see that their contribution has dropped from £418 million—out of which the homeless could receive some contribution—to £377 million in the Government's first year of office, to £243 million in their second year, £147 million in their third year and so on, until it now stands at £60 million. What the Government are doing to help the homeless in the Minister's own city—the capital city—is, as my hon. Friend the Member for Dundee, West (Mr. Ross) so rightly said, nothing at all. Yet the Labour Government were able to support Edinburgh—a Conservative council at that time—to a tune of £22 million in a direct contribution to its housing support grant, out of which the council could spend money on the homeless.

By 1983, the Government had cut that budget to zero and since 1983 they have given Edinburgh and its homeless not one penny. In fact, for seven years Edinburgh's homeless have received no help from the Government. In those years it has been left to the Labour council to show some compassion to the homeless. The Government have not even assisted the Labour council. They have stopped the Labour council taking any money from the rates and now any money from the general fund to help the homeless. That has caused Edinburgh's Labour council to look to a group of people whose incomes on average are lower than those of the population as a whole—the tenants. It is the generosity of the tenants of Edinburgh that has helped the homeless, who are less fortunate than themselves. Whether they be in the Grass Market, whether they have lost their homes because of mortgage repossessions or because of marital breakdown, those people are being supported entirely by Edinburgh, and that is a shameful record.

What we know from recent events, from the figures and the Government's abysmal record, is that we do not have a Secretary of State or Ministers who will stand up for the capital city, never mind for Scotland. We have never had such a Secretary of State and Ministers from Scotland who have done so little for their constituents or their home towns. What is all the more lamentable is that they have not been generous to other parts of Scotland—they have been Scrooge-like in the amount of money that they have given or allowed councils to spend. Considering the low level of spending and the extreme and pressing need in all parts of Scotland, it is shameful that they can do so little to help the capital city of Edinburgh. They appear to have taken money from Edinburgh and volunteered it to the Prime Minister, the Treasury and the fanatics who care not a whit for the homeless, not a jot for people who rent their houses and who appear to care less for Edinburgh than for any other area.

The important consequence of the debate is that the Secretary of State and the Ministers should be brought to account before the House for their mismanagement of Scottish councils' funds and for their lamentable failure to stand up for the needs of the population of Edinburgh and Scotland. They have been brought to account tonight, and the people of Edinburgh will take note.

12.11 am

Mr. Andrew Welsh (Angus, East): The hon. Member for Edinburgh, South (Mr. Griffiths) has a great deal of expert knowledge of housing and has outlined the problems of Edinburgh and Scotland. I hope that the Minister was listening because those issues are relevant to the living standards and environment of the Scottish people. His message was well worth hearing and I hope that the Minister took note.

Housing support grant is what it says—it is the amount of money central Government are prepared to give to support public housing in Scotland on a national basis. It is clear that the Government are giving less and less to any national housing programme. It is also evident that the Government have no national housing programme in Scotland. Their retreat from providing finance is witness to their lack of commitment to Scotland's housing situation and housing problems.

Since 1979-80, the housing support grant contribution to the housing revenue account has been slashed from 39 per cent. to 7 per cent. In 1989-90, only 23 out of 56 Scottish housing authorities will qualify for any form of housing support grant. By deliberate policy, the Government are withdrawing their financial commitment to any national housing programme.

As a consequence, the burden of financing council homes has shifted on to the tenants, but, at the same time, there has been a continuous reduction in Government funding—it has fallen from £391 million to £60 million when calculated on average prices. That staggering decline in commitment worth £331 million has taken place in less than a decade.

The Government are retreating from the problem. How else can one describe a Government who have done nothing to overcome the damp and decaying conditions prevalent in the Scottish housing stock and who have consistently refused, at the same time, to undertake a Scottish housing conditions survey? They are simply failing to measure up to the problem.

During the past nine years tenants have seen their rents rise by 230 per cent., but capital expenditure on housing has lagged far behind. Therefore, the Scottish tenants are getting the worst of all possible worlds—high rents and reduced housing standards. As a result of the Government's housing policy, more than two thirds of Scotland's housing stock now receives no grant support at a time when thousands of homes are simply below any tolerable standard. Once again the housing support grant settlement shows no national commitment whatsoever to tackling the major problems of homelessness, dirt and overcrowding and the other problems that are endemic in Scotland's housing system. The Government's callous indifference to Scotland's housing crisis is in the order for all to see.

The Government's housing priorities are quite clear when the vast mortgage interest relief subsidies enjoyed by the south-east of England are compared with the sums being made available to Scottish local authorities. The Government always accuse Scottish council tenants of being sheltered from market forces, yet the £60 million provided for Scottish public sector housing pales into insignificance beside the subsidy of almost £5 billion given to English private housing through mortgage interest tax relief—by a factor of more than 80.

[Mr. Andrew Welsh]

I wish to draw the Minister's attention specifically to homeless persons—a growing problem which the Government have singularly failed to address. The increase for the hostel portion of less than 1 per cent. of the aggregate grant is totally inadequate, but the 33 authorities which do not qualify for housing support grant are placed in an even worse position by the Government after this settlement. I hope that when the Minister has listened to my arguments, and to the points put to him earlier, he will give the House a cast-iron guarantee that he will look at the current legislation and report back with new proposals to help local authorities cope with the growing problem of homelessness.

At present most housing authorities which do not receive housing support grant have to meet all the costs of running their homeless persons' services through the housing revenue account. Surely that is unreasonable. It is unfair that local authority tenants should bear the costs of the statutory service which is used equally by all sectors of the community. Logically these costs should be met from revenue support grant, as that would spread the financial load much more fairly.

Funding hostels for homeless persons is a major problem for the local authorities which own and manage them. Those hostels are notoriously expensive for residents to operate, and even more so taking into account high void levels. I hope that the Minister will address that point when he replies to the debate.

The hostel portion of housing support grant was satisfactory while virtually all authorities were eligible. But when authorities were taken out of grant no account was taken of the grant that they had lost. I understand that a number of authorities such as East Kilbride, Perth and Kinross, Edinburgh and Inverclyde have lost quite substantial financial assistance. For example I understand that the additional combined costs of the homeless persons' service in East Kilbride and the hostel deficit has meant an increase of 75p per week per tenant, given the very small district council housing stock. In Edinburgh the figure is an approximate addition of £1 per month or £12 per tenant per year as an additional burden.

The homeless in Scotland need action, but the Government simply starve them of funds. As COSLA points out, the resources and consents available next year, excluding receipts, represent a cash reduction of £96 million for housing in Scotland.

The Government are producing a cash standstill, assuming that the greatest input to assist housing programmes must inevitably come from council house sales. It is a crazy way to run any council housing policy to say that housing provision will not be determined by the housing needs of the population but by the number of houses that can be sold. That is exactly what the Government are doing. They are imposing another major problem on Scotland's housing.

The proposed paltry increase of £5 million in housing support grant is nothing short of pathetic. As a direct result of Government policy, council house rents inevitably will rise. COSLA estimates that they will increase above the rate of inflation. The tenants are paying the price for the Government's policy. However, tenants in SNP-controlled Angus will benefit from a housing policy which gave them a zero rent increase last year and a small increase this year which keeps Angus tenants well below the Scottish average.

Mr. John Maxton (Glasgow, Cathcart): One reason why the SNP-controlled Angus council rents will be lower is that that council is prepared to accept a subsidy from Tayside region to collect the poll tax.

Mr. Welsh: I am referring to a zero increase in rent last year. Angus was the only council to achieve no rent increase. That fits in with the SNP's record in every year of its administration of keeping rents down. Angus tenants have benefited from that policy. That has happened, despite the Government's policy.

Mr. Tony Worthington: (Clydebank and Milngavie): Has the hon. Gentleman noted that there is no connection between what he has said and what my hon. Friend the Member for Glasgow, Cathcart (Mr. Maxton) said? Will he now make such a connection?

Mr. Welsh: The only connection that it is feasible to make is the contribution made by the Tayside region towards rates collection by Angus district as collection agents. Its rent record is much more important. After having one of the highest rent levels throughout Scotland under the Conservatives, Angus now enjoys under the SNP one of the lowest rent levels in Scotland. I repeat that that record has been achieved by its own management record and despite the Government's policy.

Mr. Jimmy Hood Clydesdale): Angus district council is collecting the poll tax and giving a subsidy to the tenants, which is a bit of a contradiction in terms. Hamilton district council, which covers part of my constituency, has refused to collect the poll tax, with the result that tenants have been penalised by 28p per week. However, we are standing by our principles. We do not speak about them; we act on them.

Mr. Welsh: I do not know whether that intervention was helpful. However, the hon. Gentleman is on very weak ground, since fewer than a quarter of his colleagues have turned up, so perhaps we could point an accusing finger at them.

I reiterate that the low-rent policy in Angus has been achieved by good government which has benefited the tenants. Tenants in other districts will not be so fortunate. Rent increases have been outpacing inflation. The capital allocation is about 50 per cent. short of what is required seriously to tackle Scotland's housing problems. That is due to this Government's policies, which are inadequate to meet Scotland's housing needs. The housing support grant package is typical of the Government's attitude, and it simply will not do.

12.22 am

Dr. John Reid (Motherwell, North): I am very grateful to you, Mr. Deputy Speaker for having called me. I was getting worried about the lateness of the hour. I am glad that I have been called to speak in the debate, because I have issued a press release. I should not have liked to annoy Conservative Members twice in one week.

I shall repeat a few items that some hon. Members have read, because there are visitors in the Strangers Gallery who are eager for details of Scotland. It will permit me to repeat a few points that have already been published. I did

not intend to speak in the debate, but I am doing so as a result of popular acclaim. I do not withdraw or regret one word that I did not say last Tuesday in the House. I agree with every word that I did not have the opportunity to say on that occasion, but there are two tragedies to which I wish to refer.

First, in the seven days since I should have made that speech, there has been no change in the housing situation in Scotland. Secondly, it is rare in the history of Parliament for a Minister to be given one week's notice of the detailed case that is to be made against him and to be given the opportunity at the Dispatch Box to reply to the criticisms that are made of him and still to make such a pathetic effort of defending the Government's record.

Another item should be mentioned at the beginning of my speech. *[Interruption.]* The hon. Member for Tayside, North (Mr. Walker) is laughing. I enjoyed listening to his interventions and jokes this evening. God knows the people of Scotland have little enough to laugh about. One thing in particular intrigued me—that the Minister, the hon. Member for Tayside, North and their colleague the hon. and learned Member for Perth and Kinross (Sir N. Fairbairn) actually read the *Evening Times* and are affected by it. That only goes to create a new law in physics—that even paper can sometimes penetrate the thickest walls of the largest mansions and the thickest minds of the biggest bigots in Scotland.

I am glad to note that some controversy has been caused, but the tragedy is that, for thousands of people, the *Evening Times*—not the debate—will bring little information or solace. Even tonight, as we debate the issue in the relative warmth of a comfortable Chamber, beneath the vaulted ceilings of the Palace of Westminster, almost 30,000 people will share neither warmth nor a roof over their heads. It has already been mentioned that 29,185 people in Scotland will draw little solace from warmth or a roof. They will not read *Hansard* in the morning, and they will not have read it last Wednesday. Therefore, they will know little of our debates.

Few of those 30,000 people will hear about the debate on wireless or television. They do not have wireless or television, or access to the privacy that allows them to listen to radio or to watch television. Many of them will pick up one or two pieces from the popular press about a debate that is carried on late at night, yet those 30,000 people are the real substance of the debate. I make no apology for having tried to highlight their plight by every possible means. If that resulted in a joke, because the Government's incompetence lost us a debate that we should have had a week ago, it is not I, but Conservative Members, who should apologise.

Those 30,000 people are the real substance of the debate. They have been mentioned by hon. Members tonight. I refer not only to the young couple who were mentioned in the *Evening Times* article. There are many of them. Last week they were still lying on relatives' couches, trying to keep marriages together in their early months. This week they are on the very same couches and they have not been forced to move on to others.

Old couples have been mentioned. I refer to people who have lived for years and decades in family homes. Because of a drastic delay in repairs and damp conditions, they now find themselves either having to move out of their homes or, once again in their old age, become dependent on people who are much younger. I make no apology for having raised that matter. Tonight we can debate the consequences of the Government's failure to provide adequate housing support in Scotland, but the people such as those whom I have mentioned must suffer the consequences of the Government's housing policy.

For many years, it has been obvious that the overall picture of contributions for council housing in Scotland has been one of cuts and neglect, so there is nothing new in the substance of tonight's debate. The proposals for 1989-90 do nothing to halt that neglect. There has been a real cash reduction of about £96 million, which will do nothing to reverse the opinion of people in my constituency and others who suffer throughout Scotland that the Government are the real enemy when it comes to imposing rent increases upon them time and again. Nothing will be done to ease the burden of council tenants with rent arrears caused by cuts in housing benefits.

When I listened to some of the smug jokes that were being put around tonight, I thought of a case that I have mentioned in the House before. I make no apology for raising it a second time. An 83-year-old man is suffering from pneumoconiosis. One does not get that disease in a billiard hall or a pub. It is the result of a lifetime of working in the depths of a pit and producing wealth for others. That man went to war in 1939. He did not ask then what his country could do for him, or what he could do for his country. He just went and did what he had to. Now, the Government have taken away his housing benefit, and his rent has increased from 72p to £47 a fortnight. Surely someone with that record is entitled to ask, in the last decades of his life, what his country is going to do for people such as him.

Since the Government took office nine years ago, rents in Scotland have increased by an average 230 per cent.——

Mr. Bill Walker: I thank the hon. Gentleman for giving way with his usual courtesy. When he gives us these figures, will be carefully consider the level of housing support before the Conservatives came in in 1979? What was it in real terms? What is it today? Will he consider the fact that increased rents for those who can afford to pay them have gone into the housing coffers? Those who cannot afford to pay are—properly—given housing benefit.

Dr. Reid: My hon. Friend the Member for Edinburgh, South (Mr. Griffiths) has already dealt with some of those points. As others of my hon. Friends have said, many local councils and district authorities get not a penny, compared with 1979. The amount of unemployment that has been created in Scotland since 1979 is another part of the equation.

The defence put up by the hon. Member for Tayside, North is an unusual one. The Government would usually plead that rent increases had nothing to do with them. They are all to do with supply and demand—with the laws of the economy, or the Book of Revelations. They are never anything to do with the Government. In this case they cannot claim that, because there is nothing natural about a 230 per cent. increase in rents. It is out of all proportion to increases in housing costs, as dictated by the supply and demand of the market that is so beloved of the Government in other circumstances.

For instance, since 1981, housing costs—on the Government's usual criteria—have risen by 44 per cent. in Scotland; during the same period, the Government have compelled rents to rise by 124 per cent.—80 per cent. more

[Dr. Reid]

—to compensate for the loss of central grant and local contributions. That increase—from £4·92 to £16·23 a week—is of staggering proportions. It cannot be related to supply and demand.

Yet this order means that average rent increases next year will once again immensely outstrip inflation, with some authorities being forced to consider increases of £3 a week or more, or £4 or more in the Glasgow area.

What will we say to constituents who are already going under with rent arrears? There has been a massive increase in rent arrears in the past year. I can only tell my constituents the shameful truth about the Government's dogmatic insistence on undermining public sector housing, and the roles that rent increases and the sales of council houses have played in that. I can tell them that housing support grant is the only direct government subsidy for Scottish housing, and that this deliberate Government policy has meant more than £290 million in cuts in grants and subsidies. I can tell them that as a result of that, council rents are now more than £7 a week higher than they would otherwise have been.

None of this compensates for the misery that has already been suffered, and which will continue to be suffered, in many parts of Scotland. Those increases might buy some hon. Members a large cigar or a couple of brandies after dinner, but over a week, they are sufficient to cripple many households in my constituency and throughout Scotland which are already crippled by debts and which will face even greater debts as a result of the poll tax.

When, in anticipation of some of the points that my hon. Friends and I would raise, the Minister told us that rents in Scotland were lower than those in the southern half of England or across the border in England, and when he accused Motherwell district council of keeping rents artificially low in comparison with those elsewhere, for instance in the south of England, why did he also not tell us the average salary in the south of England compared with the average salary in Bellshill Shotts, Newarthill or Carfin? Why did he not tell us the average rate of unemployment in the south of England compared with that in parts of my constituency? Perhaps it is because he does not know, but it could be because he does not want to ask himself the question because once he reveals the average salaries and access to jobs in those areas, he will have to concede as a matter of moral principle and economics that rents in certain areas of the country are justifiably low because of social and economic circumstances.

I take it as a testimony of the efforts made by my colleagues who serve on Motherwell district council that they should be criticised here for attempting to ensure that the social and economic effects of poverty and unemployment in Motherwell district are compensated for by some attempt to defend the rents of the people in the area. As my father used to say, "If the crowds boo you and you are away from home, you're playing a damn good game." When the Minister criticises the action of Motherwell district council, that is the best testimony that it could have that its efforts are being well directed for the people who elected it.

The word "crisis" is used liberally these days, but when one considers rent increases and sees how little money is available for capital investment or improvements in existing stock or for essential repairs to homes, using the word "crisis" in relation to Scottish housing is justified. Indeed, many would say that it is a moderate word to use.

I am surprised that the Minister should be upset that I have released the Government's own dubious statistics because whether they have been used in a speech in the House of Commons or not, they are the Government's own statistics—and they show that, of the 843,000 council homes in Scotland, no fewer than 356,752 need modernisation, 88,044 need rewiring and, most worrying for pensioners or for people with young families, 234,000 suffer from damp and almost 154,000 need major structural repairs. It is no wonder that the Minister and his cohorts do not like figures like that plastered about in their popular press, even if they are the results of his own Department's investigations into the inadequacies of Scottish council housing at present. Those figures can only worsen as a result of the facts given tonight. Indeed, they have already become worse because the figures that I have just given described the position in 1986 and there have been two more tragic years of rundown in council housing since then.

Once again tonight, just as in the tax cuts for the rich, just as in the social security cuts for the poor and just as in the cuts in housing benefit, the Government are cynically hammering the poorest and the most vulnerable in our communities in Scotland. Is it not significant that while central Government support for mortgage interest tax relief continues to increase, direct Government grants in support of local authority housing costs have decreased from £228 million in 1980-81 to £60 million next year?

It is conventional in such debates to refer to one's own constituency and district council and to speak about the effect of the order under debate. Nothing could be simpler. The effect in terms of benefit to my constituency will be absolutely zero. We will receive nothing in grant. Motherwell district council's housing support grant has plummeted from £8·19 million in 1980-81, the year after the Government came to power, to £5·74 million the following year, to £3·3 million in 1982-83 and to £1·4 million in 1983-84, and there has been nothing at all since 1984.

The Minister knows, as I know, that my constituents have paid the price of the Prime Minister's antipathy and antagonism towards them. My constituency has one of the highest proportions of council house tenants in Scotland and a high proportion of unemployment and poverty. As a result of not having voted for the Prime Minister, not coming from her small middle-class shop keeping background or not being successful capitalists, my constituents have been penalised at the rate of £1 million per year. That is £9 million over nine years. If there were anything left, the Prime Minister would take it away. She has taken it all away and my constituents receive nothing in grant.

In the debate the Minister revealed the Government's antagonism towards council housing. I am glad that he made the admission and my hon. Friends will remember it. The Government blame local authorities for pushing up rents. The Minister confessed, probably inadvertently, that rents have been forced up, not because of floating or supply and demand, but because they were too low when the Government came to power. That gives the lie to any

accusation that rent rises have been caused by anything other than a Government who came to power bent on increasing rents.

Motherwell has not been alone in the scale of its central Government deprivation. As we have heard in the debate, 56 authorities qualified for grant in 1980-81 and that figure has steadily fallen to 23. That has been brought about by a hostile Government on the basis of spurious assumptions. The factors used to determine an authority's eligibility for housing support grant ignores the actual position of housing authorities. The steady reduction by the Government has been brought about by ignoring the actual position of housing and substituting expenditure and income figures that they deem should be applied.

"Deem" is a peculiar word and is constantly used in courts. It means that although it is not known whether something happens and no one has any idea whether it could happen, it will be made up. "Make it up" is translated into legal language and becomes "deem." The Government ignore what is happening on the ground, the actuality of housing problems, and deem the housing needs of an area. In other words, they make something up to suit their own restrictive dogma. Put simply, the Government understate the need for expenditure and overstate the level of income likely to be achieved by a local authority. The difference between the two represents the Government's financial obligation which is steadily and significantly reduced.

Instead of deeming, making up and cutting by stealth, why do the Government not acknowledge the massive need for investment to halt the crisis in Scottish housing? Over £1,000 million per annum is needed to tackle the problem but only £569 million has been planned for next year. When consent to apply higher levels of investment in housing has occurred, it has largely arisen from council house sales, which further reduce the public sector stock, and are at the expense of grants and subsidies and lead to higher rents. The Government have contrived to manufacture the worst of all worlds for council house tenants. Had that arisen by accident or by incompetence it would have been a sufficient stain on the Government's record. When it arises as the predictable outcome of deliberate, contrived policy it is a matter of shame for the Government and for the House.

I wish that last Tuesday I had had the opportunity to go into the Lobby to vote against the Government on this issue. I wish that I had that opportunity every night, because every night the Government need reminding of the misery that they are inflicting on thousands of council house tenants in Scotland. That is why, even if the opportunity comes late, I shall be proud to walk into the Lobby to vote against the Government.

12.45 am

Mr. John McAllion (Dundee, East): The Government Benches have been sparsely populated for most of this debate. When they have actually shown their faces, English Tory Members have shuffled impatiently as though they were anxious for the business to be concluded so that they could get away home to their beds. The Strangers Gallery is almost empty, the Press Gallery is empty, and the clock tells us that we are well on the wrong side of midnight. All these things tell us that the mother of Parliaments, the seat of democracy, is dealing with Scottish business in the way that it usually does. It is little wonder that there is such unhappiness in Scotland with the constitution of the United Kingdom and the way in which the Westminster Parliament deals with Scottish business, or that there is such a demand for Scottish business to be returned to Scotland and put under Scottish control. I do not ask that the House changes the way that it handles Scottish business by having it earlier in the day. I ask that the Government grant the Scottish people what they have always wanted: their own assembly, to look after their own affairs away from this place, so that housing and other matters that are specific to Scotland can be dealt with in Scotland by Scots.

Mr. Nigel Griffiths: I know that my hon. Friend will wish to ensure that the record is accurate, and show that the press have not gone home entirely, but were so buried with their heads down in their notebooks taking every word of his sensible comments that he did not see them from his position.

Mr. MacAllion: I am grateful to my hon. Friend for drawing my attention to the press man who is sitting alone in the Gallery and is acting as a stringer for everyone else.

Madam Deputy Speaker (Miss Betty Boothroyd): Order. I am not sure whether hon. Members are aware that it is not in order to refer to the occupants of the Press Gallery.

Mr. McAllion: I will accept your ruling, Madam Deputy Speaker.

I was grateful to my hon. Friend the Member for Glasgow, Garscadden, (Mr. Dewar), who drew our attention to a dramatic speech made by the Secretary of State for Scotland. That speech was made not during this debate—it has been his wont to take part in only few debates on Scottish business—but in a previous Parliament, and in it he complained about the corrupt system of council housing finance in Scotland, which he believed was corrupt because it benefited Labour voters. That comment shows the true genesis of the poll tax. Far from trying to root out corruption, and get rid of a corrupt system of financing local government, the Secretary of State has introduced another corrupt system of local government that will benefit Tory voters—the poll tax.

The Minister described housing support grant as a deficit subsidy. However, if there is no deficit in the way in which the council meets its housing costs, there can be no housing support for the council. How does one establish whether a deficit exists? The Minister said that one makes reasonable assumptions about the income and expenditure of local councils' housing revenue accounts.

Such a system depends on those who are making the assumption, and whether that assumption is reasonable. The Minister seems to be saying that a Tory Minister who knows little about housing in Dundee can make an assumption about the income of the Dundee district council and its expenditure on its 38,000 council houses and can arrive at the conclusion that there is no deficit on the council's housing revenue account, so it should get no subsidy from central Government funds. I can tell the Minister that Dundee district council's housing revenue account for next year will have to receive an additional £6 million over what it received last year, and the Minister is saying that that money will have to be found directly from increases in rent for council house tenants in Dundee and from no other source.

[Mr. McAllion]

People who, like me, are owner-occupiers can look forward to central Government subsidies to meet their housing costs in the coming year, but those in the 38,000 council households will get no such subsidy because the Minister says that the revenue must come from rent increases. The people of Dundee are facing rent increases not of £1·34 per week but £3·95 and many tenants will face increases as high as £5·50 a week. The Minister says that that is because the rents have traditionally been too low.

An old couple came to see me last week in my surgery. They have suffered badly under the housing benefit changes introduced by the Government. They are receiving some transitional protection but they have not received any payment for some weeks. They were concerned about the rent increase about to be imposed upon them because they were down to the last £200 of their savings. A few months ago they had £340 but they had to eat into that to pay the rent increase as it stands now. The Minister is telling those people that they will just have to live with it and eat into their savings. After that, I do not know what will happen to them. Perhaps the Minister will explain how that old couple can stop worrying about the rent increases that he is imposing on the people of Dundee and no one else.

If anything is more arcane or difficult to follow than the procedures of the House, it is local government finance. So many phrases have been thrown into the debate—the general fund contribution, the housing revenue account, the housing revenue account block A capital allocation, the housing revenue account block B capital allocation and so on—that it is not difficult to understand why people in Scotland sometimes find it hard to follow the debates about housing and rent that take place here.

My hon. Friend the Member for Motherwell, North (Dr. Reid) said that none of the 30,000 homeless in Scotland would follow the debate closely or be able to question anyone on it. I doubt whether many council tenants in Scotland will follow the debate closely, not only because it involves obscure and detailed language with which they are not familiar, but because the Government deliberately stage it at this early hour in the morning when no members of the press are present, so that it will not appear in the press tomorrow and will not be on the radio or television. No one will know why their rent has increased.

When the people in Dundee try to find out why their rent has increased by £3·35 or £5·50 a week, we all know what they will be told by D C Thomson press in Dundee. It will say that the Labour council increased the rents as will Tory Ministers and the SNP opposition on Dundee district council. Nothing could be further from the truth. The Government and the Minister now sitting on the Front Bench are increasing rents. No matter how obscure the Minister makes that or how much he wraps it in detailed language, that is the truth and we will ensure that the people of Dundee realise that.

That becomes obvious if one looks closely at the housing revenue account for Dundee district council. Compared to last year the council will have to find an additional £6·3 million next year. There are many reasons why it has to find that additional expenditure and most of them are caused by the Government. First, there is inflation. The Chancellor set himself the target of zero inflation but the *Morning Star* on Saturday said in banner headlines that inflation was 6 per cent. plus and rising. The *Morning Star* has always taken a keen interest in inflation and counter-inflationary policies. It was rightly drawing attention to the way in which the Government's economic policies are failing and the way in which inflation is imposing increases upon councils—*[Interruption.]* If the hon. Member for Stockton, South (Mr. Devlin) wishes to intervene, I will gladly give way. I would rather he intervened than continued to shout and mutter from a sedentary position.

Mr. Tim Devlin (Stockton, South): Perhaps the hon. Gentleman can remind the House when the Labour party managed to get inflation down to 6 per cent. when it was in government. I cannot remember a time.

Mr. McAllion: When the Labour Government left office in 1979, inflation was 8 per cent. and falling. Within a year, the Tory Government had put inflation up to 20 per cent. because they gave way to inflationary pressures.

Because of inflation under the Government, Dundee district council will have to find an additional £247,000 to be allocated under the repairs and maintenance heading of its budget. That is just to keep the work at the same level as last year.

One can argue about how much the Government can be blamed for inflation increases, but one cannot argue about, the other Government decisions that have led directly to rent increases in Dundee. For example, they have changed the rules governing the definition of capital expenditure. Repairs and maintenance carried out to re-lets in Dundee used to be paid for out of capital expenditure and came under that heading. Since the Government changed the rules that define capital expenditure, that can no longer be done. By Government diktat, an additional £1·5 million has to be raised from the housing revenue account and so from rents. That is because the Government will not allow the district council to proceed within the definition of capital expenditure.

In 1980-81, Dundee district council received £9·1 million in housing support grant, which enabled it to meet its housing costs. If that level of support had been maintained, a further £72 million could have been spent on the city's 38,000 council houses. If the Government had honoured their commitment to council house tenants in Dundee by continuing to fund that level of grant, rents could be £4·50 a week lower that they are now. Instead of having to face an average increase of £3·95 a week, council tenants in Dundee could be given an average rebate of 55p a week. That would have been the result if the Government had paid up what they owed in housing support grant.

In 1985-86, Dundee district council received £4·917 million in rate fund contribution—the general fund contribution as it is now known—to help it meet its housing costs. Since then, direct Government action has caused the contribution to be cut in three huge swathes so that it is now absolutely nothing in the order that is before us. That is another massive blow to the housing revenue account and another reason why rents will have to increase in Dundee. That is the consequence of Government action. The council is not responsible for that.

Changes have been made to the housing benefit regulations and the district council estimates that these have cost it £190,000 in lost rent. That sum will have to be found from the housing revenue account next year, and

that will mean increasing rents. It was calculated that on 31 March 1988, rent arrears in Dundee stood at £884,000. The following day saw the introduction of housing benefit and social security changes. By 30 September, arrears had increased to £1,226,000. The people of Dundee, whom the hon. Member for Tayside, North (Mr. Walker) claims have been protected by housing benefit, could not afford to meet the increased rent levels. They were taken out of housing benefit and they had lost social security payments. They could not afford to pay their rents and the council could not get the money from them.

Sir Nicholas Fairbairn: Some of my constituents have the good fortune to pay their taxes to the Perth and Kinross district council and some are infinitely less fortunate and have to pay their taxes to Dundee district council. As the same system of support applies to both councils, why is it that those who have the misfortune to be taxed by a rabid Labour-controlled council such as Dundee have to pay twice as much as the fortunate citizens who are taxed by Perth and Kinross?

Mr. McAllion: That may have something to do with the fact that Dundee district council has 38,000 council houses while Perth and Kinross has only a small fraction of that number. The costs that have to be met by Perth and Kinross district council are infinitesimal compared with those that are faced by Dundee district council. If the hon. and learned Gentleman had thought about that he would not have got on his hind legs to ask the question. I am glad that one English Tory—the hon. Member for Stockton, South—has remained in the Chamber to listen to some realism instead of opting to be plonked down in the south to learn nothing about what is happening in Scotland.

Mr. Devlin: How many tenants applied to buy their houses under the right to buy?

Mr. McAllion: I am coming to that. There is the so-called benefit that is derived from selling council houses to sitting tenants. Dundee district council sold 1,600 council houses to sitting tenants last year, which meant a loss of rent income of £1·802 million. That sum will have to be raised from the housing revenue account, which in turn will mean increasing rents throughout the city. It would be all right if new council houses were still being built, but there are tenants who are trapped in multies, tenements or other housing which for various reasons is entirely unsuitable for them. There is a massive shortage of suitable housing in Dundee and so many are trapped in unsuitable housing and pay high rents. That is because the Government are selling the only houses which these tenants can aspire to live in by taking a place on the housing waiting list.

Mr. Bill Walker: The logical conclusion of the hon. Gentleman's argument seems to be that councils that sell off more of their housing are worse off. Why, then, is Dundee, which has one of the worst records of selling homes, worse off than Perth and Kinross, which has one of the best?

Mr. McAllion: The hon. Member is not comparing like with like. Dundee district council is in an entirely different league from Perth and Kinross. I do not represent Perth and Kinross. If the hon. Member for Tayside, North would like to tell us how many houses that council owns, we might be able to make a comparison.

Dr. Reid: In view of the resounding silence on the Conservative Benches, are we to assume that the three supposedly pertinent points that have just been made about housing finance in areas represented by Conservative Members have been based on ignorance even of the number of council houses in their areas?

Mr. McAllion: My hon. Friend is right. I have given the hon. Member for Tayside, North every opportunity to tell the House how many houses Perth and Kinross district council owns, but he will not do that because he does not know the answer. Nor does the hon. and learned Member for Perth and Kinross (Sir N. Fairbairn). They must sit in embarrassed silence because neither knows the answer, although they claim to represent that local authority in the House.

The Government's squeeze on capital expenditure in years past has contributed to rent increases. District councils, faced with a loss of houses because they have been forced to sell them and because they cannot get the capital allocation that they need to build new houses, have had to take out covenant schemes to build the houses they need. Such schemes are fine at the time, but a day of reckoning comes when repayments have to be made, and repayments are being made in a climate of climbing interest rates because of the Government's policies. That means another massive cost to the housing revenue account, and it is another reason for higher rents.

Labour district councillors in Dundee are doing a magnificent job on behalf of tenants in the city, whom they are trying to defend in a rapidly deteriorating situation. We have heard some statistics about homelessness tonight. Conservative Members had better know that, in Dundee, during the past five years, homelessness has trebled—and that figure does not take into account factors such as recent increases in mortgage interest rates, which will lead to a great deal more people being made homeless in the city. Housing benefit and social security changes will add to the problem.

The Government make out a good case for tackling the housing crisis in Scotland. They speak about co-operation between the Government and local councils and an attempt to deal with the many problems, especially in peripheral estates such as Whitfield.

Mr. Devlin *rose*——

Mr. McAllion: I have already given way to the hon. Gentleman several times.

Hon. Members: Sit down.

Mr. Devlin: On the contrary—the hon. Gentleman started his speech by saying that English Members are not interested, and now he is trying to stop an English Member intervening. All I want to know is how many private sector houses there are in Dundee.

Mr. McAllion: I have no idea how many private sector houses there are. At one time, Dundee had 40,000 houses, which constituted about 60 per cent. of the housing stock. It now owns about 38,000.

In a statement about the Whitfield estate, the Government agreed that the way to tackle the housing crisis in peripheral estates is to increase expenditure on them and housing services. When the Government are asked for the money, however, nothing happens. They

[Mr. McAllion]

have slashed housing support grant, taken away the general fund contribution and slashed the capital allocation to the council.

Next year, Dundee's housing revenue account block A allocation is to be cut by more than 50 per cent., from £9·95 million last year to just £4·43 million this year. How is the council supposed to tackle the city's massive housing problems when the Government will not even let it borrow money to spend on housing? It is selling the housing stock as fast as possible.

My hon. Friend the Member for Garscadden mentioned the Minister's refusal to have a house condition survey, such as is done in England and Wales, for Scotland. However, there are housing check lists. Dundee district council carried out one of those checks last year to update its five-year rolling plan for housing in the city. It found that 13,800 houses needed modernisation and 11,300 houses suffered from condensation and damp. It has calculated that it will need £25 million a year in capital allocations to deal with those problems. However, the Government have suggested that Dundee should receive only £4·03 million in capital allocation.

We could understand that level of allocation if there was a shortage of money. However, we cannot pick up a paper today without reading that the Chancellor of the Exchequer has £15,000 million of Budget surplus that he does not know what to do with. We only want a tiny wee fraction of that £15,000 million to start to tackle the housing problems in Scotland. No one understands why the Minister will not agree to that.

Mr. Bill Walker: The hon. Gentleman's head seems to be full of interesting statistics. If Dundee district council had £25 million to spend tomorrow, how would it find the work force to carry out the work? He knows as well as I that there is a dearth of tradesmen in Dundee to carry out that type of work.

Mr. McAllion: The hon. Gentleman has made an absurd allegation. He knows that the Government used to produce statistics which gave the numbers of unemployed people in different categories and from which we could tell how many building workers were unemployed. However, the Government were so embarrassed by the number of building workers on the dole in Scotland that they will not produce them. They refuse to give any figures about the number of people on the dole in Dundee. If £25 million was allocated to Dundee this year, it would spend it, but not in the way in which the Government would spend it. It would not spend it on one housing estate in the city which would be a kind of model to be publicised on the television and for which benefit could be claimed.

The Whitfield estate in Dundee shows what can be done, but every other estate in Dundee shows what is not being done for housing in Scotland. Councillor John Henderson has assured me that Dundee would spend the £25 million if it had it. I would be very glad to hear the Minister tell us at the Despatch Box that Dundee was going to receive that money. That would suit me entirely.

I came across an article in *The Scotsman* today about Mr. John Jenkison the director of housing for a new private management company set up under the Scottish housing legislation. He is director of Waverley Housing which is targeting council houses in the Borders and taking over houses from district councils. Mr. Jenkison is quoted as saying:

> "Ultimately the district councils will not be in a position to offer choice because they will not have any stock. The Government is on course to remove that function from district councils."

That comment comes not from a Labour Member, but from someone who supports the Government's policies and agrees with the Housing (Scotland) Act 1988 and who knows what the Government are about. They are about taking the right from district councils to provide reasonable houses at reasonable rents to people on low incomes. The Government do not have any mandate for that in Scotland.

I began my speech by saying that a Scottish Assembly was the only forum in which housing could be properly dealt with for Scotland. I end on the same basis. We shall never get justice from the Tory Benches. The people of Scotland know that. We will never give up until we get a Scottish Assembly with Scottish control over Scottish housing.

1.7 am

Mr. Thomas Graham (Renfrew, West and Inverclyde): Earlier tonight my hon. Friend the Member for Glasgow, Garscadden (Mr. Dewar) said that the Minister was one of the nice men in the Tory party. Some of my colleagues say that he is a gentleman. However, the people in Scotland in council houses do not need a gentleman; they need someone who is prepared to stand up and fight. That is sadly lacking.

Since 1979 there has been a systematic attack on council house tenants. Since then rents have increased massively by more than 230 per cent. The hon. Member for Tayside, North (Mr. Walker) is smiling. He should come and smile at my constituents—the elderly and disabled—who are forced to pay those massive rent increases. Since 1979 the rents have escalated.

A report by COSLA shows that in 1986 the Government's limited statistics identified that, out of 843,000 council houses in Scotland, 356,725 need to be modernised and 88,000 needed to be re-wired. That is an unbelievable indictment. COSLA says that 234,000 houses suffered dampness or condensation, while 153,746 needed major or structural repairs. We need a Minister who is prepared to ensure that the housing crisis in Scotland is solved.

I was appalled to hear the Minister boast proudly that he was not apologising for the fact that rents in Scotland were going up again. He was quite happy to see a £1·48 increase—after the trauma of the housing benefit cuts, the fear of what the poll tax would bring and the record levels of unemployment that still exist in Scotland. People are suffering more and more because of the Government's inability to improve—or rather their deliberate policy not to improve—the quality of life for people who are homeless; people who are living on state benefits, but are desperate because they are unemployed.

The Minister is not prepared to stand up and fight. There should not be a £1·48 rent increase; there should be a decrease, and a massive housebuilding programme to give folk decent housing. We do not want the nonsense that we are hearing tonight.

I accept that the Minister is a gentleman, but I am no gentleman. I am sorry to see that the hon. Member for

Glasgow, Govan (Mr. Sillars) is not here tonight for this important debate, but I was born and bred in Govan. I know what it was like to live under a private landlord. My mother and late father know what it was like for five of us to live in a single end. We were over the moon the day the note came through the door from the Glasgow corporation offering us a decent house—a house with a bath.

I had never seen a bath. I thought that it was something that you put a goldfish into. *[Laughter.]* Hon. Members may laugh, but it was like that in those days. The only water that I had seen in a big bath was in the swimming pool. I do not have the background of a gentleman who has lived in a big fancy house. I still do not live in a big fancy house: I live in a Scottish special house, and I rent it.

I see the poverty around me, created by the Government's cuts in social security and housing benefits. I see the fear that the Government are creating in Scotland. I plead with the Minister to stand up and fight for these people to ensure that they need not pay such a punishing rent. He has the power to do something to ensure that the people of Scotland have a decent chance.

As I have said, my life started in Govan, and I went to a house in Pollock. When I married I could not get a house. I had to go to a private landlord. Eventually I had a bit of luck: I got what is called an "economic expansion house" because of my job. Unemployment is so massive that it is hard for anyone to get a house, let alone an economic expansion house, yet Government policy is to continue to push rents so high that ordinary men and women are forced to buy their homes.

I said to the Chancellor the other day that mortgage default was one of the main reasons why many people were ending up homeless. They could not afford to pay their mortgages, and were having to go on to the streets. Massive pressure was being put on the local district council, because these folk were genuinely homeless. They are systematically selling off these people's only chance of a house and a decent living.

As I have already mentioned, we have a gentleman as a Minister, and the people of Scotland are looking for leadership to ensure that they have the right to a decent house—a right to a home that they can afford. They want decent housing which is not suffering from all kinds of defaults. They are looking for leadership that gives them the right to rent—a right which this Government have denied to them.

I see that the other Under-Secretary the hon. Member for Stirling (Mr. Forsyth) is sat there smugly smiling. I assure him that there are more than 3,500 homeless people in Renfrew district and Inverclyde who are not smiling tonight. They are weeping in overcrowded conditions. There are family bust-ups, domestic problems, divorces, separations and everything else going on, because of the level of homelessness. There are more than 30,000 people in Scotland whom the Government know are homeless. However, that is the tip of the iceberg—there are more than 30,000.

Many people have given up the ghost. We read in the Scottish papers the other day of an old man, who is living in a tent in a park. He is desperate for a home and he has asked the local authority to provide him with one. I am sure that the local authority will find him a home, but it is time that the Government gave the 30,000 homeless a home and some young people the right to a decent future. They do not want a castle or thousands of acres where they can shoot partridges and grouse, they want a home where they can cook and from which they can go to work. It is time that the Minister gave them that leadership.

1.17 am

Mr. John McFall (Dumbarton): Local authority tenants' rents have risen by 230 per cent. in the past nine years. As a result of these orders, we see that the average rents next year will once again exceed inflation. The capital investment required to maintain and improve the housing stock is still some 50 per cent. short of what the authorities require to tackle Scotland's housing crisis. That has been debated well tonight. The acid test was that, if the Government were interested in Scottish housing they would have provided a housing condition survey. They have not done so. They have, however, given us some limited housing statistics. In 1986, their statistics identified that out of Scotland's 843,000 council houses, 360,000 needed to be modernised, 88,000 needed to be re-wired and 235,000 suffered dampness and condensation.

How are the Government tackling that crisis? As an example, I shall take my constituency of Dumbarton. This year Dumbarton has no subsidy for public sector housing. The last time it received a subsidy was in 1981-82, when the housing support grant was £910,000 and the rate fund contribution was £2·1 million. There was a subsidy of more than £3 million in that year, with £5 million income from rents. Since then, we have received nothing at all.

The capital allocation last year was £7 million, with the authority being allowed to go to the private market to find £1 million. It was assumed that £6·4 million would come from council house sales, but the authority will fall short of that—which it has told the Government—for many reasons, not least because not as many people are buying houses as was estimated. That is one consequence of the Chancellor's high interest rates. The Government, however, have set their figures in stone and are paying no attention to the problem. It would seem appropriate to be flexible and for them to look at last year's allocation, so that they could help councils such as Dumbarton to help the public sector tenants.

I would draw attention to an anomaly in Dumbarton. The public sector does not receive any subsidy towards the cost of removing lead piping. Lead piping is a problem in a considerable number of Dumbarton's council houses. I believe that the housing authority has drawn this to the Minister's attention. I ask the Minister to meet the local authority and discuss the pressing problem of lead piping in Dumbarton, so that we can get that dealt with. Strathclyde regional council has found a temporary solution, but the long term problem must be attended to. I hope that the Minister will undertake to meet and consult me about this matter.

The housing crisis in Scotland cannot be solved until the Government realise that a substantial, real boost in housing resources is required in the next five to 10 years. Over the years, problems have been caused by the progressive withdrawal of rate support grant and other moneys to local government. The Government are out of step with the widespread Scottish view, whether that is expressed by COSLA, the Building Employers Confederation, Shelter or Church organisations who

[Mr. John McFall]

believe that decent, modern living conditions are an essential ingredient to maintain the social fabric of the community.

Last year the Prime Minister was up in Scotland talking to the Church of Scotland. At the end of her speech, the convener gave her a document on housing. In conjunction with the Secretary of State and Ministers, I want her to treat that document with the same urgency with which they treated the "Scottish Enterprise" document and Mr. Bill Hughes. I hope that the Prime Minister and her Ministers will consider that document over a weekend as they did the document presented by Mr. Hughes so that the problems of Scottish housing are put in their proper perspective.

Lord James Douglas-Hamilton: In reply to the hon. Gentleman: yes, I will meet him.

1.21 am

Mr. John Maxton (Glasgow, Cathcart): That was the fastest intervention that I have ever heard.

It is traditional to say that this has been an interesting debate, but this has not been a debate.

Mr. McAllion: It has been one-sided.

Mr. Maxton: Yes, my hon. Friend is correct.

We have had the usual fumbling, inept performance from the hon. Member for Edinburgh, West (Lord James Douglas-Hamilton) and one Back-Bench contribution from the hon. Member for Tayside, North (Mr. Walker). His only contribution to such debates is to say that, because housing benefit has gone up since 1979 and cuts have occurred in the rest of housing support, somehow the Government have been awfully generous to the poor.

I will tell the hon. Gentleman the facts. Every time rents go up, it is inevitable that housing benefit goes up. As soon as the number of the unemployed goes up, housing benefit increases. In 1979, however, the housing benefit system was much more generous. It included 100 per cent. rent rebate and 100 per cent. rate rebate. Now, every council house tenant must pay at least 20 per cent. of his rates and he will have to pay 20 per cent. of the poll tax.

Mr. Bill Walker *rose*——

Mr. Maxton: I do not have time to give way. The hon. Gentleman made a lengthy speech, when his sole contribution was to suggest that there has been a massive increase in housing benefit, which is due to the Government's economic policies and rent rises. At the same time, however, council house tenants have had to face poorer housing conditions and cuts in benefit, but the hon. Gentleman does not recognise that.

Mr. Walker *rose*——

Mr. Maxton: I will not give way. The hon. Gentleman intervened on a number of occasions and I have a short time in which to reply to the debate.

My hon. Friends the Members for Glasgow, Garscadden (Mr. Dewar), for Glasgow, Springburn (Mr. Martin), for Edinburgh, South (Mr. Griffiths), for Motherwell, North (Dr. Reid), for Dundee, East (Mr. McAllion), for Renfrew, West and Inverclyde (Mr. Graham) and for Dumbarton (Mr. McFall) have given a catalogue of the cuts that local council house tenants in Scotland have had to face. They have described the appalling dampness in the housing stock in their constituencies and the ill health that that causes.

The debate has been so one-sided it is not true, but we are used to that in Scotland. The Scottish people have no one on the Conservative Front Bench or Back Benches to whom they can put their case.

Mr. Devlin *rose*——

Mr. Maxton: I shall not give way. The hon. Gentleman came into the Chamber when we were about halfway through the debate, and I do not intend to give way to someone of that nature.

My hon. Friend the Member for Renfrew, West and Inverclyde described the Minister as a "gentleman" and other hon. Friends have said that he is a nice man. My hon. Friend may not be aware that when the Minister was at Oxford university he obtained a boxing blue.

Lord James Douglas-Hamilton: Half a blue.

Mr. Maxton: Oh. I remember one of my hon. Friends saying that the Minister was unlike Cassius Clay—he floats like a bee and stings like a butterfly. That is certainly true when it comes to fighting for housing for the Scottish people.

However nice a man the Minister may be, or however nice my hon. Friends may think he is—he may be a good husband, he may be nice to his children, he may even have pets and look after them well—if he is prepared to take office under this Government, he is a Thatcherite and a cutter and he is as responsible for the poverty as his hon. Friend the Under-Secretary of State for Scotland, the hon. Member for Stirling (Mr. Forsyth) who is sitting next to him.

The Minister is not a nice man. If he were a nice man he would follow the right hon. Member for Kincardine and Deeside (Mr. Buchanan-Smith) and refuse to take office under this Government. The only good thing that can be said about the Minister is that the only alternative would have been for the Government to appoint the hon. Member for Tayside, North as the Minister responsible for housing in Scotland. If it were not for the Minister, the hon. Member for Tayside, North would be a Minister, although he always said that he would turn down such an offer.

My hon. Friends have described the misery in considerable detail and have set out the facts and figures on housing in Scotland. But what are the Government doing about housing in Scotland? Why are they doing it? At one time I was generous. I used to think that it was down to blind ideological bigotry or to political expediency. Either they hated the fact that there were council house tenants, or they thought that if they kept raising the rents and cutting the services provided for council house tenants, eventually the council house tenants would turn on the Labour party, blame Labour local authorities and vote Conservative. That has been proved wrong and we know that it will not happen. Time after time, despite the pressures put on them, council house tenants have voted Labour and refused to vote for the Government. As a result, few Scottish Conservative Members have survived.

So why do the Government implement such a policy? I was generous in attributing it to blind ideology or political

expediency. It comes down to the Government's driving motive at all times—greed and lining the pockets of their friends. They force up rents, cut services and create a housing crisis, and then say, "There is a crisis and we had better do something about it." That is what they are doing. Now they will say to council house tenants whose rents have gone up by 230 per cent., "You do not have to stay with the local authority. You can go to another landlord. You can go to a private landlord."

As my hon. Friend the Member for Dundee, East said, there is an article in *The Scotsman* today about the Waverley housing trust, chaired by the Conservative constituency party candidate who was deselected over the weekend, Mr. Michael Ancram. It is a charitable trust at present. It has taken over the SSHA houses and is now offering to take over the council house tenants. At first it is only managing them, but ownership will follow. Once the management of Waverley Housing have got their hands on it, they will rook the tenants. The tenants will be put into that position. Who will profit and who will benefit? The Government's friends and financiers, Back-Bench Conservative Members and people such as the Earl of Ancram, who used to be a Housing Minister, will benefit. It is all about greed.

Whenever the Prime Minister and her lackeys in the Cabinet talk hypocritically about moral standards and freedom of choice, it is clear that they are concerned about one freedom—the freedom of Conservative Members and their friends in the City to make profits. That is the only thing that the Government are about. That is why I refuse to call the Minister a nice man. He is a member of the Government. If he had any understanding of housing, any sympathy for council house tenants or any desire to do something about housing in Scotland he would fight from the Back Benches for his tenants and the tenants we represent and for whom we fight.

Where is the hon. Member for Glasgow, Govan (Mr. Sillars)? Does he represent council house tenants? What a farce. The hon. Member for Angus, East (Mr. Welsh) said that we should not moan, because we are not here in large numbers, either. The difference between the hon. Gentleman and Labour Members of Parliament is that we have not boasted about how we would take Parliament by storm. It was the hon. Member for Govan who made that boast. He said that he intended to disrupt Parliament. As usual, when people are in misery and distress, the Secretary of State can only snigger. That is the only thing he can do when he is in trouble. Time and time again the hon. Member for Govan has not been here for Scottish debates; he has been somewhere else, writing his articles for a despicable newspaper called *The Sun*.

I hope that the Minister will resign tomorrow and fight for council house tenants in Scotland.

1.30 am

Lord James Douglas-Hamilton: The hon. Member for Glasgow, Cathcart (Mr. Maxton) is doing his best to make up for the fact that he paid me a strong tribute during a housing debate in the last Parliament, which I used in my general election material. It certainly did me no harm.

The hon. Member for East Lothian (Mr. Home Robertson) asked about variation orders. If interest rates fluctuate by only 0·2 per cent., the practice is to introduce them.

One of the most important points in the debate was raised by the hon. Members for Glasgow, Garscadden (Mr. Dewar), for Argyll and Bute (Mrs. Michie) and for Angus (Mr. Welsh). They were concerned about the hostel costs of the homeless falling on the housing revenue account. They asked why tenants should have to pay through their rents for the cost of housing the homeless. I recognise that that is a problem. I have asked the Department to write to the Convention of Scottish Local Authorities and seek its considered views on the extent to which the cost of these and similar services should be excluded from housing revenue accounts.

The possibility of any change being made to the present arrangements will require careful consideration, not only in the light of the financial implications for housing revenue accounts and for authorities' general funds but also in the light of the consequences for the delivery of the services. In those circumstances, it is only right to seek COSLA's views before making any decision.

Mr. Dewar: I welcome what the Minister has said. May I take it that at least he is prepared to consider a change, since he is consulting COSLA with a view to reviewing the Government's position?

Lord James Douglas-Hamilton: Yes, certainly.

The hon. Member for Glasgow, Garscadden (Mr. Dewar) suggested that, because some authorities in 1989-90 will not be allowed to retain or spend all the income that they receive from council house sales, the receipts will be reallocated to other authorities. That is not wholly correct, for this reason. For 13 authorities, the provisional gross housing revenue account allocation is lower than estimated receipts. Those authorities will receive more income from sales than their capital investment allocation, but in such circumstances the excess income will not be taken away from the authorities concerned; it will be used by those authorities to repay debts. That will benefit their tenants.

Because those resources will not be used for capital investment by the 13 authorities, we shall be able to allow additional investment by other authorities. Allocations will be made according to relative need across Scotland as a whole.

The provisional capital allocations for next year total £432 million. The hon. Member for Glasgow, Springburn (Mr. Martin) said that adequate resources should be made available. That figure is 11·6 per cent. more than the equivalent allocation for last year. I appreciate that that level of investment may not be as much as some authorities would like, but I believe that they will be able to make significant progress in tackling their investment needs. When we announce the allocations at the end of March, I hope that the figures that were announced in December will be increased.

Mr. McAllion: The Minister has just said that there is to be an 11 per cent. increase in capital allocations. He knows full well that in the case of Dundee district there has been a 50 per cent. reduction. Can he explain that discrepancy?

Lord James Douglas-Hamilton: I intend to deal with the hon. Gentleman's constituency in a moment.

The hon. Member for Springburn said that local authorities have been obliged to cut the number of repairs.

[Lord James Douglas-Hamilton]

Obviously, it is for each authority to decide how much it should spend on management and maintenance, balancing it against the rent levels that it is prepared to set.

On the points raised by the hon. Member for Dundee, East (Mr. McAllion), the actual sums allocated to Dundee are much higher than he suggested. I will find the exact figures in a moment and give them to him. In any case, I will make certain that he receives them.

In his spirited address, the hon. Member for Motherwell, North (Dr. Reid) suggested that there is nothing in the orders for Motherwell. Our policy is to see resources for housing concentrated on capital expenditure. The provisional HRA capital allocation for Motherwell, which was issued in December, is 16·9 per cent. higher than the figure for 1988-89, which was issued at the same time a year earlier. It is up from £13 million to £15·2 million. We will certainly not forget the interests of Motherwell.

I was asked about Glasgow. The hon. Member for Edinburgh, South (Mr. Griffiths) asked why Edinburgh was getting no subsidy and Glasgow was getting £28 million. Glasgow received subsidy because it has an outstanding capital debt of £5,577 per house. Edinburgh has an average outstanding capital debt of £4,185. Therefore, Edinburgh has about £2·50 per house per week lower loan charges. The situation is not comparable, because Glasgow is the largest public sector landlord in western Europe.

Mr. Nigel Griffiths: Will the hon. Gentleman give way?

Lord James Douglas-Hamilton: No, I am sorry, but I shall not give way. I have only two more minutes.

The hon. Gentleman mentioned the backlog of repair grants. The extra £22·5 million that we have allocated to Edinburgh for 1989-90 on the non-HRA block will allow more than half the remaining backlog—a considerable amount of it in his constituency, to be dealt with in the coming year.

I am glad to have been able to find the information for the hon. Member for Dundee, East that I could not find earlier. The Department calculates that Dundee needs to have an average rent rise of £1·03 per house per week. That excludes the effect of covenant agreements that Dundee district council took on, knowing that the cost would not be eligible for subsidy and would have to be borne by tenants. The hon. Gentleman actually used the phrase "a day of reckoning". Moreover, Dundee's provisional capital allocation of £17·4 million is 14·5 per cent. higher than the corresponding figure for last year.

Mr. McAllion *rose*——

Lord James Douglas-Hamilton: I shall not give way. I have only one more minute.

The hon. Gentleman must compare like with like. The figure is up on the allocations for last year, and the final allocations will be made in March.

I stress that a further 8 per cent. has been allocated to local authorities' capital allocations in 1989, making a total of £445 million available for capital expenditure on local authority housing this year. In other words, allocations are up by 95 per cent. over four years. More local authorities' dwellings were improved in 1987. Over 73,000——

It being three hours after the commencement of proceedings on the motion, MADAM DEPUTY SPEAKER *put the Question, pursuant to Order [20th January].*

The House divided: Ayes 148, Noes 67.

Division No. 45] **[1.38 am**

AYES

Alexander, Richard
Alison, Rt Hon Michael
Amess, David
Amos, Alan
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Tom *(Hazel Grove)*
Ashby, David
Aspinwall, Jack
Atkins, Robert
Baker, Nicholas *(Dorset N)*
Batiste, Spencer
Benyon, W.
Bevan, David Gilroy
Biffen, Rt Hon John
Bonsor, Sir Nicholas
Boswell, Tim
Bottomley, Peter
Bowden, A *(Brighton K'pto'n)*
Bowden, Gerald *(Dulwich)*
Bowis, John
Brazier, Julian
Bright, Graham
Buck, Sir Antony
Burns, Simon
Burt, Alistair
Butcher, John
Butler, Chris
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Carttiss, Michael
Cash, William
Channon, Rt Hon Paul
Chapman, Sydney
Chope, Christopher
Conway, Derek
Coombs, Anthony *(Wyre F'rest)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon John
Cran, James
Currie, Mrs Edwina
Davies, Q. *(Stamf'd & Spald'g)*
Davis, David *(Boothferry)*
Day, Stephen
Devlin, Tim
Douglas-Hamilton, Lord James
Dover, Den
Durant, Tony
Fairbairn, Sir Nicholas
Fallon, Michael
Favell, Tony
Fenner, Dame Peggy
Fishburn, John Dudley
Forman, Nigel
Forsyth, Michael *(Stirling)*
Forth, Eric
Franks, Cecil
Freeman, Roger
French, Douglas
Gale, Roger
Garel-Jones, Tristan
Gill, Christopher
Goodson-Wickes, Dr Charles
Gow, Ian
Greenway, John *(Ryedale)*
Gregory, Conal
Griffiths, Peter *(Portsmouth N)*
Grist, Ian
Hamilton, Hon Archie *(Epsom)*
Hamilton, Neil *(Tatton)*
Hanley, Jeremy
Hannam, John
Hargreaves, A. *(B'ham H'll Gr')*
Hargreaves, Ken *(Hyndburn)*
Harris, David
Hayes, Jerry
Hayward, Robert
Heathcoat-Amory, David
Hind, Kenneth
Holt, Richard
Howarth, Alan *(Strat'd-on-A)*
Howarth, G. *(Cannock & B'wd)*
Hunt, David *(Wirral W)*
Hunt, John *(Ravensbourne)*
Hunter, Andrew
Irvine, Michael
Jack, Michael
Janman, Tim
Jones, Gwilym *(Cardiff N)*
Jones, Robert B *(Herts W)*
King, Roger *(B'ham N'thfield)*
Knapman, Roger
Knight, Greg *(Derby North)*
Knowles, Michael
Lawrence, Ivan
Lightbown, David
Lilley, Peter
Lord, Michael
Lyell, Sir Nicholas
McLoughlin, Patrick
McNair-Wilson, Sir Michael
McNair-Wilson, P. *(New Forest)*
Malins, Humfrey
Mans, Keith
Maples, John
Martin, David *(Portsmouth S)*
Mayhew, Rt Hon Sir Patrick
Meyer, Sir Anthony
Miller, Sir Hal
Mills, Iain
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David
Morrison, Sir Charles
Moss, Malcolm
Neubert, Michael
Nicholls, Patrick
Norris, Steve
Page, Richard
Paice, James
Peacock, Mrs Elizabeth
Porter, David *(Waveney)*
Raffan, Keith
Rathbone, Tim
Redwood, John
Rifkind, Rt Hon Malcolm
Sackville, Hon Tom
Speller, Tony
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Thompson, Patrick *(Norwich N)*
Thurnham, Peter
Tredinnick, David
Trotter, Neville
Twinn, Dr Ian
Waddington, Rt Hon David
Walden, George
Walker, Bill *(T'side North)*
Waller, Gary
Wardle, Charles *(Bexhill)*
Watts, John
Wells, Bowen
Wheeler, John
Whitney, Ray
Widdecombe, Ann

Wilshire, David
Wolfson, Mark
Wood, Timothy
Yeo, Tim

Tellers for the Ayes:
Mr. David Maclean and
Mr. Stephen Dorrell.

NOES

Adams, Allen *(Paisley N)*
Barnes, Harry *(Derbyshire NE)*
Beith, A. J.
Bray, Dr Jeremy
Brown, Gordon *(D'mline E)*
Brown, Ron *(Edinburgh Leith)*
Buchan, Norman
Campbell, Menzies *(Fife NE)*
Canavan, Dennis
Clarke, Tom *(Monklands W)*
Clay, Bob
Clelland, David
Cohen, Harry
Cook, Robin *(Livingston)*
Cryer, Bob
Darling, Alistair
Dewar, Donald
Dixon, Don
Doran, Frank
Douglas, Dick
Eadie, Alexander
Foster, Derek
Galbraith, Sam
Godman, Dr Norman A.
Graham, Thomas
Haynes, Frank
Henderson, Doug
Home Robertson, John
Hood, Jimmy
Hughes, John *(Coventry NE)*
Hughes, Robert *(Aberdeen N)*
Ingram, Adam
Kennedy, Charles
Lamond, James
Lewis, Terry
McAllion, John
Macdonald, Calum A.
McFall, John
McKay, Allen *(Barnsley West)*
McKelvey, William
McLeish, Henry
McTaggart, Bob
Marshall, David *(Shettleston)*
Martin, Michael J. *(Springburn)*
Maxton, John
Meale, Alan
Michael, Alun
Michie, Mrs Ray *(Arg'l & Bute)*
Moonie, Dr Lewis
Morgan, Rhodri
Mowlam, Marjorie
Nellist, Dave
O'Neill, Martin
Pike, Peter L.
Reid, Dr John
Robertson, George
Ross, Ernie *(Dundee W)*
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Steel, Rt Hon David
Strang, Gavin
Wallace, James
Wareing, Robert N.
Welsh, Andrew *(Angus E)*
Wilson, Brian
Wise, Mrs Audrey
Worthington, Tony

Tellers for the Noes:
Mr. Thomas McAvoy and
Mr. Nigel Griffiths.

Question accordingly agreed to.

Resolved,

That the draft Housing Support Grant (Scotland) Order 1989, which was laid before this House on 15th December, be approved.

A1 (Northumberland)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. John M. Taylor.]*

1.51 am

Mr. A. J. Beith (Berwick-upon-Tweed): I am grateful for the opportunity to raise the question of the A1 and the issues surrounding it, and I am grateful to the Minister for his presence at this rather late hour.

The A1, the great north road, has been the country's principal road for so long that it has been left behind in the motorway era. In the 1960s the combined width of the two carriageways at one point in Alnwick was barely 10ft. The years of piecemeal improvements have not produced a safe or adequate road. Indeed, in some places inadequate improvements have made it even more dangerous.

The problems are not confined to Northumberland. The notorious Yorkshire section of the A1 will still not be up to motorway standards by the end of the century, and traffic from local communities will still be dicing with death if underpasses and proper junctions are not built to separate local traffic from fast traffic. The recent improvements at Stannington in Northumberland have cost lives because turning traffic has to wait in the middle of what motorists imagine is a motorway.

The 50 mile or so stretch of the A1 in my constituency stands out for its inadequacy as one of the two main roads between England and Scotland. Virtually none of it is dual carriageway, except for a stretch that was built 40 years ago. New bypasses at Alnwick Berwick and other places are little more than country lanes and, as a result, lives have been lost. Seventeen people have been killed on the Alnwick bypass and its approaches since it was opened in 1970. Three people died in two accidents in the first two months after the Berwick bypass was opened.

Deaths and serious injuries continue. They may not come top of the grim league of national accident statistics, but to many local people they are particularly sickening because they would not have happened if this were a safer road. For most of the length of the A1 in Northumberland, there are few opportunities for safe overtaking, yet long-distance car drivers find themselves stuck behind queues of heavy vehicles crawling up steep banks and around curves.

I have argued for many years that an increase in the number of dual carriageway sections would reduce accidents by allowing queues to clear, and I welcome the acceptance of this by the Department of Transport. We look forward to the planned dualling of a section south of Alnwick, but we need much more and the whole road, including the bypasses, ought to be dual carriageway. It is the best, indeed the only, all-weather route to Scotland and should be treated accordingly. I was therefore particularly interested in reports of studies now going on which involve both the Department of Transport and the Scottish Office. On 10 January, *The Daily Telegraph* claimed that the Department

"is seeking a new route for the A1 across the English-Scottish border".

It is difficult to imagine where that route could be, given the terrain. The Scottish Office is studying,

"all main roads south of Edinburgh"

and an announcement on that is expected.

Mr. John Home Robertson (East Lothian): The hon. Gentleman may be interested to know that this report

[Mr. John Home Robertson]

from the Scottish Office about a road south of Edinburgh has been eagerly awaited for months. I have been able to obtain figures which show that 283 injuries and 25 deaths have occurred in accidents over a three-year period on the five-mile stretch of the A1 in Scotland. Does he agree that the time has come to provide a dual carriageway for the missing link all the way from Musselburgh to Morpeth?

Mr. Beith: I agree with the hon. Gentleman. He and I share a great deal of experience of that road on both sides of the border, and that confirms us in the view that we have expressed.

What do these reports and studies by the Department of Transport and the Scottish Office mean to the A1 in Northumberland, which is a vital link between England and Scotland? I hope that the Minister can give some indication what is going on. The A1 is not only an important communication route through Northumberland; an increasing number of people earn their living from it. The Government and local councils see service industries and tourism as vital elements in creating jobs in the north-east of England and in the borders. Why does the Department of Transport go out of its way to prevent people from doing so? It seems to be running an anti-small business policy that is in direct opposition to what everyone else is trying to do. The most obvious example is in its attitude to signs. It has taken us years of struggle to get official signposting of major local tourist attractions, such as the castles along our coast.

It has taken even longer to get a system of approved signs for main services and major businesses along the road, for the cost of which those businesses are paying. What about the small hotels, craft shops, cafés and bed and breakfast establishments? The existing schemes for approved signs are simply not tailored to their needs or to what they can reasonably afford, especially when setting up a new business. Often, they resort to a neat, unofficial roadside sign. The reaction of the Department of Transport is to send out its agents, the county council, on a sign swoop in the middle of the tourist season, demanding that signs be removed, and even taking them away themselves. This is not a safety-conscious and helpful exercise, in which officials recommend better positioning of signs and clearer lettering. It is the Big Brother approach—"We run this road from London, and what we say goes." That is the tone that the Department conveys in its attitude to unofficial signs.

If the business man owns the roadside land or is friendly with the farmer who does, he can bypass the Ministry of Transport by putting a sign in the field and getting planning permission from the council. The trouble is that, along a significant section of the A1 in my constituency, the Government own most of the land, through the Greenwich hospital estates and the Ministry of Defence. In other cases, the farmer may not want to be involved, or may even be in competition with other businesses because he has a farm shop or does bed and breakfast himself, as he is not only entitled but encouraged to do under the Government's diversification proposals.

I plead with the Minister to have a more tolerant approach to unofficial signs that are neat, well positioned and useful to the passing motorist. I hope that he will not try to convince us that these signs cause accidents. The signs that do so are almost invariably the Department's metal direction signs, which are often dangerously placed, obscure sidelines and are, in many cases, ridiculously large, and, in most cases, larger than those that are required in other countries. I ask the Minister to give us a break and send the sign squad packing. There are many more useful things that those people could be doing.

Another glaring example of the Department's destructive attitude to small businesses is the saga of the Brownieside refreshment caravan at North Charlton. Not all refreshment caravans are a good thing, and some councils need to use their planning and health plans to control them. Alnwick district council is furious over the Department's attempt to close two such caravans on either side of Alnwick. It knows that closure, because of the drivers' hours limitations, will mean more heavy vehicles in the town, and it is satisfied that the caravans are well sited. The Minister wrote to me on Friday to explain why he is so determined to put Mrs. Rhoda Ewart out of business at her caravan at the layby at North Charlton.

The Minister for Roads and Traffic (Mr. Peter Bottomley): I shall respond to the hon. Gentleman's speech later, but I hope that he will withdraw, or at least internally regret, the suggestion that there is any kind of personal vendetta.

Mr. Beith: I did not suggest that there is. I am sure that if the Minister ever met Mrs. Ewart, he would be enthusiastically supporting her cause. I am saying that if he continues to pursue his policies, they will put people out of business.

Mrs. Ewart keeps the layby in which she has her business scrupulously clean and tidy. When I called there this morning, lorry drivers expressed amazement and disgust at the Minister's attitude. I think that he has been badly advised, and I suggest that he takes a look for himself. In his letter, he says, that visibility at the junction is "less than desirable". It is actually much better than average for the A1 and very much better for heavy vehicles than the difficult turning to the service area at North Charlton, which the Minister seems to think is safer.

I wish that the Department's officials would stop passing the buck to the county council, which is merely its agent, and which, if questioned, will always pass the buck straight back to the Department of Transport. Nobody seems to be prepared to take the responsibility. In his letter, the Minister claims to be acting on the county council's advice, but at a recent stormy meeting with Alwick district council, the Department of Transport's official, Mr. Poulson, took the lead. He was quoted as saying that the Secretary of State believes that these caravans increase the accident problem because they attract people. If there were no people, we would not need any roads. There is no record of any accidents caused by the caravans. It is on the sections of the road the Department of Transport officials have designed to be safe that the fatal accidents have happened, not where these refreshment caravans are. Once again, bureaucracy has taken over from a proper assessment of the needs of people on the spot.

I will give the Minister details by letter of the errors in the advice he has been given and I hope that he will look at the matter again. In doing so, I hope that he will bear out his intervention when he said that he is concerned that

there should not be an attack on any one business. If he looks at the matter again, I am sure that he will want to review the decision.

I plead with the Minister to reconsider his instructions that all litter bins should be removed from lay-bys, except those with special facilities. Many people travelling long journeys are not willing to keep banana skins, chip papers and other rubbish in their cars and the absence of litter bins is an invitation to careless dumping. Some of it causes serious problems for farmers when small polythene bags blow into fields in which cattle are grazing. As soon as one crosses the border into Scotland different rules seems to apply and litter bins are available. Why is there a difference in policy on either side of the border on the same road?

The once proud great north road is now out of date in relation to modern traffic speeds and modern road standards. The Department's attitude to the growth of small businesses along it is equally out of date and does not fit the climate of small business growth and tourism and certainly does not fit an enterprise culture. It is vital to both nations—England and Scotland—to the north-east and to the borders that we should have a great north road for the next century and that enterprise is given a chance to flourish alongside it. It should be a safe route and a corridor of success.

2.1 am

The Minister for Roads and Traffic (Mr. Peter Bottomley): The hon. Member for Berwick-upon-Tweed (Mr. Beith) has shown what a pity it is that his party picked another person to lead it. I shall disagree with one or two of the things said by the hon. Gentleman, but he has shown that he can master his brief rather better than some of his colleagues and that he can speak in an engaging way, even though what he says is not always consistent with what he said five minutes before. He is a good constituency Member of Parliament and we would have liked to see him as the leader of his party, because he would have done it better. Good party leadership is good for the country.

I am not saying that the hon. Gentleman's party should return to partial government, because when it formed part of the Lib-Lab pact it was part of a gang that managed to halve national road spending in the five years from 1974-79. One of the reasons why fewer roads have been built than many would have liked to see—than even the last Labour Government would have liked to see—is that the economy was in such a mess that we had to wait for a change of Government to bring about growth in the economy and the improvements—with some difficulties—that have made it possible to increase the road spending programme.

I welcome what the hon. Gentleman said about the great north road. There is a great deal to be said for getting some good names back for our roads, and the great north road is one of the best, whether it is being used by an enormous amount of traffic or by a reasonable amount of traffic. Through Northumberland, the road is generally used by a reasonable amount of traffic. I am glad that there are joint studies between the Scottish Transport Department and the Department of Transport in England. We should have a route without discontinuity at the border. That is important as we move from the hon. Member for Berwick-upon-Tweed's constituency to the constituency of the hon. Member for East Lothian (Mr. Home Robertson). I am sorry to see that there are no Scottish nationalist Members present to look after their constituents' interests.

Mr. Home Robertson: I am here.

Mr. Bottomley: I have already paid tribute to the hon. Member for East Lothian.

We look forward to the conclusions on the joint studies. It is too early to comment now.

The hon. Member for Berwick-upon-Tweed talked about dangers. The first part of his speech was about cutting casualties. The second part of his speech said that perceptions of road risks are not as important as signs and in the later part of his speech he seemed to be an enthusiast for informal signs by the side of the road. Even with what I gently call the "reasonable" traffic flows on the A1 in Northumberland, he should accept that our policy of having reduced signing wherever possible is one of the reasons why Britain has the safest roads in relation to population, in the motorised world. Not only do we have the safest roads, but they have been becoming safer, faster.

I was pleased to see that the figures for the third quarter of 1988 show that the number of people killed or seriously injured has been reduced by 6 per cent. The same sort of improvement was achieved during the previous year even though traffic growth was 4 per cent. a year for each of the past two years.

I pay tribute to many motorists, but 95 per cent. of the crashes and collisions that take place, leading to 300,000 people a year being injured and 5,000 being killed, are in substantial part the result of human error. Many new roads are intrinsically much safer than those that they replace, but they are potentially risky during their first few months of use as motorists become used to them. Someone who has driven through a village or town at a relatively slow speed, being within a built-up area, will sometimes start to use a bypass as though it is a race track. There are accidents on race tracks, and sometimes accidents take place on new roads. Whenever I am involved in cutting a tape to mark the opening of a new road, I welcome its construction but advise users to exercise care and caution while they are getting used to the road's new features.

The hon. Member for Berwick-upon-Tweed half alluded to the fact that, on the A1 in Northumberland, the injury rate is about two thirds of the average for that type of road. Given the bypasses that have been built and some of the improvements that are planned, the rate is better than average, but that is not good enough. The numbers of those who die, those who are seriously injured and those who are slightly injured are too high. My right hon. Friend the Secretary of State has set a target of reducing the number of those killed or seriously injured by one third by the year 2000.

The House will have the opportunity of considering a Bill that is to be promoted by the hon. Member for East Lothian. Without commenting on its merits, it will be one of the few occasions during the past three years when an hon. Member has introduced a Bill that is designed to improve adult safety. A measure was introduced last year dealing with child restraints in cars, and, with the building of new roads and adapting the behaviour of drivers, we are trying to reduce the number of casualties. That is often the reason for having new roads, but we recognise also the importance of environmental improvements that can be gained by taking through traffic out of residential areas.

[Mr. Bottomley]

New roads can often lead to more jobs. If we can change the economic geography of a region by introducing better communications, either by new roads or by rail, we can serve the local people better.

One advantage of having more than one highway authority is that there is more than one approach, which means that results can be compared. Litter bins have been removed from most trunk roads because road users do not confine the litter that they place in a bin to that which is generated during a journey. They tend to take with them boxes and plastic sacks, or beds, for example, and leave them lying around. The result is that polythene bags are to be found in many agricultural areas. They are blown by the wind and scattered over considerable distances. They are eyesores around a lay-by where litter bins are still to be found.

The experience that we have gained from pilot studies is that the amount of litter is less when litter bins are removed. That sounds like a paradox, but that is the evidence. It may be that, as we move through the 100 km of Northumberland on the A1, we shall find that there is more of a Scottish pattern. Perhaps the people of Scotland take less waste out of their houses to take in their cars to a lay-by than the people of England. Scottish people may not open the boot and dump many other items apart from the waste that has been generated during their journey, but it is always open to local authorities in England to embark on more amenity cleaning. If the hon. Members for Berwick-upon-Tweed or for East Lothian would like to have more information on litter bins, I shall happily send it to them.

When I came to the Department of Transport, there needed to be a traffic flow of about 18,000 vehicles a day before consideration would be given to dualling. I am pleased that, during my time, it has been possible to start considering it where there is a flow of about 11,000 vehicles a day. That does not mean that a road with such a flow will automatically be dualled. Consideration can be given to dualling, however, where there is a flow of that sort. It would be wrong to go for dualling at Alnwick, where the traffic flow is about 6,000 vehicles a day, or at another place on the A1, where the flow is below 4,000. Where we count flows of about 15,000 vehicles a day it is possible to consider dualling—on some stretches we already have it.

Where it is possible to have low-cost remedial measures, we take them. We are keen to find out where more local problems exist. The hon. Gentleman referred to the mis-siting of traffic signs. If we have not got it right, we shall reconsider. I ask the hon. Gentleman to let me or the regional office know about what he or the local council regards as a wrongly sited sign, such as where sight lines are obscured for no good reason. I shall ensure that such examples are looked into. That type of detailed knowledge is of value to us and it shows the merits of single-Member constituencies, as one person can take a keen interest in where signs are planted.

The hon. Gentleman's real point is that there are further opportunities for improving the great north road up through Northumberland. He will agree that there are opportunities further south as well. He spoke about the A1 through Yorkshire. Nobody can be satisfied with the rate of improvement, but I hope that the hon. Gentleman will join my club and say that we should get the A1 improved before we think of building an extension of the M11 to the Humber bridge and beyond, as an alternative route to Yorkshire. The A1 is the great north road, and must take priority. Although it is now all wider than 10 ft., it has a long way to go.

My right hon. Friend the Member for Huntingdon (Mr. Major) spoke about the A1 today. As it was not in a Lobby, I think that I can regard what he said as not totally confidential. He is keen for the A1 in that part of the world to be improved. I know that Yorkshire Members are as well. I pay tribute to the staff of the Department of Transport in many regions who are trying to tackle the problems of the A1. I hope that the whole House agrees that it is important to try to get the priorities right. That does not necessarily mean spending all the money on getting the greatest traffic flows. We must get the right balance so that we get measurable benefits in terms of time saving for people who obey the speed limits.

We can give quantifiable relief to many people who are affected by through traffic. The growth of traffic during the past 40 years has meant that many villages and towns have been separated by a fairly constant flow of heavy traffic. That is the point that the hon. Gentleman was getting at. He spoke about saving lives. He and I are aware that, today, 14 families received a knock on the door from a policeman announcing that a father or mother, husband or wife, or son or daughter would not come home again because they had died in a road crash.

It is no comfort to learn that in France, for example, the figure would be nearly 30, and that in Germany it would be about 20, for the same population. Even if we are about the best in the world, there are dramatic improvements to be made. They will come, partly, by having better roads which allow people to make fewer mistakes and render the mistakes that are made less damaging than when there is competition and conflict in a built-up area or a narrow road.

I would like to put in a plea to local people when a road has been included in the roads programme. When the highway authority, whether the Department or the county, asks for public views, people should try to anticipate whether they think the road is necessary. If they think that it is, they should try to resolve—after proper consultation—which is the best route, so that the road can be built more quickly. We are trying to reduce the time between entry into the programme and public consultation by years, if at all possible. After public consultation, we can move forward to the draft order stage and get the necessary public inquiry through without undue delay. It is possible to bring forward the benefits of new roads, as the hon. Gentleman said, that is one way to save lives.

Northumberland is not the easiest county in which to build roads. The hon. Gentleman expressed some surprise at rumours that there might be a new route across the border. I hope that, where a new road is on the margin of being built as a dual carriageway, we can find ways of making some of the structures fit for a widened road so that, when extra traffic is generated, it is possible to expand the capacity of the road instead of being prevented from doing that because the structures were only planned for the 15 or 30 years that were easily foreseeable. However, that is not a promise that every structure will be built for a dual carriageway, but we must try to take into account Northumberland's topography.

I pay tribute to the hon. Gentleman for the way in which he made his speech. Life is not quite as simple in

roadside trading as is sometimes suggested. It is not necessarily sensible to allow a proliferation of signs for small businesses. I hope that the Department can continue to be flexible so that the rules which apply to a motorway carrying 120,000 vehicles a day are not necessarily applied to a road carrying 10,000 a day. We need some consistency in making road safety a priority.

If it is possible to find ways of meeting some of the needs that the hon. Gentleman has suggested should be met, either in terms of stopovers for lorry drivers or for signs for small businesses, I hope that we can play our part. In turn, I ask the hon. Gentleman to recognise that a forest of signs or lay-bys providing refreshments in a slightly unplanned way, is not necessarily the best way to serve the travelling public, whether in commercial vehicles or cars. It is not necessarily the best way to get the jobs which some refreshment sites can offer. The hon. Gentleman should continue to consult the county council and local councils to see whether there are better ways to make provision instead of testing the safety of any particular site as has happened in the past.

Mr. Beith: The Minister's confidence in the Government's ability to plan for people's refreshment requirements is politically inappropriate and not borne out by experience. Many people involved in roadside businesses who want signs, would be willing to co-operate if the advice to them was, "Please put signs in a more sensible position and please only one sign." A strategic look at the A1, of a kind that the Minister has not referred to so far, will be necessary. Traffic flows on the A1 would increase greatly if it was of a quality to attract traffic off less suitable roads and if it stimulated the economic development which the area needs.

Mr. Bottomley: The hon. Gentleman is absolutely right. That is one of the reasons why I normally get it in the neck for saying that I do not intend to spend taxpayers' money to allow more people to give up their British Rail season tickets to commute into central London by car. It may also be one of the reasons why someone else will be answering the next Adjournment debate on transport matters. I can think of many good reasons for building roads in some very busy areas. However, to build them simply to allow more regular journeys into the centre by car is not terribly sensible.

We are very keen to look strategically at the A1 in Northumberland. We have put forward additions to the roads programme, and they are likely to come one by one. I hope that the hon. Gentleman will welcome them.

Question put and agreed to.

Adjourned accordingly at eighteen minutes past Two o'clock.

House of Commons

Tuesday 24 January 1989

The House met at half-past Two o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

PRIVATE BUSINESS

BRITISH RAILWAYS (PENALTY FARES) BILL *[Lords]*

Order for Second Reading read.

To be read a Second time on Thursday 26 January.

CONTINGENCIES FUND 1987-88

Ordered,

That there be laid before the House accounts of the Contingencies Fund, 1987-88, showing the receipts and payments in connection with the Fund in the year ended 31st March 1988, and the distribution of the capital of the Fund at the commencement and close of the year; with the Report of the Comptroller and Auditor General thereon.—*[Mr. Norman Lamont.]*

Oral Answers to Questions

HEALTH

General Practice (Cash Limits)

1. **Mr. Hayes:** To ask the Secretary of State for Health what plans he has to cash-limit general practice; and if he will make a statement.

The Secretary of State for Health (Mr. Kenneth Clarke): My objective is to achieve a good quality service for patients and value for money in general practice, as in the rest of the National Health Service. My hon. Friend may wish to await our proposals for the whole of the NHS which will be published shortly.

Mr. Hayes: As I am sure that my right hon. and learned Friend appreciates the importance of general practitioners giving value for money to the patient and the taxpayer, will he take into account that they also act as a helpful safeguard—a safety valve—for a cash-limited hospital sector, which makes it important that there be the absolute minimum of Treasury interference?

Mr. Clarke: General practice is the key to a great deal of the British Health Service's success. The general practitioner is the first person to whom a patient looks for advice for himself and his family. The general practitioner is the gatekeeper to the rest of the Health Service, deciding on referrals to the most suitable part of the service. I certainly accept the value of general practice and I am sure that our proposals, when published, will underline its crucial role and seek to support general practitioners in carrying it out.

Ms. Harman: How does the Secretary of State answer patients' justifiable fears that when general practitioners are kept to fixed budgets they will limit patient care so as to keep within the budget? Will not doctors give treatment to suit the budget rather than treatment that suits the patient, and what happens if the money runs out?

Mr. Clarke: At the moment, I am telling people with hypothetical fears about hypothetical proposals that they should wait for our full proposals to be published, together with the supporting arguments, which I am sure will set the hon. Lady's fears at rest.

Mr. Ian Bruce: Does my right hon. and learned Friend agree that the low percentage of GDP that we spend on our excellent Health Service is a measure of the value that we receive from general practitioners and their cost-effectiveness in delivering health care? Can he assure me that after the review of the NHS the general practitioners will play a leading role in delivering services to their patients?

Mr. Clarke: I agree with my hon. Friend's first point and I shall try to match up to his hopes on the second point. We have a pretty cost-effective service. One reason for that is the fact that general practitioners refer people, thus making the best use of the hospital service. I much prefer our system to that which prevail in other countries, where patients are expected to have individual specialists for whatever complaint they think that they have, and thus go to the part of the service that they judge best, without professional advice.

Junior Doctors

2. **Ms. Armstrong:** To ask the Secretary of State for Health what information he collects from district health authorities concerning the contracted hours of work of junior hospital doctors; and from what date such information has been collected.

The Minister of State, Department of Health (Mr. David Mellor): Information has been collected each year since 1976 on the number of contracted hours of duty for each junior hospital doctor in England and Wales. Contracted hours comprise hours of work and hours on call. They fell from an average of 91·3 hours in 1976 to 85·7 hours in 1986.

Ms. Armstrong: In the light of the grave concerns that junior hospital doctors are expressing about their ability properly to carry out their role, what reassurance can the Minister give to patients that their lives and future are safe in those hands?

Mr. Mellor: The hours that junior doctors work are determined by the heads of their clinical teams. A key part of the judgment of those who determine those hours is to ensure that the doctor carrying out the duties is capable of so doing. However, the Government are dissatisfied with the situation in which a significant minority of junior hospital doctors are expected to work and to be on call for far too many hours. Last June my predecessor asked each district to set up a working party, consisting largely of doctors, to eradicate any scheduling worse than one in three. We are in the middle of that exercise, but the evidence that we are receiving from the regional health authorities suggests that further reductions are being made as a result of that initiative. The working party is on course to report fully by the end of September.

Dame Jill Knight: Can my hon. and learned Friend confirm that not all specialties involve long hours for junior doctors in hospitals? Some are not really very bad. Secondly, is he aware that it has been put to me by professional concerns that because doctors' qualifications often depend on the hours worked in certain specialties, if the hours are shortened the time before qualification is likely to be much longer?

Mr. Mellor: I am grateful to my hon. Friend for introducing into the debate certain points that have sometimes been missed. First, although junior doctors' hours are undoubtedly onerous throughout the service, it is a minority who work the hours that we all agree to be excessive. The last study carried out on the average number of hours worked in different specialties revealed that the average hours of work for a junior doctor in psychiatry were 46 hours per week, but in general surgery the figure rose to 67 hours per week, which is obviously very high. As my hon. Friend says, a key part of junior hospital doctors' training takes place on the ward, where they see difficult cases being treated. Plainly, any action taken to reduce the number of hours that junior doctors work must take into account the need for them to gain experience and to be capable when they become consultants—we hope that most will become consultants by their late thirties—of dealing with a wide range of problems.

Mr. Fearn: Is the Minister aware that nowhere is it laid down that junior doctors must work so many hours continuously? I stress the word "continuously". We know about the average figures, but it is the word "continuous" in which I am interested. Continuous working must detract from performance. Is the Minister taking any steps to stop continuous working?

Mr. Mellor: As the hon. Gentleman knows, we are in the middle of our initiative with a working party, consisting mainly of doctors, in each health district. We must see how that works out. The preliminary indications are that that is causing a reduction in the most onerous shifts in each region. The hon. Gentleman has made an interesting point about the number of hours that a person works, or during which he is on duty continuously, and whether that should be regulated. That is one of the matters that we have in our minds at present.

Mr. Ward: Does my hon. and learned Friend agree that the word "average" is a little suspicious because it implies that many people are working a good deal more than the average as well as the fact that others are working a good deal less? Does he agree that many constituents are complaining that some of the doctors have established their case? I hope that he will proceed with all vigour to do something about this. I should like to draw attention to an article in *The Evening Standard*——

Mr. Speaker: Order. This is Question Time.

Mr. Mellor: The last time that a major sustained effort was made to reduce the extremely onerous shift patterns of some junior doctors was in 1982 and it resulted in a 30 per cent. reduction in extreme shifts. We hope to achieve a similar result or even an enhanced rate of progress with the present initiative. My hon. Friend should be aware that some of the difficulties are structural. The NHS must offer 24-hour cover in every hospital unit throughout the land. Some of the ways in which junior doctors' hours could be cut—by rationalising services in each district on to one site, for example—would lead to equal concern among hon. Members if that meant that smaller hospital units had to be closed.

Mr. Robin Cook: If the Minister is so dissatisfied with the excessive hours of junior hospital doctors, why do the Government propose to resist tomorrow the Bill introduced in another place to reduce those excessive hours to 72 per week, which many doctors still regard as excessive? How can it be right to limit the hours for which lorry drivers can drive and airline pilots can fly, but wrong to limit the hours during which junior doctors can carry out complex medical treatment? If the hon. and learned Gentleman expects the House to take seriously his commitment to reducing those excessive hours, will he assure the House that he will withdraw the circular that he issued only last November requiring junior doctors to cover for colleagues on sick leave and thus work even longer hours than at present?

Mr. Mellor: The hon. Gentleman is seriously in error if he thinks it a legitimate criticism of Ministers that we should be taking steps to prevent the expansion of a system whereby the NHS is obliged to pay £900 per week for the services of locum doctors from private agencies. The hon. Gentleman should look for a golden thread of principle to run through his representations. It does not seem to be there in this instance.

The hon. Gentleman is excessively simplistic for a man of his supposed sophistication if he thinks that a parallel can be drawn between a lorry driver who can pull off a motorway into a lay-by when his hours of duty have expired and the need for the NHS to offer 24-hour cover in every one of its hospital units. My right hon. and learned Friend the Secretary of State has made it clear that he believes that a work pattern of 72 hours is an acceptable long-term basis, but immediate statutory intervention is far too simplistic to deal with the complex problem.

NHS Review

3. **Mr. Allen:** To ask the Secretary of State for Health when he anticipates making a statement to the House on the National Health Service review.

6. **Mr. Macdonald:** To ask the Secretary of State for Health what representations he has received concerning the Government's review of the National Health Service.

12. **Mr. Squire:** To ask the Secretary of State for Health if he will include the abolition of the regional health authorities in his review of the National Health Service.

18. **Mr. Blunkett:** To ask the Secretary of State for Health if it is his intention to bring forward proposals to remove local authority representatives from district health authorities.

20. **Mr. Yeo:** To ask the Secretary of State for Health what representations he has received regarding the working of the internal market of the National Health Service.

Mr. Kenneth Clarke: I shall be publishing a White Paper on Tuesday 31 January. I shall make a statement on that day.

Mr. Allen: Is the Secretary of State aware that Nottingham district health authority which covers my constituency of Nottingham, North, as well as his own constituency, meets on Thursday? Will that be the last ever meeting at which there is local authority representation on the health authority? Is the right hon. and learned Gentleman aware that the health authority is underfunded by £8 million, even on his own reckoning? Will he use the review to put that money back into the health authority or will the review be used to fiddle the figures and get rid of the RAWP formula?

Mr. Clarke: Nottingham health authority, like all the others, is a statutory body and legislation would be required to change its composition or its powers. The hon. Gentleman quoted the figure of £8 million. That is the target for the spending set under the RAWP formula, and one to which the region is much nearer than it has ever been before. The target is not any measure of underfunding—the hon. Gentleman is misusing the figure when he quotes it in that way. It is a target towards which the Government have moved the health authority rapidly.

There has been a huge growth in the resources going to Nottingham health authority over the past few years, not least because of the Government's consistent policy of sharing resources more fairly across the country and making sure that they are provided more equally than they used to be.

Mr. Macdonald: Does the Secretary of State appreciate that the National Health Service spends less of its budget on administration and bureaucracy than Marks and Spencer does? Is he committed to maintaining that level of efficiency? If so, will he give a categorical assurance that as a percentage of the National Health Service budget administrative and bureaucratic costs will not increase once the review proposals are implemented?

Mr. Clarke: I am not responsible for Marks and Spencer, so I cannot make the instant comparison that the hon. Gentleman seeks to make. We need a non-bureaucratic and effective management system. Many of the figures bandied around about administrative costs of the National Health Service are not always what they appear because they tend to include only the staff costs of the health authorities which are, of course, just a small proportion of all the administration that goes on in hospitals and units throughout the country.

Mr. Squire: Does my right hon. and learned Friend accept that many people are concerned about the continuing high cost of bureaucracy in the Health Service and that many, if not all, of the powers currently exercised by the regional health authorities could be devolved to the district authorities if not to the hospitals? If the Department of the Environment can negotiate successfully with 400 local authorities, presumably my right hon. and learned Friend's Department can manage with fewer than 200 district authorities.

Mr. Clarke: What we want is good quality decision-making and the right choice of priorities and that needs clear lines of management responsibility and accountability. We want good, effective management involving all the people in the Health Service and no bureaucratic systems at all. My hon. Friend will have to judge our proposals when he sees them in the White Paper. I agree with his instincts that the best decision-making is often taken at the lowest level in large organisations and in this case it should take place as near as possible to the place where the patient has to be treated.

Mr. Blunkett: Just in case I am accused by *The Guardian* of reading my question, as I was last Friday, I shall put my notes down on the Bench.

Will the Secretary of State confirm that, if the press speculation is correct, he believes that elected members at local level interfere politically with the management process? If he believes that, does he agree that that applies at national level and that if he removes elected members who are accountable at local level the first elected member who should be removed from interference with the Health Service is himself?

Mr. Clarke: I sympathise with what the hon. Gentleman says about reporting in *The Guardian*. It is because we have such experiences that I do not always answer questions which begin, "If speculations in the press are to be believed". I ask the hon. Gentleman to wait until he has read the White Paper proposals and the arguments in favour of them. I should then be grateful for his contribution and comments on the arguments.

Mr. Yeo: Does my right hon. and learned Friend agree that the introduction of a more free internal market within the NHS would contribute, first, to a reduction in waiting lists in some areas and secondly, to keeping the costs of treatment down; and, thirdly, would enable those doctors and nurses who are particularly good at providing certain kinds of treatment to offer their skills for the benefit of a larger number of patients?

Mr. Clarke: There is now widespread interest in the concept of internal markets inside the NHS. The Government's review team has probably taken the work on internal markets and the possibility of turning that idea into a practical reality further than most other groups.

The point of interest in this subject is exactly as my hon. Friend says. We are seeking methods whereby money can move to those places where it will be used most effectively on behalf of the patients, so that where good quality care is being given by hospitals in response to the demands of GPs and their patients the resources will follow quickly and directly and people will have the incentive to do more.

Mr. Gill: What assurance can my right hon. and learned Friend give the House that under the terms of the review urgent attention will be paid to the important aspect of putting managers in a position to manage without the unnecessary constraints of bureaucracy?

Mr. Clarke: That must be an important aim in strengthening the NHS. We want everyone in the Health Service—managers, doctors, nurses and others—to be in a position to take clear, quick decisions in the interests of the patient. At the moment, as we all know, that clear, quick decision-making and choice of priority is not always made and the system is certainly capable of some improvement.

Mr. Rowlands: If the review is meant to cover the question of contracts for consultants, will it also cover the abuse that appears to be taking place whereby those consultants are recruiting their private patients from long waiting lists, particularly in the hip section and the ear, nose and throat section?

Mr. Clarke: Waiting lists are shorter than they used to be and we are making progress in bringing down waiting times. The waiting times initiative has already enabled 200,000 extra in-patients and 120,000 extra day cases to be treated. The key is waiting times. I can assure the hon. Gentleman that the Government are determined to put a great deal of effort into getting waiting times down to more acceptable levels in areas and specialties where they are excessive, although in a great deal of the service and in many specialties there are no longer excessive waiting times and I am glad to say that we are making substantial progress.

Mr. Atkinson: Will my right hon. and learned Friend's White Paper next week also include his response to the Griffiths report on community care and if not, when we can expect that response?

Mr. Clarke: No, it will not, but we owe the House and Sir Roy Griffiths and his colleagues a response to their report. It is an important subject and I hope to come forward with the Government's conclusions in the not too distant future.

Mr. Robin Cook: Has not the Secretary of State's White Paper now been so thoroughly leaked that it is already shot full of holes? Now that he has been good enough to give us a date for bringing forward his White Paper, will he tell us when he intends to respond to the Griffiths report which has been gathering dust for almost a year? Does his White Paper say anything about community care for the elderly? Does he recognise that if the only thing that his White Paper offers the elderly is a tax subsidy for private medical care it will be transparent that the only health problems he is worried about are those out of which someone else can make a profit?

Mr. Clarke: It is certainly true that there has been a great deal of speculation about the White Paper and it was predictable that the hon. Gentleman should denounce each and every proposal that he thinks we shall make. At least the knee-jerk reactions of the Labour party are now out of the way. I hope that we have cleared the ground for a serious discussion when the White Paper appears on 31 January. We shall follow it up with our reactions to and our decisions on the Griffiths proposals on community care as soon as possible.

Infant Mortality

4. **Mr. Couchman:** To ask the Secretary of State for Health what the latest available figure is for the infant mortality rate; and if he will make a statement.

The Parliamentary Under-Secretary of State for Health (Mr. Roger Freeman): The latest available annual figure for the infant mortality rate in England and Wales is for 1987, and is 9·2 deaths per 1,000 live births. That is the lowest figure since records started.

Mr. Couchman: I am grateful to my hon. Friend for that encouraging reply, but he will have received reports about the spate of cot deaths reported late last week. Such deaths are always traumatic for the parents. What steps is the Department taking to investigate the strange coincidence of six deaths within a matter of a few hours in a fairly narrow geographical area?

Mr. Freeman: I agree with my hon. Friend that they are traumatic. There is no easy answer, but over the past eight years infant mortality, which includes cot deaths, has shown a significant improvement, from about 12·8 per 1,000 to 9·2 per 1,000. I assure my hon. Friend that I will pursue an explanation for the unexplained coincidence of a number of cot deaths with the health authorities in Surrey and Hampshire.

Mr. Frank Field: Given our poor standing in the international league table for infant mortality, why are the Government content to let so many babies die unnecessarily?

Mr. Freeman: I do not accept the charge or allegation made by the hon. Gentleman. In comparing the record of this country with that of other countries one must bear in mind that we have a higher proportion of lower birth weight babies. That in turn may be due to the fact, as my hon. and learned Friend the Minister of State recently pointed out, that we have a higher incidence of teenage mothers who smoke.

Mrs. Maureen Hicks: I welcome the reduction in the perinatal mortality rates nationally, and certainly in the west midlands, but does my hon. Friend agree that that heightens the responsibility that we must show for pregnant mothers in my constituency, where I regret to say that the figure has increased to an all-time high? May I have an assurance that the Government recognise our problems and will investigate them without further ado?

Mr. Freeman: I can give my hon. Friend that assurance. The Government certainly take this seriously. Since 1980 there has been a threefold increase in the number of intensive care cots available for such cases.

Rev. Martin Smyth: Although I welcome the movement to reduce the figures, can the Minister assure us that the policy of not operating on children with heart problems who have Down's syndrome is not endorsed by the Government? They can have such treatment in other countries.

Mr. Freeman: The hon. Gentleman asked a detailed question, about which I shall write to him.

AIDS

5. **Mr. Marlow:** To ask the Secretary of State for Health to what extent AIDS treatment is made available to foreigners.

Mr. Mellor: Whether free National Health Service hospital treatment for AIDS, or any other condition, is made available is not determined primarily by a patient's nationality but by whether the person is ordinarily resident in the United Kingdom.

Mr. Marlow: My hon. Friend will have heard reports last year that almost half the HIV-positive patients in one London hospital came from Dublin. He will also know of allegations that in the Irish Republic AIDS patients are publicly named and forcibly segregated unless they leave. Will my hon. Friend undertake to the House that the British taxpayer is not spending taxpayers' money on an AIDS drain from the Irish Republic and other foreign countries?

Mr. Mellor: I know of no evidence for any such AIDS drain. Of course, I shall consider any evidence—as against assertion—that my hon. Friend might have.

Mrs. Margaret Ewing: Given that the problem of AIDS is international and that its resolution can be found only through international co-operation, does the Minister share my concern that the major work undertaken by Dr. Jarrett at Glasgow university may well be threatened by the proposed closure of the veterinary school there? Will his Department therefore join the many people in all parts of the House and from all walks of life who are trying to dissuade the University Grants Committee from following that ridiculous course?

Mr. Mellor: That was a rather contrived way of introducing a question which is for another Department to consider. If the hon. Lady feels that it is a matter for congratulation—as obviously she does—I add to the congratulations by commending her for her ingenuity, but I cannot add anything in my answer.

Mr. Alexander: While it may be regrettable that some foreigners are taking advantage of the facilities in Britain, is it not the case that AIDS is a scourge and should be dealt with wherever it is found, especially if it is found in this country?

Mr. Mellor; I am sure that that is precisely right. In fact, in accordance with international agreements, anybody who wishes to have an AIDS test while in the United Kingdom can have one. Indeed, AIDS knows no national boundaries, nor can it ever be confined within one national area or continent. We must all work together to deal with that scourge. I hope that the House has been encouraged by the compliments paid to us by Dr. Jonathan Mann of the World Health Organisation for our efforts in giving a lead in this matter.

Staff Regrading

7. **Mr. Ieuan Wyn Jones:** To ask the Secretary of State for Health if he will make a statement on the operation of the appeals procedure set up following the regrading of hospital staff.

Mr. Kenneth Clarke: These appeals are being dealt with under a long-standing general Whitley council agreement to which the nursing trades unions are a party and which they insisted should apply to the recent regrading exercise. I have asked health authority chairmen to adopt a range of measures aimed at ensuring that the appeals process works quickly and effectively.

Mr. Jones: Will the Minister tell the House to what extent his Department will make available overtime payments or extra staff, because of the increased workload of managers, regrading officers and union stewards involved in these appeal procedures? If that is his Department's intention, will he make available extra resources to cover that extra work?

Mr. Clarke: All the staff who, in some places, have to put in a considerable amount of work to handle these appeals are being paid accordingly, and in line with national agreements which we have with them. I accept that in some places the appeals process is putting a considerable extra burden on management and in some places, no doubt, on the union side, too. We understand that shop stewards are finding it difficult to keep up with the number of appeals. It is a pity that in many places nurses and midwives have been encouraged to put in appeals, regardless of the merits. I believe that everyone is slightly paying the price for the fact that the system was, I dare say, deliberately overloaded in some places. I know that everyone is trying to ensure that the process is carried out and that cases of individual mistake are corrected as soon as possible.

Mr. Neil Hamilton: Is it not the case that the vast majority of nurses and midwives are satisfied with the results of the regrading exercise and that a large number of the appeals against the decisions are politically motivated by the National Union of Public Employees and Confederation of Health Service Employees, which is using its own members—gulling and duping them and using them as their political war-horses rather than acting in their best interests by accepting what they have been given?

Mr. Clarke: I believe that my hon. Friend's assertion is self-evidently true throughout the country. He accurately describes the position of the majority of nurses and midwives. COHSE, NUPE and the Labour party have tried to stir up discontent and have tried to make political capital out of the situation. Unfortunately, by overloading the appeals procedure in some cases, they have been getting in the way of those people who have a genuine query about their grading and wish to have it sorted out by a sensible appeals process.

Mr. Canavan: Will the Minister make it clear to all health boards that enough additional resources will be made available to meet the results of successful appeals, and that the number of successful appeals will not be predetermined by the amount of money in the kitty?

Mr. Clarke: The appeals are being determined in line with the guidelines which were set out when we started. They are not in any way determined by any artificial cash limit. I am satisfied that we have funded this generous nurses' and midwives' pay settlement in full. Indeed, we funded it in full using the health authority's own figures. I do not foresee any cash problems arising as a result.

Dame Elaine Kellett-Bowman: I thank my right hon. and learned Friend for remedying the anomaly whereby fully qualified nurses when entering midwifery training were actually losing money, thus obviating the number of appeals. Will he now ensure that any charge nurse undertaking additional responsibilities—for example, moving from grade I to grade 2—will receive some salary increase at the same time?

Mr. Clarke: We certainly were flexible on some of the points which arose in our discussions on the grading structure. One of the changes that we made was to deal with the problem of midwifery students, and I am glad that my hon. Friend is satisfied with the result.

Nurses will steadily pursue their careers by moving to posts that carry heavier responsibilities. For the first time we have a career structure and a grading system for nurses which assure that, as a nurse acquires more skill and responsibility, money is targeted upon the post that he or she then occupies. I believe that most nurses look forward to the opportunities with which they are now presented.

Mr. Allen McKay: Does the Minister realise that it was disastrous to undertake the regrading exercise at the present time? Is he aware that a lot of nurses are dissatisfied and will be leaving the Health Service? Can he guarantee that payment will be retrospective? As the reviews will take years rather than months, will interest payments be paid on top of the pay awarded?

Mr. Clarke: I am sorry that the hon. Gentleman thinks that it was wrong to regrade the nursing profession and to provide the career structure that I have just described. The hon. Gentleman is criticising not only myself, the Government and the management of the NHS, but all the trade unions which were party to the regrading exercise and which, at first, welcomed the career structure that it created.

We are trying to deal with the appeals as rapidly as possible and if it turns out that any nurse was incorrectly graded when the exercise was first carried out, that post will be graded properly and any back pay due from last April will be paid to the nurse in question.

Royal National Orthopaedic Hospital

8. **Mr. Dykes:** To ask the Secretary of State for Health if he has received any further representations from relevant interested groups and individuals on the proposed closure of the royal national orthopaedic hospital's accident and emergency unit at Stanmore, Middlesex, following the Minister of State's letter to the hon. Member for Harrow, East on 22 December 1988.

Mr. Mellor: As at 18 January 1988 we had received five further representations.

Mr. Dykes: After the sad and regrettable decision to close the unit, especially as it is so close to the M1, I hope that, in future, the Minister of State will not underestimate the vital importance of keeping the rest of the hospital on its present site, if at all possible.

Mr. Mellor: Obviously, I am sorry that my hon. Friend has reservations about the closure of the accident and emergency unit. He will be aware of the pressure that we are under as a result of the report from the Royal College of Surgeons and others, to ensure that accident and emergency units throughout the country are capable of dealing with the full range of emergencies that might come to them. That means centralising on a fewer number of sites but, in fulfilling that need, I regret it if it has had the effect of damaging my hon. Friend's constituents' confidence in the service.

I am happy to tell my hon. Friend that we are absolutely committed to the continuation of the royal national orthopaedic hospital, but whether it remains on its present site is still to be determined.

Operating Theatres

9. **Mr. Colin Shepherd:** To ask the Secretary of State for Health what steps he is taking to establish the costs of operating theatre procedures.

Mr. Freeman: Information on average costs per operating hour is being provided by health authorities for the first time for the 1987-88 financial year and this will be published this summer. Our preliminary view is that such costs will be lower than the £450 per hour estimated by the National Audit Office.

Mr. Shepherd: Does my hon. Friend agree that that information is vital to enable managements to plan their operating theatre utilisation? Does he also agree that if that information was coupled with an enhanced roll-over provision for finance from one year to the next, there could be substantially better theatre planning, which would mean a reduction in waiting lists and in the costs of operations? I urge my hon. Friend to press for an improvement in the roll-over provision.

Mr. Freeman: I can hold out no hope to my hon. Friend that we will change the percentage—the ability to carry forward up to half a per cent. of the combined revenue and capital limits. I agree that there is scope for improved planning. We need better financial and management information systems and clinicians in the Health Service need to become more involved in the management of resources, including operating theatre usage.

Mr. Alton: When considering the costs involved in carrying out kidney transplants, will the Minister consider the allegation that, in the private sector, two Turkish men were paid £2,000 to provide their kidneys for transplant? What action is his Department taking to outlaw such procedures?

Mr. Freeman: The Government have made it plain that commercial trade in vital organs is absolutely abhorrent and unacceptable. I have asked Bloomsbury health authority to investigate the allegations.

Mr. Soames: My hon. Friend will have to provide information not only about costs, but waiting lists. Will he ensure that information about the excellent practices of efficient theatres is disseminated throughout the country so that those authorities that lag behind can bring themselves up to scratch?

Mr. Freeman: Yes, we shall ensure that that is done. The waiting list initiative, which will be worth £31 million in the next financial year, is likely to result in increased treatment for more than 100,000 in-patients.

Mr. Rooker: When the figures are available, will the Minister ensure that there is a health warning attached to them explaining how they are affected by operating sessions being stood down and patients being telephoned on the morning that they are due to go into hospital and being told that they cannot have their operations? By how much will such incidents affect the figures that the Minister will produce?

Mr. Freeman: About 10 per cent. of all operating theatre sessions are planned and then cancelled for a variety of reasons. The hon. Gentleman is right to draw attention to the fact that there could be better planning by health authorities, surgeons and consultants in the use of operating theatres.

Mr. Conway: Is my hon. Friend aware that the operating theatre costs at the eye, ear and throat hospital in Shrewsbury would be greatly increased if the pre-med and recovery areas were not situated in corridors? It is time that the regional health authority was sacked or made to act on this disgraceful matter.

Mr. Freeman: That is a matter for the local health authority concerned. However I assure my hon. Friend that I will pursue his point.

Mr. Galbraith: I welcome the Minister to the Dispatch Box for the first time at Health questions. Does he agree that the most important factor of an operation is not its cost but its outcome as to mortality or morbidity? In the light of the review, what are the Government's plans for collecting information on mortality and morbidity and what considerations are they giving to making that information available, and in particular to whom?

Mr. Freeman: The hon. Gentleman must await the National Health Service review for some detailed proposals. However, it is certainly the Department's policy to collect up-to-date statistics and I shall ensure that they are more regularly available to the House.

Hospital Waiting Lists

10. **Mr. Patnick:** To ask the Secretary of State for Health what the in-patient waiting list figures were for the Trent regional health authority in March 1988, 1987 and 1979.

Mr. Freeman: There were 54,900 patients on the in-patient waiting list in Trent region at March 1988. That is a 5 per cent. reduction over March 1987 when the list stood at 57,700, and 25 per cent. lower than the 72,900 patients on the list at March 1979.

Mr. Patnick: Is it not a fact that Trent regional hospital has treated more out-patients and that with extra funding even more patients will be treated? Does that not give the lie to the scare stories put about by the Opposition?

Mr. Freeman: Between 1978 and 1986 the number of in-patients treated in the National Health Service increased by 19 per cent., and in my hon. Friend's own region the increase was even more impressive as there was a 28 per cent. increase in the rate of in-patient treatment.

Mr. Janner: Is the Minister aware that the waiting lists in the Trent region remain disgracefully high? My constituent, Mr. George Brown, aged 82, who is tortured with pain so that he can scarcely sleep, has been told that he can see an orthopaedic surgeon in October, 10 months after his doctor recommended that he should see a surgeon with a view to treatment and surgery? Will the Minister please take steps to deal with that case and with other similar patients waiting in agony in my constituency.

Mr. Freeman: The hon. and learned Gentleman must take the matter up with his local health authority, but I am sure that he will welcome the initiatives that the Government have taken over the past few years and for the forthcoming year. There has been a waiting list initiative of £25 million per annum in the past, and £31 million is being provided next year to treat more than 100,000 in-patients more quickly than otherwise would have been possible.

Mr. Brandon-Bravo: I am sure that my hon. Friend will agree that the resolution of the waiting list problem in Trent and in Nottingham owes as much to the RAWP formula as it does to the special initiatives that I know my hon. Friend has taken. Therefore can I say yes please to his special initiatives and to the continuation of the RAWP formula which will help my district and my area?

Mr. Freeman: I am grateful to my hon. Friend. He will welcome the fact that my right hon. and learned Friend the Secretary of State has recently announced increases in allocations to health authority regions of about 2·5 per cent. per annum in real terms for next year. These are additional resources which will go a long way to help not only with waiting lists but with improvement in patient care.

Scientists and Technicians

11. **Mr. Andrew Smith:** To ask the Secretary of State for Health what proposals he has to improve retention and recruitment of scientists and technicians in the National Health Service.

Mr. Mellor: I understand that the management sides of the appropriate Whitley councils are investigating the nature and scale of reported problems. It is for the management and staff sides of the Whitley councils to consider what, if any, further action should be taken.

Mr. Smith: Is that reply not hopelessly complacent in view of the acute shortage of scientists in Oxford and elsewhere in the National Health Service, the vital nature of the work that they do and the fact that they are paid 40 per cent. less on average than scientists outside the service? Is it not scandalous that even now the very management side to which the Minister refers is threatening to withdraw the miserable 5·5 per cent. pay offer that was made for the as yet unresolved negotiations which were supposed to be settled last April? What is the Minister doing through the management side to tackle this matter, which puts patient care at risk?

Mr. Mellor: It is extraordinary that the hon. Gentleman commends the Whitley council system—the opposition on the council prevents any reform of the system—but then invites Ministers to move in and push the system aside. I am bound to point out to the hon. Gentleman that, whatever he may say about this, that, or the other problem affecting scientists in the National Health Service, the number of scientists in the service has gone up by 57 per cent. since 1979.

PRIME MINISTER

Engagements

Q1. **Mr. Campbell-Savours:** To ask the Prime Minister if she will list her official engagements for Tuesday 24 January.

The Prime Minister (Mrs. Margaret Thatcher): This morning I had meetings with ministerial colleagues and others. In addition to my duties in the House I shall be having further meetings later today.

Mr. Campbell-Savours: Has the Prime Minister noted the comments of her hon. Friend the Member for Thanet, South (Mr. Aitken) who last week said that MI5, after the general election of 1979, fingered six Conservative Members of Parliament as unsuitable for office? Will the Prime Minister confirm that she received a report on each

of those Members? Will she also confirm that each of those Members has been blacklisted for ministerial appointment? Does she not believe that all those Members have a right to know what charges were made against them so that they can clear their names?

The Prime Minister: I noted the comments of my hon. Friend. The hon. Gentleman the Member for Workington will not be surprised at my reply—indeed he could almost have dictated it as he studied his question. I follow the rules of my predecessors: I do not comment on security matters.

Q2. **Mr. Page:** To ask the Prime Minister if she will list her official engagements for Tuesday 24 January.

The Prime Minister: I refer my hon. Friend to the reply that I gave some moments ago.

Mr. Page: As my right hon. Friend is in overall charge of policy and in charge of the policy review committees, can she assure the House that the members of those committees, and particularly the Ministers, enthusiastically and regularly attend those meetings? I ask because in the latest edition of the *Tribune* it is said that due to lack of interest, due to lack of attendance, seven national policy committees have been cancelled by the Labour party.

The Prime Minister *rose*——

Mr. Speaker: Order. I trust that the question was about Ministers, not about the Opposition.

The Prime Minister: As regards my responsibilities, I confirm that my colleagues, right hon. and hon., regularly and punctually attend all committees, and are skilful, forceful and effective in their comments and in the implementation of policy following such meetings.

Mr. Wigley: Is the Prime Minister aware that, recently, thousands of pensioners who last year received a mediocre —a small—increase, over and above their basic pension entitlement, which was due to a heating allowance or some such payment, have been told not to expect any increase in their pension from next April? How would the Prime Minister and her husband like to live on a pension of £55 a week with no increase?

The Prime Minister: The hon. Gentleman knows that all the special sums allocated to heating allowances for particular people were lumped together and distributed among those entitled to income support so that they received it regularly. That was done with the approval of the House. The hon. Gentleman also knows that the upratings for pensions in the future have been announced. Unlike the Labour party's figures, they follow precisely the RPI figure, and there was no fiddling with the RPI figure.

Mr. Favell: Is the Prime Minister aware that many people are deeply opposed to the Griffiths proposals that town halls should devise care packages for the elderly and handicapped? What about the family, the family doctor and the district nurse?

The Prime Minister: We shall consider precisely what to propose to the House on the Griffiths report but that will not be before the National Health Service review has been completed.

Mr. Kinnock: Will the Prime Minister confirm that her Government take a bigger share in taxation from the incomes of the majority of families and earners than any Government in history?

The Prime Minister: The overall burden of taxation is falling. It is true that there was a time under the previous Labour Government when the burden was less than it is now. That was because they borrowed so much— *[Interruption.]* Indeed, borrowing went up to 9 per cent. of GDP because they had neither the skill nor the guts to cover their expenditure by taxation. They left the debts for us to repay.

Mr. Kinnock: Why cannot the Prime Minister give an honest answer to an honest question? Does the Prime Minister recall saying that the share of the nation's income taken by the state must be steadily reduced? Can she tell us why, under her Government, it has been increased to a higher level than under any previous Government, Conservative or Labour?

The Prime Minister: The right hon. Gentleman's Government borrowing requirement rose to 9 per cent. of GDP which—in terms of today's money—meant that they were borrowing the equivalent of £40 billion a year. We are now having to tax to repay the debt that they created. They always leave debts saddled around the necks of their children.

Sir John Stokes: My right hon. Friend the Prime Minister will know that I am not one of those who constantly asks for more spending of taxpayers' money. However, did she hear the recent remarks of my noble Friend Lord Blake about the dire straits of our historical records and great manuscripts that are in danger of being permanently damaged unless more funds are made available to look after them properly?

The Prime Minister: My hon. Friend will know that this Government set up the English Heritage foundation and gave it substantial finance to ensure that there was sufficient money available to keep those objects that are particularly valuable. There are also other Government agencies that protect and look after our heritage. I am sure that Lord Charteris will look into these matters.

Q3. **Mr. Ronnie Campbell:** To ask the Prime Minister if she will list her official engagements for Tuesday 24 January.

The Prime Minister: I refer the hon. Gentleman to the reply that I gave some moments ago.

Mr. Campbell: What advice does the Prime Minister have for young families and couples who face mortgage increases of £50 and £60 a month? Has she the same advice as the Chancellor, who said that people in those categories must make cuts elsewhere?

The Prime Minister: Quite obviously, those people—particularly those who very recently purchased houses and, therefore, did so at the top end of the market—are having particular difficulty with mortgage increases. That does not alter the fact that we must put the reduction of inflation at the top of the list, and we have to do that through interest rates. Those who purchased their houses before that time, have enjoyed a considerable increase in

capital. Indeed, as the hon. Gentleman knows, often those who lend money to others to purchase houses do not do as well as those who buy the houses.

Q4. **Mr. Jack:** To ask the Prime Minister if she will list her official engagements for Tuesday 24 January.

The Prime Minister: I refer my hon. Friend to the reply that I gave some moments ago.

Mr. Jack: Will my right hon. Friend accept my congratulations for the support which she is giving to the world ozone conference? Does she agree that the destruction each year of an area equivalent to Great Britain of Brazilian rain forest highlights another major threat to the world? Will she outline to the House the measures that the Government intend to take to alleviate the problem?

The Prime Minister: My hon. Friend knows that the second part of the world ozone conference is being held in London on 7 March when we hope to cut the emissions of chlorofluorocarbons by 85 per cent. from what they were. We have already reached our target of cutting them by 50 per cent. We think that we should go further. The other matter which he mentioned has more to do with carbon dioxide, or the greenhouse effect. The cutting down of tropical forests on the present scale is having an adverse effect. The overseas aid Department, under my hon. Friend the Member for Bath (Mr. Patten), takes into account the willingness of countries to keep their tropical forests when giving aid to them.

Dr. Cunningham: Since when?

The Prime Minister: If the right hon. Gentleman had been listening to what I said before—of course, he was not here—he would have known that this is not a new policy. It indicates the great significance which we attach to the keeping of tropical rain forests.

Mr. Sean Hughes: Does the Prime Minister share the view expressed earlier by the Secretary of State for Defence that no responsible British Government should rule out the possibility of having to fight, and presumably win, a conventional war in Europe?

The Prime Minister: I am not quite certain what my right hon. Friend said but we both hold precisely the same view—*[Laughter.]* That could have been better put, could it not? I am not certain whether the hon. Gentleman's report of what my right hon. Friend said is correct; indeed, I doubt it. Let me make it clear; conventional weapons, however strong, have not been enough to prevent war from starting. That is the lesson of history. Conventional weapons alone have not been enough to prevent the start of world war. We believe strongly that it is vital to have a nuclear deterrent. It is that which has kept the peace in the last 40 years.

Q5. **Mr. Andrew Mitchell:** To ask the Prime Minister if she will list her official engagements for Tuesday 24 January.

The Prime Minister: I refer my hon. Friend to the reply that I gave some moments ago.

Mr. Mitchell: Given that health care has been, is and will continue to be provided on the basis of need and not on the basis of ability to pay, does my right hon. Friend agree that the Pavlovian reaction of distress from the Opposition Benches is completely synthetic in view of the fact that the review is designed to inject added efficiency to ensure that resources for patient care go further?

The Prime Minister: Certainly the Health Service will continue to be available as now on the basis of those who need health care getting it at the time when they need it. One point of the review is to get better value for money from the enormous extra resources in money, nurses and doctors which are being put into the service. The National Health Service is steadily increasing its efficiency. We now treat 1 million more in-patients and 2·5 million more out-patients a year than 10 years ago. That is a considerable achievement.

Q6. **Mr. Tony Banks:** To ask the Prime Minister if she will list her official engagements for Tuesday 24 January.

The Prime Minister: I refer the hon. Gentleman to the reply that I gave some moments ago.

Mr. Banks: Did the Prime Minister see "Panorama" last night, which showed the Salvation Army handing out stale bread on council estates in Scotland? When will the Prime Minister come out from that bullet-proof Daimler of hers and start visiting some social security offices and council estates up and down the country to see the stale bread society that she is creating for millions of people?

The Prime Minister: Nonsense. The hon. Gentleman is quite aware, and dislikes it intensely, that the level of spending on social security exceeds anything that was available under his Government. I must say to the hon. Gentleman that I thought his comment was a great insult to the Salvation Army.

Mr. Wilshire: Following the inauguration of a new American President last Friday, will my right hon. Friend find the time to convey to former President Reagan the thanks of the House for his great contribution to world peace and to NATO? Will she also find the time to express to President Bush the best wishes of the House for his term of office?

The Prime Minister: Immediately before he left office I expressed our great thanks, and our appreciation to President Reagan for all that he has done for sure defence and for extending freedom the world over. On the day of his inauguration, I expressed our congratulations and best wishes to President Bush, and assured him that we would continue to be a true and faithful ally in defence of freedom.

Q7. **Mr. Tom Clarke:** To ask the Prime Minister if she will list her official engagements for Tuesday 24 January.

The Prime Minister: I refer the hon. Gentleman to the reply that I gave some moments ago.

Mr. Clarke: If the economy is as strong as the Prime Minister has been saying, why do sections 1, 2, 3, 7 and 11 of the Disabled Persons (Services, Consultation and Representation) Act 1986 remain unimplemented, despite being given Royal Assent more than two and a half years ago?

The Prime Minister: I had the impression that two sections had come into effect and that we were ready to implement the third when we have secured agreement from local authorities. In the meantime, may I point out that,

because the economy is strong, we have been able to spend about 90 per cent. more in real terms on the disabled than any previous Government.

EUROPEAN COMMUNITY DOCUMENTS

Ordered,

That European Community Documents Nos. 4126/88 and 7396/88, relating to machine safety, be referred to a Standing Committee on European Community Documents.—*[Mr. Sackville.]*

Points of Order

3.32 pm

Mrs. Margaret Beckett (Derby, South): On a point of order, Mr. Speaker. I wish to raise with you a matter on which I hope that you will be able to give me and the House some guidance, which is the way in which the rights of hon. Members who represent their constituents is being infringed.

You may recall, Mr. Speaker, that on 10 November we debated some new guidelines with regard to immigration cases. Yesterday, I had cause to use those guidelines for the first time, in the case of a father wishing to stay in this country for a brief period in order to make long-term arrangements for the care of a four-year-old child who had been battered and abandoned by her mother. The father was refused leave of entry, but has been allowed to remain here for a couple of days.

I sought to raise the father's case with the Minister, under the guidelines, which say that a stay can be allowed if an hon. Member can demonstrate that

"there are exceptional and compelling circumstances which the immigration officer has had an opportunity to consider but has not taken sufficiently into account."—[*Official Report*, 10 November 1988; Vol. 140, c. 520.]

I was first told that I was not allowed to raise this matter with the private office, although the guidelines say that that is almost the only sort of case that can be raised directly with the private office. I was then told that these circumstances were not exceptional and compelling because the junior civil servant who was involved in the case, and the immigration officer who first took the decision, had decided that these were not exceptional and compelling circumstances and that the case for a stop had not been made.

That is a gross infringement of the rights of hon. Members, when those who take the initial decision pronounce on whether a case can be put to the Minister for careful and sustained consideration. I seek your guidance, Mr. Speaker, about what hon. Members can do about this gross removal of their rights. If such a precedent was followed in other Departments, it would mean that hon. Members had no freedom to decide what cases they raised with Ministers.

Mr. Speaker: The hon. Lady has raised an individual case, which she should take up with the Department and Minister concerned. I cannot give her guidance on tactics but there are opportunities. I hope that she will seek them in order to raise the matter.

Mr. Nicholas Soames (Crawley): On a point of order, Mr. Speaker. At Question Time today, the Secretary of State for Health grouped together with question No. 3 four other questions, two of which, by strict definition, were not even related to question No. 3. Do you agree that it is annoying when so many questions are taken together at one time, because it limits the rights of other Members to ask supplementary questions on what may be an important issue? May I ask you, Mr. Speaker, to consider giving an informal judgment that a maximum of two questions may be taken with another question?

Mr. Speaker: That is not a matter for the Chair. It is up to the Department concerned to decide which questions should be grouped.

Mr. Dennis Skinner (Bolsover): It is an attack on a Tory Minister.

Mr. Speaker: Order. In some cases, when questions are grouped together, we are able to make better progress, and today we managed to deal with 14 questions in 40 minutes, which is not bad going.

Ms. Dawn Primarolo (Bristol, South): On a point of order, Mr. Speaker. I seek your guidance in connection with the private business listed for 7 o'clock this evening, the Avon Light Rail Transit Bill. It has been drawn to my attention that a letter is circulating among Conservative Members, signed by four of them, making specific allegations about my motives for opposing the Bill—[HON. MEMBERS: "Ooh."]—which are wholly untrue—*[Interruption.]* I wish Tory Members would be quiet. A nursery is better behaved than they are.

The letter makes specific allegations, which are wholly untrue, about my reason for opposing the Bill—for example, that Bristol city council, "a hard Left council"——

Mr. Speaker: Order. The matter that the hon. Lady is raising is not a point of order. There will be a debate on the matter later tonight. If she were raising a matter of order with which I could deal, I would seek to deal with it, but I am not responsible for what Conservative Members may be circulating in a letter.

Ms. Primarolo: Further to my point of order, Mr. Speaker. The letter alleges that I am merely the agent of Bristol city council in this House. I seek your guidance, and ask you to rule, on whether that is an infringement of my parliamentary rights and duties.

Mr. Speaker: Order. It is not an infringement. I suggest that the hon. Lady go into the attack when we reach the matter at 7 o'clock.

Dame Elaine Kellett-Bowman (Lancaster): Further to that point of order, Mr. Speaker. May one inquire why the hon. Member for Bristol, South (Ms. Primarolo) was not present in the Committee upstairs when the subject was discussed? She could have made her point there.

Mr. Tony Banks (Newham, North-West): Further to the point of order raised by my hon. Friend the Member for Bristol, South (Ms. Primarolo), Mr. Speaker. I was the Labour Member who received that letter. I think it was sent to me inadvertently. It was probably meant for the hon. Member for Harrogate (Mr. Banks). I inadvertently opened it and inadvertently read it—*[Laughter.]*—and then inadvertently passed it on——

Mr. Speaker: Order. Is the hon. Gentleman raising a point of order with me?

Mr. Banks: My point of order, Mr. Speaker, is that surely, at the very least, it is not courteous for hon. Members to circulate letters about another hon. Member in which a number of falsehoods appear. As a matter of courtesy, that cannot be considered good practice.

Mr. Speaker: I wish that I could be the recipient of some of these letters that circulate. I am afraid that I do not know what was in that letter, but I agree with the hon. Member for Newham, North-West (Mr. Banks) that courtesy in our dealings with each other is most important.

Mr. Edward Leigh (Gainsborough and Horncastle): On a point of order, Mr. Speaker——

Mr. Speaker: Order. We must move on.

Mr. Ian Gow (Eastbourne): Further to the excellent point of order raised by my hon. Friend the Member for Crawley (Mr. Soames), Mr. Speaker. Is it not the case that, when a Minister seeks to group questions for answer, he prefaces his answer with the words "with permission"? With whose permission does a Minister group questions?

Mr. Speaker: That too is courtesy. It is a matter for the Minister concerned. I note what has been said on this subject, and I shall reflect on it.

Mr. Ian McCartney (Makerfield): On a point of order, Mr. Speaker. On the 18th of this month I chaired a meeting of the all-party parliamentary Rugby League group, which was attended by the hon. Member for Penrith and The Border (Mr. Maclean). Officers of the group subsequently discovered that he had attended not as a member of the group but to take notes as a Government Whip on the business taking place. I believe this to be a gross intrusion into the works and activities of all-party groups, and the policing of those groups by the Government is totally unacceptable. It was an embarrassment both to the group officers and to our guests.

I would like you, Mr. Speaker, to give an assurance that you will speak to the Leader of the House and the Government Chief Whip to stop this unacceptable policing practice of all-party group activities.

Mr. Speaker: That is not a matter for me. It may have demonstrated an interest in rugby football.

British Racing Commission

3.40 pm

Mr. Alan Meale (Mansfield): I beg to move,

That leave be given to bring in a Bill to establish a single national commission of control for the whole of the horse and dog racing industries, with overall responsibility for the bloodstock, thoroughbred breeding and betting industries, incorporating the control of the financial arrangements, rules and aims of current bodies, their other responsibilities and where applicable, the assets of all publicly funded or publicly supported organisations concerned or connected with these sports.

I find it necessary to refer early in my speech to the horse and dog racing sectors as industries, as I believe it is central to both the Bill as proposed and my argument for such a body that recognition is given to the scale of industrial, commercial and financial involvement within these sports, which currently employ well over 100,000 people, involve billions of pounds of public and private assets, handle a current annual turnover of well over £3 billion in betting income and, last but not least, have the daily interest, support and following of millions of punters and racegoers.

I personally cannot claim the credit for arguing the need for such a body, for it has been called for from within all parts of racing for many years. Most notably, the Rothschild commission recommended in the Seventies that immediate steps be taken to establish a British Racing Authority involving all groups with interests in racing. The need for such a body is even more urgent now than it was then, as the lack of action since these recommendations has worsened the situation considerably, with dismay, disenchantment and disillusion being the order of the day among all but a select few groups and individuals in the industries.

Such dissatisfaction has been widely seen in recent times. For example, a public row has taken place between the Horserace Betting Levy Board, a body set up in 1961 by this House following the legislation of off-course betting, and the bookmakers, who cannot agree on the amount of money horse racing should receive from them —or, even worse, for dog racing, whether it should get any levy at all.

Next come the bookmakers' organisations themselves: first the National Association of Bookmakers, the body that represents primarily the small bookmaker both on and off course throughout Britain. It maintains that it is given only secondary consideration in matters of major concern to its predominantly small business members.

Then there is the Betting Office Licensees Association, set up by the big four bookmakers—Coral, William Hill, Ladbrokes and Mecca. This organisation is seen by many in the industry, rightly or wrongly, as at times receiving preferential consideration, against the long-term interests of the industry. In particular, a row continues over what many see as the unjust influence exerted by some members of this group in being allowed to continue to pocket levies from greyhound bets instead of ploughing them back into the sport itself.

There is argument within the industry as to whether a sound financial deal was reached over the Satellite Information Service agreement for the live screening of races off course, in betting shops, and there is disillusionment among owners, who not only have to meet rising costs for the training and care of their horses and

dogs but have to put up with extremely low prize money in most races. This is shown by the fact that, in dog racing, the average first prize is only £25, even though betting could amount to hundreds of thousands of pounds off course in betting shops, while in horse racing the vast majority of prize money is won by a tiny minority of owners, making it nearly impossible for them even to recoup their investment. Worse still, they have to pay for the privilege of providing their horse for racing, including entry, transport and veterinary costs.

The breeding industry is in dire need of support. Other nations, particularly Ireland, France, Germany and Italy, do much to help the small breeder. A British racing commission would greatly enhance the possibility of improvements in that area, particularly after 1992, with the single European market. Proof of that can be seen in the way in which Britain's main competitors in thoroughbred breeding in Europe receive distinct advantages over ours, especially on VAT rates. For example, VAT on horses in France is 5·5 per cent., in Germany, 7 per cent,. and in Italy, 9 per cent., while under annex 4F of the EEC directive, Ireland continues to enjoy complete exemption.

I welcome the work of the Horserace Betting Levy Board and the Jockey Club to enhance prize moneys in racing, but the long-term security of the British breeding industry would be better served if it were part of a larger umbrella management, which would have greater strength and be able to deal more directly with all matters, including thoroughbred breeding.

Race courses are causing great unrest within all aspects of the industry. For instance, the ownership of some horse and dog racing tracks and stadiums by bookmaking firms has caused the raising of more than one eyebrow, particularly since arrangements have been made for improvements in Bookmakers Afternoon Greyhound Services and SIS. Just as importantly, there is a growing trepidation in racing over the power of the large bookmakers, particularly Ladbrokes, which now not only owns greyhound stadiums and racecourses in Britian, but holds major portfolios of ownership of race courses abroad.

At home, the state of many of the current 59 horse racing courses have given rise to severe criticism about how the industry is allowed to be run. Many racing experts believe that it is a miracle that there has not yet been a major disaster at one of the 59 registered courses. Many course buildings are nothing more than outdated wooden mission huts, which on race days are severely overcrowded and could be a great danger to those using them.

A recent survey on seven race courses—Windsor, Wolverhampton, Salisbury, Newbury, Folkestone, Kempton Park and Ascot—gave harrowing details of the facilities available for those who work in the industry. With the exception of the Kempton and Ascot facilities, which were considered good, all were considered inadequate. For instance, Windsor was described as cold, crowded and badly designed. The women's hostel slept eight in bunks and the men's hostel was worse, sleeping 16 in bunk beds with only basic facilities. Toilets were visible from the outside, and could be clearly seen from the women's hostel.

At Wolverhampton, the women's hostel is an old detached building in a poor state of repair and decoration. It sleeps 11 with four bunk beds and three single beds with old mattresses. Bathroom facilities are appalling with only one hand basin, one toilet and one shower. It had no curtains, and windows were nailed down. The accommodation was damp, with poor heating. The men's hostel consisted of a large dormitory, adjacent to the canteen, sleeping 28. It had no windows, and old ex-Army style beds with dirty mattresses which showed signs of bed wetting.

At Salisbury, the women's hostel has a public corridor, a dormitory with six single beds, one bathroom and no wardrobes or clothes-hanging facilities. The men's hostel is as bad, with eight rooms containing two or three beds and no privacy from outside. A narrow passageway to the showers is situated next to the women's accommodation.

At Newbury, the women's hostel consists of one room on the first floor adjacent to the stable manager's office. It has six beds in curtained cubicles, with no cupboards or wardrobes, and there is a crude toilet downstairs. The male hostel is worse, with 44 beds, no cupboards and a bathroom with only two showers and four hand basins.

Unless money is directly invested in those race courses, many will have to close. There is no evidence that the present racing management is responding to the needs.

The punters of the industry play little part in the decision-making process, yet they are the people who make possible the continuation of racing, whether in greyhound stadiums, race courses and betting shops or merely for viewing from the armchair at home. No real mechanism exists which guarantees their participation or, for that matter, their protection, which is surprising when one considers the fact that it is their money which enables the industry to flourish. That point was not lost on Anthony Fairbairn, chairman of the Racegoers Club, who recently said:

> "It is the punter who pays the levy not the bookmaker . . . In addition to betting tax of £300 million he is already paying about £75 million each year in levy to the racecourses he visits."

That point was not lost on Robert Fisher of the Punters Association, who has spoken against the sell-off of off-course tote betting shops to the combined forces of the Jockey Club and the Racecourse Association Ltd. He believes that it is

> "an attempt to take over public assests for a peppercorn in order to benefit vested interest."

Although hon. Members may have different opinions from those that I have previously promoted, no one can dispute that the representation of punters' views can and should be part of the legitimate decision-making process of management.

Those who work in these industries should be represented in the management structure. Currently, many thousands of people work as jockeys, stable staff, transporter drivers, betting shop and totalisator staff, starting stall attendants, kennel staff, catering staff and others without whom the industries would not be able to operate, who have representation only on the advisory body—the Horseracing Advisory Council—whose work I greatly commend. Its structure, in part, mirrors a model on which could be built the type of body that I feel is necessary.

Mr. Speaker: Order. I warn the hon. Gentleman that he has now had 10 minutes. Will he please bring his remarks to a close?

Mr. Meale: I so move.

Question put and agreed to.

[Mr. Meale]

Bill ordered to be brought in by Mr. Alan Meale, Mr. Jimmy Dunnachie, Mr. Dennis Turner, Mr. Jimmy Hood, Mr. George J. Buckley, Mr. William McKelvey, Mr. Ian McCartney, Mr. John McAllion, Mr. Pat Wall, Mrs. Llin Golding, Mr. Max Madden and Mr. Harry Barnes.

British Racing Commission

Mr. Alan Meale accordingly presented a Bill to establish a single national commission of control for the whole of the horse and dog racing industries, with overall responsibility for the bloodstock, thoroughbred breeding and betting industries, incorporating the control of the financial arrangements, rules and aims of current bodies, their other responsibilities and where applicable, the assets of all publicly funded or publicly supported organisations concerned or connected with these sports. And the same was read the First time; and ordered to be read a Second time upon Friday 17 February and to be printed. [Bill 47.]

Opposition Day

[2nd Allotted Day] [First Part]

Food (Consumer Protection)

Mr. Speaker: I must announce to the House that I have selected the amendment in the name of the Prime Minister.

3.52 pm

Dr. David Clark (South Shields): I beg to move,

That this House condemns the Ministry of Agriculture, Fisheries and Food, for its failure properly to protect consumers.

I must begin by saying how sorry we are that the Minister has been taken ill and is unable to be with us today. I know that I speak for the whole House when I wish him a speedy and full recovery and look forward to seeing him back at the Dispatch Box. [Hon. Members: "Hear, hear."]

The Labour party's decision to debate this vital issue was not taken lightly. It reflects our growing concern about the Government's failure to protect consumers—an opinion increasingly, and correctly, held by the general public. It is not an attempt to attack the farmers who produce our food, because there is an identity of interest between farmers and consumers. We believe that our debate will be helpful to farmers because public confidence in the wholesomeness, purity and safety of our food has been severely shaken.

It has been necessary for us to force this debate today because, by its failure to ensure the quality of food in Britain, the Ministry of Agriculture, Fisheries and Food has undermined that public confidence. The Ministry has failed to recognise that, in an age of fast-changing food technology and increasing use of convenience food, the threat of food contamination is increasing. I remind the House that food poisoning has increased massively, from the 14,000 cases that were notified in 1982 to 40,000 cases in 1988. That is a threefold increase in seven years and, of course, the figures reported are only the tip of the iceberg.

Dame Elaine Kellett-Bowman (Lancaster): Will the hon. Gentleman consider seriously the point that there has been a demand to get rid of additives and preservatives, but that the younger generation of housewives have been accustomed to preservatives and are not used to the old-fashioned methods of preparing food that were used by their mothers and grandmothers, when preservatives were not available?

Dr. Clark: The hon. Lady has made her point clearly and has reminded us all of the need for food hygiene. Hygiene in the kitchen is only a small part of that, because we really need a hygiene programme for the whole nation, starting at the point of—I was going to say production—but at the preproduction stage and going right through every chain of food production. Although I accept the hon. Lady's point, I do not agree with her specific argument.

The Ministry has increasingly listened to the producers' side. I thought that the Minister gave the game away last week when, in a written answer to myself, he acknowledged that in 1988 he had met the National

Farmers Union of England and Wales on 37 occasions and the National Consumer Council only twice. That proves part of my case.

The Parliamentary Secretary to the Ministry of Agriculture, Fisheries and Food (Mr. Richard Ryder): I am grateful to the hon. Gentleman for giving way because I have with me a list of all Labour's Supply debates going back to 1979, and not a single one directly relates to food and the consumer. Is that omission by the Labour party the result of its satisfaction or its neglect of the issue?

Dr. Clark: I am somewhat surprised and perplexed by the Minister's intervention. Far from hitting the middle stump, I suspect that he bowled a wide. He knows the truth of our point that last year the Minister met the NFU 37 times but the National Consumer Council—the Government's own statutory body—only twice.

Mr. Paul Marland (Gloucestershire, West) *rose*——

Mr. Patrick McLoughlin (Derbyshire, West) *rose*——

Dr. Clark: I am happy to give way, but if I do so, my speech, which I intend to be short, will be longer, and that may mean that some hon. Members who wish to speak will not be able to do so. I have already given way twice, and if I do so again, some hon. Members may not be able to speak.

Mr. Ryder *rose*——

Dr. Clark: I happily give way to the Minister.

Mr. Ryder: The hon. Gentleman has failed to answer my question and because he has failed to do so, I shall give him the answer. It was contained in an article in *Tribune* magazine on 11 November 1988, in which the hon. Gentleman stated that food is

"a huge field we have neglected".

Dr. Clark: As the debate unfolds, and I start developing our strategy, the Minister and the House will see that, far from us coming new to this subject, we have been planning and developing it for some considerable time. I shall explain that in a moment.

Our case is not only that the Government have ignored the consumer, but, worse than that, when the Government appoint members to their own statutory advisory committees, such as the Food Advisory Committee, the premier committee, they go out of their way deliberately to exclude the consumer—*[Laughter.]* The hon. Member for Gloucestershire, West (Mr. Marland) may laugh, but I repeat that, of the 15 members on that premier food committee, only one represents the consumer. We maintain——

Mr. Ryder *rose*——

Dr. Clark: I am sorry, but we have certain rules, and the Minister will perhaps have two occasions later today to deploy his case. He had better deal with his points then.

Mr. Jeff Rooker (Birmingham, Perry Barr): My hon. Friend knows that it will not go unnoticed outside the House that so far he has raised issues of safety, the consumer, food poisoning and health, but that all we have had on two occasions so far—there has been a third attempt—are petty party political points from the Minister.

Dr. Clark: My hon. Friend makes a valid point. When he hears the case developed, he will see why the Minister is keen for us to obscure the debate, not on the basis of real facts, but of cheap party points.

Mr. David Curry (Skipton and Ripon): Will the hon. Gentleman give way?

Dr. Clark: I have tried to give way to both sides, and have done so fairly.

I agree with the National Consumer Council that this situation is not good enough. I agree with it when it says:

"It is essential that the consumer interest is effectively represented when national food policy is made."

I wish to turn from this structural weakness in the public's voice to the operational aspect of the Ministry. Perhaps I could turn back to 1986 and Chernobyl because, in the aftermath of Chernobyl, the Government had a specific and obvious duty to protect the public. However, their response has been found wanting by all who have examined it. From first learning of the high levels of radioactivity in sheep, it took the Government seven weeks to impose restrictions under the Food and Environment Protection Act 1985. While the Government dillied and dallied, sheep from areas of high radioactivity went to slaughter. According to the Government's own Meat and Livestock Commission, there were 50,000 such sheep in Cumbria alone. When we include Scotland and Wales, the total figure is likely to be about 100,000.

It is little wonder that the Select Committee on Agriculture concluded:

"It must therefore be highly probable"

that sheep above the safety level entered the food chain. That is the case on the figures produced by the Government's own statutory body, the Meat and Livestock Commission.

Let me turn from sheep to milk. Under pressure from the drug producers, such as Monsanto and Eli Lilly, the Government have been a soft touch. From secret documents we now know that the drug manufacturers singled out Britain as the key to the European market for bovine somatotropin, the milk-producing hormone, because they considered that there was likely to be the least political opposition here and because we have the most lax licensing system. The result is that the Government have allowed the drug companies to run trials with BST being injected into cows on 15 farms around the country. The location of those farms has been one of the most guarded secrets of the Ministry. I must pay credit and tribute at this stage to a fine piece of journalism in that most excellent newspaper, the *Shields Gazette and Shipping Telegraph*, which uncovered one of the farms in Cockle Park in Northumberland.

What is more, not only have those farms been kept secret, but the milk has been allowed to go directly into the milk supply. Many consumers are unwittingly drinking milk produced with BST on those experimental projects. The British public have been used as guinea pigs, and that simply is not good enough.

Let me turn now to more recent times, to the publicity surrounding salmonella and eggs. The Select Committee is currently trying to get to the truth of the issue, but we are not helped by the refusal of the hon. Member for Derbyshire, South (Mrs. Currie) to give evidence to that Committee. The country has the right to know on what basis she, as the Minister of the Crown, made her infamous remark on 3 December 1988. Was there any substantiation

[Dr. Clark]

in the files of the Department of Health, or has the Ministry of Agriculture, Fisheries and Food done a deal to conceal the evidence? We have a right and a need to know the answer.

Mr. Ralph Howell (Norfolk, North): Will the hon. Gentleman give way?

Dr. Clark: I must get on. I am trying to be as quick as I can.

The House, the medical profession and the general public know that there is a problem with salmonella, but the Government have obscured the extent of the problem.

Mr. Howell: Will the hon. Gentleman give way?

Dr. Clark: No. I have given way generously to hon. Members on both sides of the House, and we are short of time.

Mr. Frank Cook (Stockton, North): On a point of order, Mr. Deputy Speaker. As a member of the Select Committee of Procedure, I must say to you that we are conducting an inquiry into standards of behaviour in this Chamber. One of the difficult points for the Committee to determine is whether standards of behaviour are responsible or irresponsible, disciplined or indisciplined. I ask you to take note of the fact that my hon. Friend has today been speaking for about 12½ minutes, that there have been seven interventions by Conservative Members and that the interruptions have been disciplined by the Whips on the second Bench and led by the Minister from the Dispatch Box. I ask you to take note of this so that the Select Committee can record it in its proceedings.

Mr. Deputy Speaker (Sir Paul Dean): The hon. Gentleman's point of order gives me an opportunity to tell the House that many hon. Members wish to speak and that the debate is very short.

Dr. Clark: Even last week, the Minister was forced to acknowledge in the House that the measures that he had just announced were not new. If there was nothing new, the question must now be why the powers now judged essential for the protection of public health were not used earlier. It remains a mystery to us why the Minister refuses to prosecute the 21 protein processing plants that were found to be contaminated with salmonella in 1987, or the 17 which were found to be similarly contaminated last year. Will he confirm that some of the 21 plants found to be contaminated in 1987 were subsequently found to be so again in 1988? Why does he refuse to name the two flocks of hens identified by the communicable disease centre as a source of repeated epidemics? Will he now take the opportunity to clear the air and tell the House the names of the offending farms? As the general public, we have the right to know the answer in both those cases.

Hard on the heels of salmonella we have the listeria issue. It is clear that, following television and media disclosures, we have a major problem with listeria. Not only has the dedicated Professor Lacey of Leeds university produced evidence—*[Interruption.]* I thought that Conservative Members might challenge that, so I have also consulted other sources. For example, environmental health officers in Bristol found listeria in three out of 31 cooked chicken products and in three out of five raw chicken products examined. Further evidence to support the arguments of Professor Lacey comes more recently from Leeds, where the local authority found that seven out of 12 samples taken were contaminated with listeria, and from Peterborough, where six out of 17 fell into that category.

The Minister knows that that is the truth of the situation. Why does he ignore all the evidence that listeria can multiply in temperatures as low as 4 deg C? Why will the Government not heed the evidence and insist that adequate storage temperatures be maintained for the type of product most readily contaminated with listeria, and that the maximum shelf life be specified?

Mr. Marland: Will the hon. Gentleman give way?

Dr. Clark: I must get on.

I could give many other examples, but time does not allow me to do so. It is clear that the Government are guilty of neglecting consumer safety; indeed, they are often the direct cause of that neglect. As hon. Members know, our system of public health protection rests largely on inspections and checks, often by environmental health officers, yet, as a result of pressure on local authorities, there is a shortage of environmental health officers. That problem is exacerbated by the cutting of training places, resulting in approximately 430 vacancies last year. The number of food inspections is down by 15 per cent. Even the number of man years of people employed by the Ministry in visiting and advising abattoirs on hygiene and welfare standards has dropped from 53 in 1983 to 45 in 1987. That is the extent of the Government's commitment to these matters.

The Government have also just announced a massive 30 per cent. cut in the research and development of food and agriculture. How can they justify such a slashing of the R and D budget, which is vital to protect public health in Britain? A glaring example of the folly of these cuts is to be found in salmonella prevention techniques. At the food research institute in Bristol, funding has been withdrawn from a programme aimed at finding a method of preventing salmonella in poultry. A mere £300,000 is needed to complete the work. I ask the Minister even at this late hour to reinstate the three workers who have been given their redundancy notices. How can he find £19 million at the drop of a hat to reimburse the egg producers, but not find £300,000 for this vital research?

It is widely believed that two out of three institutes of food research will be closed, and it looks as if Bristol will be a casualty. Much valuable work is done there on food safety and quality, and the animal welfare aspects of meat production. Interestingly enough, one of the other projects under threat is a process for reducing contamination of meat by bacteria, including listeria. Can it really be in the consumers' interests that the Government should stop that work, particularly at a time when we are facing an epidemic of food poisoning and when there is growing public concern about the wholesomeness and quality of our food?

The eagerness of the present Administration to listen to industry is clearly illustrated by an examination of the regulations governing animal processing plants. The Labour Government proposed a public licensing system for animal food protein processing plants, which would have clearly maintained certain laid-down hygiene

standards. However, when the Conservative Government came to office, they changed the whole tenor of the regulations and allowed the industry

"to determine how best to produce a high quality product".

The chairman of the United Kingdom Renderers Association, John Field, blew the gaff when he said:

"there was a change of heart when the Conservatives came into office. They were happy to drop the idea of a code and settle for random testing."

I do not need to expand on that.

The Government have repeatedly boasted of their policy to reduce public expenditure, to sweep away regulations and controls and to cut the number of public servants, whom they regard as unproductive and having no place in the Prime Minister's brave new Britain. The blatant irresponsibility of such an approach is seen most vividly in food safety, where its results have been literally deadly. Many of our citizens have died as a result of the Government's failure to protect our food adequately.

The Government have deliberately reversed the policies developed over centuries and abrogated their responsibility to protect the consumer. We call upon them today to reverse their deadly policy; until they do that, they stand condemned of failing to protect the British people.

4.13 pm

The Parliamentary Secretary to the Ministry of Agriculture, Fisheries and Food (Mr. Richard Ryder): I must at once apologise for the absence of my right hon. Friend the Minister, who had been greatly looking forward to the debate. Unfortunately, as the House knows, he was taken ill last night while negotiating for Britain in Brussels. He is making a swift recovery and will be back at work here very soon. I am sure the whole House will join me in wishing him well, and I thank the hon. Member for South Shields (Dr. Clark) for his kind opening remarks.

The shells, if that is what they were, fired by the hon. Member for South Shields missed their mark. Under my right hon. Friend the Member for Westmorland and Lonsdale (Mr. Jopling) and my right hon. Friend the present Minister, the Ministry has changed dramatically in recent years. The general allegations made against it are not only way out of date but grossly misleading. To claim that Britain's entire food industry, from the field to the table, is in disarray, and that the entire population must go in fear of almost every item of food on the shelves is a travesty of the truth.

Britain's food industry is not a failure; it is an outstanding success story. Its productivity, its export performance and its range of goods are evidence of that; so is our retail sector, which is envied throughout the world. The industry employs more than 3 million people throughout the country. Does anyone really believe that if the industry and the Government had not paid attention to safety and quality, such achievements would have been possible?

The Labour party is out of touch with the views of consumers and taxpayers, and it admitted as much in the *Tribune* article of 11 November to which I have already referred. Opposition Members have shown a lack of understanding of, and interest in, the food chain. Since 1979 they have not selected a single Supply day subject directly related to food and consumers. That omission is due either to their satisfaction with our policies or to their neglect of the issue.

Consumers under this Government have much more variety of food on supermarket shelves, better value for money than in the 1970s and improved diet and standard of nutrition. The free market fostered by this Government is working in the interests of all consumers, who are getting a better deal from the food and agriculture industry than ever before. The far-reaching reforms of the common agricultural policy initiated in Brussels during the past few years, which are of direct benefit to consumers, are largely due to the pressure from Britain. For many years it has been a lone battle. It has been the firm voices of this Government and of the past two Conservative Ministers which have spoken up on behalf of consumers in Brussels. My right hon. Friend has raised the interests of consumers and the need to allow market forces to play a greater role in food and farming——

Dr. Lewis Moonie (Kirkcaldy): Will the Minister explain how the common agricultural policy works in favour of market forces?

Mr. Ryder: I shall tell the hon. Gentleman precisely what we have done. Since the February Council of last year and the decisions that were taken largely as a result of British Government pressure, we have saved consumers hundreds of millions of pounds. I only wish that other European Ministers were as conscious of consumers as is my right hon. Friend—and as he will continue to be when he gets back.

Mr. Curry: Does my hon. Friend recall that, a long time ago when there was a Labour Minister for Agriculture, Fisheries and Food, there was a series of astronomical average farm price rises in Brussels, which was agreed by a Labour Minister? It was necessitated by high levels of inflation, above all in the United Kingdom, which meant that neither producers nor consumers benefited.

Mr. Ryder: My hon. Friend is correct. I shall leave references to the Labour party's record on prices and consumers in the 1970s to my able and talented Friend the Parliamentary Secretary who will wind up the debate later.

My right hon. Friend's first speech of the year in Oxford was a hard-hitting message to the food and farming industry, which emphasised the need for farmers to respond to the market place and satisfy the demand of consumers. That is a message that he has given all the time he has been in the Ministry.

He also reinforced his views on food safety in the same speech:

"Certainly, as far as my own department is concerned, we have for a long time put considerable effort into ensuring that food is as safe as it can possibly be and I can assure you that this will continue to be a high priority area of the Ministry's work."

Mrs. Margaret Ewing (Moray): Will the Minister advise the House of the preparations which the Ministry has undertaken to recognise the implications of the European hygiene standards which will be implemented by 1992? They will include, for example, the full-time employment of veterinary surgeons within abattoirs. Will he look at the implications of that not just for veterinary medicine but for all other aspects of food hygiene?

Mr. Ryder: The hon. Lady is right. This matter is being discussed within the Commission, as she may know. It is something to which we shall be returning.

[Mr. Ryder]

Those people who suggest that my right hon. Friend is in the hands of farmers should have read recent press statements. A recent article in a farming magazine stated:

"What a pity that the people who have recently accused the Minister of Agriculture of being in the NFU's pocket weren't present at the Oxford Farming Conference. I have never heard a Minister spell out a tougher message than Mr. MacGregor did amid the Dreaming Spires."

My right hon. Friend is in nobody's pocket—neither farmers, food manufacturers or retailers. He has struck a careful balance between the interests of consumers, the need to protect our countryside, the need of farmers and food businesses to make profit and the concerns of taxpayers over how their money is spent. The Government believe that consumers and taxpayers are the major beneficiaries of the reform of the CAP instigated by this Government.

Action taken by the Government in Brussels has reduced the surpluses—the mountains are vanishing because of decisions taken at our instigation.

Mr. Teddy Taylor (Southend, East): Will my hon. Friend give way?

Mr. Ryder: I must apologise to my hon. Friend, but I shall not give way.

Our action has reduced the burden on taxpayers—the cost of the CAP is now under control. The reform of the CAP has kept the rises in food prices below the rate of inflation—in contrast to the Labour party when it was in power. It has brought greater realism to the CAP, allowing a greater role for market forces and this provided a stable basis on which the food and agriculture industry can prosper in the 1990s.

Consumers, thanks to the success of this Government's economic policies, have an improving standard of living and can buy food of better quality than ever before. The prosperity which this Government have brought to the United Kingdom economy is, more than anything, responsible for the improved living standards of the vast majority of the population. That has been achieved without weakening the surveillance of the food industry. Indeed, the food law standards, to which I shall be referring later, are increasing and consumers are better protected than ever before.

Consumers have a much wider choice on the supermarket shelves than ever before. In response to the market policies of this Government, the food industry has shown great ingenuity as it satisfies consumer demand. New products and foods are now available. *[Interruption.]*

Consumers are better off, with rising real incomes and lower inflation. Unlike the 1970s, when Labour was in office and prices were out of control, consumers are benefiting from low food price inflation and, as their real incomes rise, they are able to spend a lower proportion of their incomes on basic foods and more on other things. Economic prosperity has given them the freedom to choose.

From a sedentary position, hon. Members on the Opposition Front Bench have been asking about food surveillance, and safety, and I shall deal with it now.

Consumers are better protected than ever before by Ministry of Agriculture, Fisheries and Food scientists. We employ more food scientists now than were employed under the Labour Government. The hon. Member for South Shields appeared to imply that the number of food scientists that we are employing is lower.

Dr. David Clark: I did not.

Mr. Ryder: If the hon. Gentleman did not imply that, I shall, of course, withdraw it. However, we employ more food scientists now than did the Labour Government. They are better equipped than they have ever been, with more sophisticated techniques. They are making sure that the food we eat is as safe as possible, and they are admired and respected throughout the world.

Consumers, as well as producers, have benefited from the emphasis which we have placed on animal health. Major efforts have been put into protecting animal health in the United Kingdom. The Ministry has raised the health status of livestock, so that overseas markets, which are closed to other countries, are open to our producers.

This Government have always believed in the right of consumers to good-quality, nourishing food at affordable prices. Food law's essential purpose is to achieve consumer protection in areas of fraud, misleading labelling and food safety.

The Food Acts were consolidated by this Conservative Government in 1984 and followed major Conservative Food Acts of 1938 and 1955. They made it an offence to render any food for sale injurious to health or to sell—or offer for sale—food unfit for human consumption. The Government announced in October 1987—13 to 14 months ago—but only after consulting consumer organisations, that we would be further updating food legislation. Preparations for the Bill are well advanced. I have met the Consumers Association and the National Consumer Council, and our officials meet consumer organisations regularly or whenever they are asked to do so. Our door is always open to the Consumers Association and the National Consumer Council.

There are countless examples when we have responded positively to consumer representations. We insisted on rejecting the use of clouding agents in soft drinks. We pressed ahead with our nutrition labelling, and we are introducing alcohol strength labelling in the face of industry opposition.

Among issues being discussed with consumers are provisions for the proper evaluation and control of technological developments with food and food packaging materials which could pose hazards for consumers. The Food Bill that we are preparing to bring before Parliament will be the biggest since 1938, and we began the preparation of that Bill in October 1987.

Those hon. Members sitting on the Opposition Front Bench have been rightly muttering that we must devote ourselves during the debate not only to food safety but to food surveillance. It is food surveillance to which I now turn.

There are 10 working parties covering all aspects of food safety that fall within our area of responsibility. Working parties cover additives, nutrients and chemical contaminants in the diet. Their work, carried out by scientists and academics of the highest calibre, is objective and up-to-date. Evidence is assessed on contaminants, residues and naturally occurring toxins. The evidence is published with expert comment on each of the subjects

dealt with by the working parties. Recent reports include those on colours in food, nitrates and plasticisers and more are in the pipeline.

Mr. John Home-Robertson (East Lothian): What about Chernobyl?

Mr. Ryder: For the benefit of the hon. Member for East Lothian (Mr. Home-Robertson), in order to overcome any doubts I have some of the reports with me. Here are some of them. The survey of mycotoxins in the United Kingdom —that report was published and the Government acted upon it; a survey of lead in food—we published it and the Government acted on it; the surveillance of food contamination in the United Kingdom—the report was published and the Government acted on it.

Mr. Eric Martlew (Carlisle): Will the hon. Gentleman give way?

Mr. Ryder: No, I shall not give way.

There is full public consultation before Ministers make new regulations. Reports of the Government's advisory committees are, as the hon. Member for South Shields knows, published and comments invited on them from consumer bodies. At the core of our work for consumers is the Food Advisory Committee to which the hon. Member for South Shields alluded. That is a vital body, respected all over Europe, which includes eminent scientists and academics, as well as consumer representatives.

Dr. David Clark: There is only one.

Mr. Ryder: The hon. Gentleman also said that in his speech, but let me put him right. I have a list of the people who sit on that committee and I shall read out the names of the five people who are either representatives of consumers or consumer enforcement bodies. They are Dr. Margaret Ashwell, Mr. Tony Harrison, Mr. Roger Manley, Miss Patricia Mann and Mrs. Anne Stamper. They are all representatives of consumer bodies or consumer enforcement authorities and there are five of them, not one.

Dr. David Clark: Would the Minister also like to advise the House by which other bodies those people are paid? I understand that Dr. Margaret Ashwell is now employed by an industry-funded body. All the other people apart from one, have links with the food industry.

Mr. Ryder: I am most grateful to the hon. Gentleman for enabling me to point out precisely where those Committee members work. Dr. Margaret Ashwell is an independent consultant on food nutrition, Mr. Tony Harrison is chief scientific adviser, public analyst and official agricultural analyst to Avon county council, Mr. Roger Manley is director of trading standards for Cheshire county council, Miss Patrica Mann is head of external affairs for J. Walter Thompson and Mrs. Anne Stamper —in deference to the hon. Member for Bolsover (Mr. Skinner) I will not describe her as a "chairman"—is the chair of education for the National Federation of Women's Institutes and a lecturer in biology at Lewes technical college. No one can tell me that those five people, men and women of the highest calibre, do not represent the interests of the consumer on the food advisory committee.

I will take this opportunity to explain some of the work undertaken by the committee on behalf of consumers. Its advice on additives is based on the following criteria—that they are of demonstrable need, are not prejudicial to health, do not affect nutritive value, are used only minimally and are properly labelled. Therefore I yield to no one, least of all the hon. Member for South Shields, in my belief that the advisory committee, chaired by the vice-chancellor of Reading university, protects consumers as its number one priority.

I am glad to report that the United Kingdom concept of need, as outlined and pursued by the food advisory committee, has been adopted by the European Community Commission and now forms part of EC as well as our legislation. All the reports of the Government's advisory committees, including the food advisory committee, are published.

I know that pesticides are a matter of concern to hon. Members on both sides of the House. My Department is one of six Government Departments that must approve any new pesticides before they can be sold. Ministers are advised by the independent Advisory Committee on Pesticides before any approval, review or revocation of a pesticidal substance. The approval system is backed up by an intensive system of monitoring residues by the working party on pesticide residues at a cost of nearly £1 million per annum to the taxpayer.

At the other end of the food chain, food labelling law is designed to assist consumers to make an informed choice at the time of purchase. Food labels must detail the name or description of the food, an ingredients list, date of minimum durability——

Mr. Martlew: This is boring.

Mr. Ryder: It may be boring to the hon. Gentleman, but it is certainly not boring to consumers.

Mr. Martlew: *rose*——

Mr. Ryder: No I will not give way.

The label must also detail the name and address of the responsible packer or seller. In addition, and where appropriate, details of storage instruction, instructions for use and place of origin must be given. Food labelling, which is a matter of great concern to consumers, is kept under regular review by my Department. We have issued a booklet entitled "Look at the Label". Half a million copies have been distributed and another edition will be published shortly.

Sticking closely to the question of consumer information, which is part of the motion before the House today, it is generally recognised that food hygiene is of paramount importance in reducing food poisoning risks. The Government are about to launch a food hygiene education programme aimed at consumers. Of course, additives and processing techniques should not be used to conceal inadequate hygiene, and food manufacturers must comply with good manufacturing practices; otherwise they face the sanction of the law.

Mr. Ron Davies (Caerphilly): Under what law?

Mr. Ryder: They can be sanctioned under the Food Act 1984.

It is nearly 10 years since we took office and, during that time, we have initiated at least 20 specific debates on the Floor of the House and in Committee that have directly affected food and the consumer. I am not counting among that number the regular agriculture, fisheries and food

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debates. The subjects of those 20 debates have ranged from misleading labelling to pesticide residues. How does our figure of 20 debates compare with Opposition-instigated debates about food and consumers? I have already pointed out that, since 1979, no Supply day has been given up by the Opposition to discuss those matters. What audacity the Opposition have to appropriate consumerism as their own creed.

There can only be two reasons for the Opposition's neglect of food and consumers—either their satisfaction with our policies of the last decade or their lack of interest in the subject. *[Interruption.]* Opposition spokesmen may protest, but is it contentment or lack of interest? I am a fair-minded fellow and I offer them the benefit of the doubt. I ascribe the Opposition's silence to contentment and their protests to street theatre.

The truth is that while the Labour party dabbles with the rhetoric of opposition, the Government grapple with the problems, secure the solutions and, as I have explained, act on them.

4.37 pm

Mr. Gordon Oakes (Halton): First, I join my hon. Friend the Member for South Shields (Dr. Clark) and the Parliamentary Secretary in wishing a speedy recovery to the Minister of Agriculture, Fisheries and Food. He is suffering from a nasty illness and we wish him well and a speedy return to the House. Having listened to a speech of utter complacency from the Parliamentary Secretary, the sooner the Minister comes back to the House the better.

I shall first deal with the Parliamentary Secretary's allegation that the Opposition have taken too little interest in food. I agree with him. I do not believe that we have taken nearly enough interest in this matter, but I remind him that we are not the Government. He said that during the past 10 years we have not instigated any Supply day debate on food. That may be true, but we have instigated one today because there is a great deal of public concern —it has increased since Christmas—about food handling. Any Opposition will use their Supply days to bring public concern to the attention of the House. That is why my hon. Friend tabled today's motion. I am afraid, however, that public concern will not be assuaged by the complacent speech by the Parliamentary Secretary.

If proof were needed that the Ministry of Agriculture, Fisheries and Food is so producer-oriented that it cannot adequately look after consumers, surely the Christmas pantomime about eggs put the matter beyond doubt. Let us reflect on what happened at Christmas and what the Ministry did only a few weeks ago. The hon. Member for Derbyshire, South (Mrs. Currie) did her job. I did not give her notice that I would refer to her, but I shall say nothing disparaging about her. In fact, I thought that she would be present and I am astonished that she is not in her place during a debate dealing directly with the matters that led to her resignation as a Minister.

As a Minister for health the hon. Lady warned the public about a potential health hazard. That warning had already been given to hospitals. As a result of what the hon. Lady said, there was sheer panic in the Ministry of Agriculture, Fisheries and Food. The Government threw £19 million at egg producers as compensation for loss of business. They did not link that money with research into salmonella, improving premises or making the flocks free of salmonella; they simply compensated the industry for loss of orders.

The Ministry is producer-oriented. It is unconcerned with consumers and quite desperately concerned not to offend Government supporters in the egg-producing industry. The only person to emerge with any credit was the hon. Member for Derbyshire, South, who was mocked by the media and jeered at and scorned by Conservative Members—and, I am ashamed to say, by some Opposition Members—for doing her job. It is a pity that she was forced to resign for doing the very job that the Government appointed her to do.

The Minister keeps promising us that there will be a massive Food Act. The last basic Food Act was in 1955. The regulations under which most inspections take place were made in 1970. I am an honorary vice-president of the Institution of Environmental Health Officers. That institution has been pressing the Government for food regulations and for a food Act for more than five years. When the Minister was talking about the various institutions and consumer organisations with which his Department had been in contact, I noticed that he did not mention the front line—the environmental health officers who have to implement the legislation. When the Minister talked about how much research had been done and how many papers had been produced, it was as if, in the face of a crime wave, the Home Secretary were saying how many academics were studying criminology. We do not need academics, we need people in the front line forcing a modern Act and modern regulations.

Let us look back to 1970 when the regulations came into force. Microwave ovens were unknown, except possibly by NASA in America. In 1970 the whole principle of microwave ovens was unknown. Now they are commonplace. Microwave ovens can be dangerous because sometimes they merely reheat food and do not kill germs within that food. In 1970 there was not such an enormous number of freezer shops. Now, in every high street there are freezer shops and there are freezer stores in every supermarket. That was not so in 1970 when the regulations were made.

There has also been a massive increase in the number of take-away food outlets since 1970. In 1970, who would have dreamt of going to Marks and Spencer for a pack of sandwiches or a salad? I say nothing about the standards of Marks and Spencer which are probably the highest in the world, but the other side of the coin is that the local garage on the street corner may sell sandwiches which are being handled by someone with no knowledge whatsoever of food and more than likely the sandwiches have been in the window in the broiling sun before being sold and consumed.

The people who have to deal with those circumstances and police those regulations are the environmental health officers, so we should consider their numbers and recruitment. There is an acute shortage of environmental health officers. Out of nearly 6,000 officers in the United Kingdom there is a shortage of some 430. That is a 4·5 per cent. shortage throughout the country, and here in London—where we read only last week that the rat population makes it almost the rat capital of the world —there is a shortage of nearly 9 per cent.

The Government have done nothing to alleviate that problem. They have been a hindrance squeezing local authorities until the pips squeak so that they have difficulty

in paying for more public health inspectors and environmental health inspectors who are desperately needed at present. They have even closed the course at Aston and Bristol polytechnics, thereby reducing the number of recruits by 60 per year. In that profession, there is 100 per cent. certainty of employment once students have completed and passed the course, but the Government have reduced the number of students on those courses.

My hon. Friend the Member for South Shields said that the number of cases of food poisoning now stands at some 40,000. In 1982 the figure was about 14,000 or 15,000. That increase is in direct proportion to the shortage of public health inspectors. If one looks at the graph the parallel is clear.

Mr. Michael Shersby (Uxbridge): Is the right hon. Gentleman talking about the number of reported cases of food poisoning or the number of actual cases? Does he agree that, because of greater public awareness of the problems of food poisoning, perhaps more cases have been reported than previously?

Mr. Oakes: I do not think that is so. I am talking about the number of reported cases, but I do not think that it is a question of people not reporting cases. I am not certain, but I think that when someone goes to a doctor for treatment for food poisoning, the doctor is under a duty to report that case to the public health inspectors. However, I am quite certain that the incidence of food poisoning in this country has increased, and the public is well aware of that increase.

There is an acute need to do something about that, not to set up more academic bodies to consider various matters, but to produce legislation that is modern and up-to-date and that takes into account modern technology and the state of the market at present, and as it is likely to be in future. The Minister should direct his attention to that instead of paying £19 million to compensate egg producers because of a remark by one of his ministerial colleagues.

In the light of that, is the Ministry of Agriculture, Fisheries and Food the correct Department to administer food? It has held that responsibility for a long time, but I repeat that it is a producer-oriented Department. The institution to which I referred wants a separate Ministry for Food. I do not agree with that; I do not think that the subject merits a separate Ministry with all the panoply of a Department of State.

Should the responsibility for food go to the Department of Health? At first sight there is a case for that, especially as the Department of Health is no longer linked to the Department of Social Security. Diet and food, and food standards, involve health and preventive health, so it is important that the Department of Health looks after food rather than the Ministry of Agriculture, Fisheries and Food. Should the responsibility go to the Department of the Environment which looks after local authorities who employ the trading standards officers and the environmental health inspectors?

Mr. Marland: Will the right hon. Gentleman give way?

Mr. Oakes: In a moment.

I am not sure about the Department of the Environment, because of its deplorable record on water authorities in the past few months. It also tends to be producer-oriented rather than consumer-oriented. *[Laughter.]* The hon. Member for Bromsgrove (Sir H. Miller) laughs, but the record of the Department of the Environment is deplorable, for example, in what it is allowing water authorities to do at present. It will get worse when the water industry is privatised.

Mr. Marland: Does the hon. Gentleman think that we should also have a separate Department for looking after transport users, other than the Department of Transport? Possibly he could also outline to us what he would do with the users of energy. Would he have them looked after by the Department of Energy or would he like to have another Department for users of energy as well, to carry his theory to its logical conclusion?

Mr. Oakes: So often when one gives way one does so just when one is about to answer the question put by the hon. Member to whom one gives way. I do not think that the Department of the Environment would be suitable. To give MAFF its due, it is not the only producer-oriented Department—and this is the hon. Gentleman's point. I was a Minister at the Department of Energy which was dominated by three boards—gas, coal and electricity—not by consumers. The civil servants all knew people in the industry, there was a sort of incestuous relationship going on all the time and the consumer was forgotten. That does happen with Departments of State.

No, my solution is that we try a Department of Consumer Affairs again. We need to have it as a complete and separate Department of State. In 1974 the Labour Government made a very bungled and half-hearted attempt to set one up, but it failed because it had no powers. Other Departments were very reluctant to hand over their powers to it, even though they did not want to do the work themselves. What I have in mind is a Department with a Cabinet Minister at the head, with a permanent secretary and fully staffed by civil servants who have the power to deal with all the different Ministries. It should have the responsibility for enforcing food regulations; it should deal with transport complaints; it should deal with energy consumers and telephone bills; and all the statutory bodies would be answerable to it.

The Government should look closely at this idea of a separate Department of consumer affairs. I can think of many of my hon. Friends who would make excellent Cabinet Ministers in charge of such a Department, but on the Government Benches I know of no one with the enthusiasm and determination to do such a job—except possibly the hon. Member for Derbyshire, South.

4.52 pm

Mr. Michael Shersby (Uxbridge): I associate myself with the remarks made by my hon. Friend the Parliamentary Secretary and the right hon. Member for Halton (Mr. Oakes) concerning my right hon. Friend the Minister of Agriculture, Fisheries and Food. We hope that he will soon be back with us to debate these matters.

I wish first to declare an interest. I am an adviser to two sections of the food industry and worked in that industry for more than 20 years—my interests are declared in the Register of Members' Interests—and I hope that I shall be able to deploy some of my experience of the food industry to effect this afternoon. I would like to record my very high opinion of the Ministry of Agriculture, Fisheries and Food over a long period of time for the way in which it has

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protected consumers. I have always regarded MAFF, as it is known to everyone in the industry, as one of the best Departments of State. It is well run and well staffed, and its staff know what they are doing on agricultural, food and fisheries policy.

I therefore completely reject the terms of the Opposition motion. I simply do not believe that there is any good evidence—nor has any been adduced this afternoon—to condemn MAFF, in the terms of the motion, for its failure to protect the consumer. I will demonstrate to the House why I believe this to be so.

MAFF is responsible for food and safety surveillance. The provisions of the various Food Acts require that all food should be safe and that consumers should not be misled. For example, the Acts' general provisions make it an offence either to use any substance during the preparation of food so as to render it injurious to health or to sell food which is not of the nature, substance or quality demanded by the consumer. Food and Health Ministers are jointly responsible for deciding what substances are allowed in the nation's food and rely on the independent advice of distinguished experts, notably those who serve on the Food Advisory Committee and on the Committee on the Toxicity of Chemicals in Food, Consumer Products and the Environment, known affectionately as "COT".

All these committees are independent of Government, and I am very sorry that the right hon. Member for Halton attempted this afternoon to insinuate that in some way the membership of these committees was not adequate to protect the consumers, or, alternatively, that those people who serve on the committees who represent the consumers had some outside interest which would prevent them from exercising their independence. I know full well, as does the whole food industry, that that simply is not true. The committees are of the highest possible standard. Their members are independent. Their decisions are recognised throughout the industry as capable of being fully respected, and such decisions have always been acted on promptly. So let us get out of the way once and for all any suggestion that the committees are not independent or that their members are somehow biased.

Dr. David Clark: Could I just quote "Food Policy and the Consumer", produced by the National Consumer Council? On page 19 it says:

> "The Food Advisory Committee has itself no independent powers. It can only respond to specific instructions from Ministers".

Those are the words of the Government's own National Consumer Council.

Mr. Shersby: What it does not say is that the advice given by the various committees is not independent. It is independent, and it is the duty of my right hon. Friend and his ministerial colleagues to refer to the Food Advisory Committee matters of importance that affect the food industry, the consumer and the whole food chain.

Sir Richard Body (Holland with Boston): The first name on the list of members is that of Dr. Albury. I well remember being asked about a year ago to be a presenter on a television documentary programme, and she was one of those that I had to interview. Before I did so, I discovered that she had telephoned the Ministry of Agriculture to find out what she ought to say. Then, after asking her a few questions, I discovered that she earned her living by contracting for food manufacturers. For those two reasons, she did not seem very independent.

Mr. Shersby: My hon. Friend makes that point; doubtless my hon. Friend the Parliamentary Secretary will reply to it later. It is quite right and proper for members of a committee of that kind to know the Ministry's view as well as their own. But there has been an attempt, not by the right hon. Member for Halton but by those outside the House who have written books from time to time, to imply that, because the proceedings of those committees are confidential, they are in some way biased. I hope that the House will accept today that that is not the case.

I would like to quote briefly a couple of examples of consumer protection. One of the problems concerning MAFF and consumers is that of bovine spongiform encephalopathy: MAFF has acted promptly to deal with this new cattle disease. In April last year the Government set up an expert working party to examine all aspects of the disease, including its implications for human health and, although the working party found no evidence of risks to human beings, it recommended that affected cattle and their milk be destroyed—another example of quick action taken by MAFF.

A major research programme has examined practical ways of reducing pesticide input into the environment, something of vital concern to consumers. Another matter which I know about from personal experience is the question of wrapping and packaging materials. Here again, as a result of a report of a working party on vinyl chloride, the level of vinyl chloride monomer transferred to food from PVC packaging materials has decreased substantially. That is very important. I can also tell the House that, following consultation with MAFF, manufacturers have reformulated their products to reduce the levels of placticiser used in PVC and so keep the potential intake to a minimum. That is an important matter, which has been raised by consumer organisations and reported in the press and on radio and television. We see that MAFF is taking action.

The Minister referred to the review of the Food Act 1984. I know from personal experience that that review has been in preparation for several years and has required the most enormous amount of work by his Department and considerable consultation with consumers and the food industry.

We look forward to 1992 and what will happen over food safety. Britain's food standards are generally higher than those in any other European Community country. As a result, we are able to export large quantities of food, not only to other European countries but throughout the world.

An important matter in this context is food labelling and additives. MAFF has been at the forefront of the drive to ensure that food is labelled properly and that accurate information is provided to the consumer. As long ago as 1980, it issued about a million copies of a free booklet called "Look at the Label" which was designed to encourage consumers to look at labels to find out about the contents of what they were buying. All those changes give the lie to the suggestion that MAFF keeps the consumer in ignorance and protects the producer from change.

The United Kingdom has a restrictive view on the use of food additives. I know that my hon. Friend the Minister

and his colleagues approve an additive only if they are satisfied that it is necessary and safe. Some additives are necessary, and many of them are safe. The point made by the right hon. Member for Halton (Mr. Oakes) was important. Food poisoning has been on the increase—at least, the number of reported cases of food poisoning—and that is a matter of great concern to consumers, the Ministry and the food industry.

In this country, as in any other civilised country, we must try to achieve a balance between the use of additives and preservatives, and having foods with no additives or preservatives. We all know that, if one tries to produce jam without its major constituent, preservative, it will go mouldy. Bread and many other products can easily go mouldy. The object of using additives and preservatives is to prevent that happening and to ensure that the consumer enjoys the advantage of having safe food at his or her disposal.

This afternoon we have discussed food intolerance in relation to additives. There is an excellent example of research, funded by the Ministry, into the study of the prevalence of food intolerance to food additives. MAFF is conducting that work, assisted by the initiative of the Food and Drink Federation, which takes a keen interest in that matter.

This afternoon's debate is a result of public concern over food safety. That concern has arisen because of the problem of salmonella and, more recently in the past few days, the problem of listeriosis monocytogenes.

There has been much debate in the House about salmonella and the infestation of chicken flocks and eggs, which I shall not expand on this afternoon. However, I shall speak about listeria monocytogenes. It is not new, but has been with us for more than 20 years. It is important to recognise that, since 1986, only four cases of listeria that is attributable to food consumption have been reported. That figure comes from a report from the public health laboratory. There are other ways in which listeria can infect a human body, but I am talking about those cases which are specifically attributable to food consumption. It is important to bear than in mind.

Mr. David Hinchliffe (Wakefield): Will the hon. Gentleman accept that one reason why the figure is so low is that listeriosis is not a notifiable disease?

Mr. Shersby: I am not sure whether that is the reason. I am sure that the public health laboratory monitors those cases of food infection extremely carefully. Notification may assist in dealing with other cases. The other day, I heard an obstetrician talking about this problem and about the number of cases that he had encountered. It may be that notification will be a valuable way of drawing attention to that aspect of the problem.

As a result of the recent outbreaks of salmonella and listeria, there has been some pressure for the transfer of the responsibility for food safety to the Department of Health. It is argued that MAFF cannot protect the consumer while at the same time acting as the sponsoring Ministry for the food industry and farmers. Is that true? MAFF argues that transferring the responsibility would break the chain of responsibility for the production and safety of food from the farm to the consumer. Some consumer organisations and health pressure groups argue that, as the Department of Health is responsible for the provision of health care, it should be responsible for food safety. There is, perhaps, some right on both sides.

While MAFF is responsible for everything from the short tail docking of sheep to changes in controls on pesticides, it is not responsible for regulations governing the manufacture and storage of cook-chill foods. I draw the Minister's attention to a strange sequence of events. Last week, I tabled three parliamentary questions to the Ministry of Agriculture, Fisheries and Food. They dealt with regulations about good practice in the manufacture of cook-chill foods, regulations governing the temperature at which such foods are stored, with any plans that he might have to ensure that instructions about refrigeration and storage on containers of cook-chill products were sufficiently clear.

To my intense surprise, all three questions were transferred to the Department of Health. Those were priority written questions because I wanted the answers for this afternoon's debate. However, my hon. Friend the Under-Secretary of State for Health said that he would reply as soon as possible. That can only beg the question as to whether his Ministry has responsibility for food safety standards in food manufacture. I say that MAFF has that responsibility because it is responsible for the Food Act and is the food manufacturing industry's sponsoring Ministry.

According to the current list of ministerial responsibilities which was issued by the Cabinet Office last September, my hon. Friend the Member for Mid-Norfolk (Mr. Ryder) is responsible for food policy, food standards and food science, yet important questions concerning food standards are transferred by his Department—by his parliamentary branch—to the Secretary of State for Health. Why? I hope that when he winds up tonight, my hon. Friend will tell us.

It is important that the post of the Minister responsible for food is clearly defined and carries sufficient weight and seniority within the Ministry. Food is one of three major areas of responsibility within MAFF. With due respect to the three Parliamentary Secretaries—my noble Friend the Baroness Trumpington and my hon. Friends the Members for Calder Valley (Mr. Thompson) and for Mid-Norfolk—their responsibilities cover a wide range of topics.

Let us take food safety as an example. My noble Friend is responsible for cereals, sugars, oils, fats, potatoes, processed fruits and vegetables, tropical foods, horticulture, plant health, plant varieties, seeds and pesticides, all of which have an important bearing on food safety. My hon. Friend the Member for Calder Valley deals with meat, milk and poultry products, and animal health and welfare. His responsibilities also include eggs, chickens and milk, to which is linked cheese made from pasteurised or non-pasteurised milk. Of course, that all relates to the current concern about, for example, listeria.

Then we have the third Parliamentary Secretary, my hon. Friend the Member for Mid-Norfolk, who deals with food policy, food standards and, most important, food science. But my hon. Friend also has to deal with alcoholic drinks and the countryside. In effect we have three Ministers of Food; all of them do a first-class job and are much admired for it. But we have no Minister of State in MAFF. Why? In the light of the events of recent weeks, should there not be one senior Minister in overall charge of food policy, food standards and food science? We cannot reasonably expect my right hon. Friend the

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Minister of Agriculture who has overall responsibility for the Department, including agricultural support policy, the European Community, price fixing and all the rest of it, to have the necessary hands-on, day-to-day responsibility for dealing with all these other important but less dramatic matters.

In comparison with the structure of MAFF, in the Department of Health there is a Minister of State who is designated Minister of State for Health, and who is responsible for preventive health care, including drugs, alcohol abuse, and so on. Neither the Secretary of State for Health nor the Minister of State for Health is responsible for food policy or food manufacturing standards. Yet it is to them that my questions on these matters have been referred.

One of the best answers to the problems that we face today is to improve our presentation and to have a senior Minister of State for food, responsible for food policy, food standards and food science. Such a Minister might have the benefit of an agency which could look after those interests and advise him. When my hon. Friend next talks to his right hon. Friend about these matters, he should ask him to consider the way in which the responsibilities are divided and to consider whether a Parliamentary Secretary be promoted.

Perhaps I may remind my hon. Friend of the words of one of his distinguished predecessors, Lord Woolton. When Lord Woolton spoke, everyone knew that the Minister of Food had spoken. His word went throughout the length and breadth of the land. All of us appreciated what he had to say; he was a truly great man. From the way my hon. Friend the Member for Mid-Norfolk handled the debate this afternoon, there is a fair chance that he may follow in Lord Woolton's footsteps.

Let us improve our presentation so that the understandable concern of consumers can be assuaged. We should have a Minister of Food who is responsible for food safety and who will be able to ensure, as the Minister of Agriculture has done for many years, that the standards of food production are as high as possible.

5.13 pm

Mr. Charles Kennedy (Ross, Cromarty and Skye): May I first associate my colleagues in the Social and Liberal Democrats with the good wishes expressed to the right hon. Gentleman, the Minister of Agriculture, Fisheries and Food? We share the hope expressed in the House that his current indisposition will soon be behind him and that he is well on the way to full recovery so that he may return to the Dispatch Box to discuss agriculture matters with us.

The hon. Member for Uxbridge (Mr. Shersby) referred to the structure of food policing policy, if I may call it that. Although I agree with the sentiments behind the Labour decision to call for the debate today, I cannot fully endorse, and certainly will not support in the Lobby, the blanket condemnation in the Opposition motion. At the same time, the Minister's account of the state of the art was rather too complacent and self-congratulatory. If someone were not aware of the background over the past few months, his epitaph on the Minister's speech might be, "Problem? What problem?" We had a self-assured performance, which one would expect from the Minister, but it was just a little complacent on the details of policy and its implementation. On that basis I will not support the Government's amendment.

To go back to first principles, running through the debate and some of the criticisms which the Labour and Conservative parties exchanged on the matter is a false dichotomy. At times we overlook the fact that, while farmers are producers, they have a strong vested interest in the highest standards which consumers want because they themselves are consumers. If farmers cannot contribute to the United Kingdom food chain in a way which reassures and gives the public the strongest confidence in the products which they are invited to purchase, the farmers will suffer in immediate financial terms and also because their households and families will be open to exactly the same dangers which we wish to see averted for consumers in general. There is a false dichotomy in suggesting that the two sectors are irreconcilable and cannot recognise shared interests.

Mr. Ron Davies: May I assure the hon. Gentleman that that was precisely the point that my hon. Friend the Member for South Shields (Dr. Clark) made at the beginning of his speech? He made it clear that there was a community of interest between food producers and consumers.

Mr. Kennedy: I accept that the hon. Gentleman made that point. I simply underscore the point in commenting on it.

Equally, if we are in favour, as I think both Government and Opposition are, of effective consumerism, that must surely mean the public having as much information as possible to make rational, sensible and well-informed choices. That is why Britain, although lagging behind North America in consumerism, as in so many other things, is moving radically in the same way in putting much greater emphasis on labelling, on the detailing of additives used food and so on. That is sensible. It is hardly surprising and it is a trend which is broadly welcomed.

The last principle, which again must never be overlooked, is that since the second world war it has been the role of the Minister of Agriculture and a fundamentally important objective for any Government to secure a position in United Kingdom agriculture which does not result in food shortages for the consumer. That policy has been pursued successfully for over 40 years. Even though we have had a legitimate concern about the problems of the past few months, we should never lose sight of the public disturbance which would result if we ever had to go back to the food shortages or the rationing of 40 years ago. Those are the shared principles upon which any policy should be based.

In regard to surpluses, one need not look to many sectors, if any, of United Kingdom domestic production for any surpluses which are accumulating within the European Community. We took steps to reduce our share of the over-production of milk within the Community.

The Minister referred to the speech by his right hon. Friend in Oxford recently. I worry slightly about us becoming more Thatcherite, as is suggested in some quarters, in our attitude to agriculture. When the Minister of Agriculture was speaking in Oxford, he told farmers that they should no longer see themselves as food producers but, to quote his phrase, as "landscape

entrepreneurs". His Royal Highness the Prince of Wales would probably endorse that, but I do not believe that it is quite what the Minister had in mind. Landscape entrepreneurial activity is all very well, but another farmer who was at that gathering, Mr. Oliver Walston, from East Anglia—he will not be unknown to the Ministry—has commented that free trade—*[Interruption.]* I no longer answer for the Social Democrats, but for the Social and Liberal Democrats. I am answerable for the official but not the provisional wing.

If I may quote the poor man, who should not be dragged into that family concern, he told the conference that free trade would leave

"not a single Scottish crofter, the Lake District a wilderness, and the hillsides of Wales without a sheep or cow."

I hope therefore that the Ministry, and the Government in general will bear in mind those very important points when considering the broad policy towards the changing nature of agriculture in Britain.

As the hon. Member for Uxbridge has suggested, there is something of an in-built institutional conflict in MAFF, between the support of agricultural interests, of farmers and food, and its policing role to ensure public safety in food standards.

Equally, if one considers the Department of Health, I would have been interested to hear a Health Minister respond to the debate because it would have shown the degree of consistency or co-ordination within the Government. Although the Department of Health must act where there is any potential threat to the consumer, I understand that with regard to food production, the Department of Health must first persuade MAFF of any potential or actual threat.

There is therefore a case in the longer term for looking at the anomalies that that position creates, although in the short term I want to speak in support of MAFF. Indeed, if the Government are reviewing the position, as Whitehall rumours suggest they are, as reported in the press, there might be considerable merit in moving towards an American-style Food and Drugs Administration. In other words, there would be a Government-funded, yet independent, watchdog organisation. That is not a million miles removed from what the hon. Member for Uxbridge was alluding to earlier.

In the shorter term, with difficulties with salmonella and listeria, which have dominated the headlines, and the Select Committee on Agriculture's inquiry into these events, the clear message coming through is that the £32 million cutback in MAFF over five years and the effect of that on its research and development, coupled with the scientific importance of that research and development, cannot be seen in isolation from the difficulties that have been encountered recently. The hon. Gentleman correctly detailed some of the scientific reductions which have taken place, and are planned in the future. Surely they can only reduce the ability of the Department to carry out the very statutory obligations that it is supposed to uphold.

We await with interest the Department's proposed Food Bill, which is due in the next year or so. It is also worth looking at the provisions of the Food and Drugs Act 1955 and the Food and Drugs (Milk) Act 1970, to which the Minister referred in his speech. Let us hope that the Bill being drawn up in the Department will seek to deal with some of the omissions. For example, many foods are excluded from any refrigeration requirements, including butter and cheese, uncooked bacon and ham, cakes and pastries. The temperature levels for refrigerating foods are too high. While the Government recommend that at home people should keep pre-cooked meals at a temperature of less than 5 deg centrigrade, the regulations set the level at 10 deg centigrade. Environmental health officers think that that is too high.

Any food that is expected to be sold within four hours of a shop opening for business does not have to be kept in a refrigerator. A shopkeeper needs to claim only that the item is expected to be sold within that time to avoid the refrigeration requirements.

There are no specific regulations about staff training or good practice, to which the right hon. Member for Halton (Mr. Oakes) referred in his speech. Given the proliferation of available outlets for fast foods, and modern food technology and the different types of food that are available to the consumer, that omission must be dealt with.

Under the Food Act 1984, there is no statutory obligation, only an implied one, for environmental health officers to inspect all the food processing, retailing and eating places in their areas. In a positive spirit, I hope that when the Government review this state of affairs, these considerations will be central to the concerns that they seek to address, as well as the omissions that they seek to redress.

Mr. Michael Jack (Fylde): I thank the hon. Gentleman for giving way. The thrust of his argument so far suggests that only Ministries have the ability to impose standards. Does he agree that retailers and supermarkets in this country, with their tight specifications and emphasis on hygiene—addressing the very points that he has raised about correct display of foods—are making a major contribution to the correct handling of food in this country?

Mr. Kennedy: I would not deny that at all. But if I may contrast that with the City of London, which is another area at times seen to be close to the hearts—not the pockets—of the Conservative party, the case for self-regulation is not persuasive or convincing.

Although I am not casting aspersions on the retail trade in this country—its standards are among the highest anywhere in the world—it is always important, indeed imperative, for consumers to have at least the backstop of legislative enforcement. So I favour both the carrot and the stick, if the hon. Gentleman wishes to view it in that way.

Equally, with regard to environmental health, I emphasise the points made earlier about cutbacks to local authorities. At the week-end, Mr. Ainslie Bazely, the head of environmental health services in the London borough of Southwark was quoted in *The Observer* as pointing out the great problems that are being encountered. I do not believe that the position in Southwark is essentially different from what is happening around the country in terms of the shortage of people to fill environmental health positions. The number of vacancies for local authority environmental health officers has risen steadily from 135 in 1981 to 430 last year, out of a total of 6,000, which I assume to be for England and Wales. That vacancy level represents a 4·5 per cent. shortage outside London and a 9 per cent. shortage in London. That, too, must be an area to address if we are to overcome some of the difficulties that have been encountered in recent times.

[Mr. Kennedy]

In passing, I am grateful to the hon. Member for Moray (Mrs. Ewing) for bringing to my attention at the start of the debate the need to give greater emphasis within our veterinary schools to the training of vets in food hygiene. The Riley report, which is being actively considered, concerns the rationalisation of provision of veterinary training centres and is liable to lead to a reduction of about 20 clinical teaching posts. Certainly, in a Scottish context, as the hon. Lady is anxious to have on the record, any move towards a single student centre or centre of excellence is bound to lead to the dismemberment of the Glasgow veterinary college school as it exists.

Mrs. Margaret Ewing: The hon. Gentleman will be aware that the majority of hon. Members who represent Scottish constituencies are concerned about the implications of the Riley report. The Secretary of State for Scotland today described it as a questionable report and said he would be discussing its contents with the principal of Glasgow university and other interested parties. Does the hon. Gentleman agree that MAFF has a responsibility to make recommendations to the University Grants Committee on food hygiene and training prior to the closing date of 31 March for submissions in response to the Riley report, particularly in the light of European legislation on food hygiene?

Mr. Kennedy: I agree with the hon. Lady and I hope that the Minister, when replying to the debate, will say whether MAFF intends to have input along those lines so that the issue is before the UGC when considering the possible rationalisation proposals. Judging from the public comments of the Secretary of State to which the hon. Lady referred, I am sure that the Department of Agriculture and Fisheries for Scotland will want to be part of that process.

In the shorter term, we shall have to await the report of the Select Committee to judge recent events, particularly in regard to salmonella and listeria. I echo the disappointment that others have expressed—I never thought that I would be saying this in this Chamber—that we shall not hear the former junior Minister, the hon. Member for Derbyshire, South (Mrs. Currie), speak in this debate and that she is not likely to give evidence before the Select Committee.

It is uncharacteristic of her to remain silent on these matters. It is also somewhat shameful in a parliamentary sense, given the public importance that has been attached to the issue. After all, her comments in December led to great public attention being given to the subject, and then there was the parliamentary follow-up and scrutiny.

We must strengthen existing institutions in MAFF. We should not blind ourselves to possible institutional changes in the longer term, by which I mean not just action in the United Kingdom but action in concert with our European colleagues.

We find the blanket nature of the condemnation in the Labour motion such that we could not support it in the Lobby tonight. Nor do we feel, short as we are of the details of the Bill which the Government will be bringing forward and the Select Committee's report, and taking account of the tone, tenor and substance of the Minister's speech, that we could support the Government in the Lobby.

5.33 pm

Sir Richard Body (Holland with Boston): In the belief that the hon. Member for Ross, Cromarty and Skye (Mr. Kennedy) was his party's official spokesman on agriculture, I was anxious to hear his views. But I am afraid that his speech left me in a state of fog. I only wish that he could speak as clearly and succinctly as the Parliamentary Secretary, whom I congratulate on an admirable speech.

I can only think of one argument in favour of the Ministry of Agriculture, Fisheries and Food as it is constituted and that is the Minister himself, and the sooner he is fit and back at work the better pleased I shall be.

The root of the trouble, to parody the words of Dean Acheson, is that the Department has lost its role of 40 years and has yet to find another. For over four decades it has had one paramount aim—to induce farmers to increase their output, then to increase it again and then yet again. That objective has overridden probably every other consideration, and the results have been magnificent.

Our cows now produce twice as much milk as they did when I went as a pupil on a dairy farm years ago. As for arable farming, the fields that I know best now yield four times more wheat that they did 40 years ago. These are amazing figures, and MAFF's leadership deserves to be congratulated on that technical achievement, as do the farmers who have been goaded into participating in the campaign. That success has been due to four factors. They are the use of nitrates, pesticides, antibiotics and hormones.

Mr. Michael Lord (Suffolk, Central): Does my hon. Friend agree that a crucial factor is simply breeding?

Sir Richard Body: Breeding what? We are now breeding wheat which can take up more nitrates. If we did not have the necessary understanding of nitrates, we would not be breeding some of the varieties of wheat that we are now using. In terms of livestock, we are breeding pigs and poultry which can respond to antibiotics in their fattening. So I regard breeding as subordinate to the four factors that I listed.

Unfortunately, the Ministry, so obsessed with this demand to increase output, has turned a blind eye to some of the hazards of those factors. This heralds a great danger and will make it that much more difficult for MAFF to discharge its other functions in future.

We have doubled time and again the use of nitrates, despite the serious evidence produced by the World Heath Organisation, despite experiments in the United States that have shown that 36 species of animals have died of cancer when given more than a certain level of nitrates, and despite the legislation that is now emerging from the European Community about the dangerous levels of nitrates in much of our water supply.

The same applies to the use of pesticides. Again, MAFF has turned a blind eye to much of what has gone on in the past, for many of the pesticides that we use on our farms today were approved years ago, when the standards of testing were abysmal compared with what they are today. Indeed, I doubt whether many of those pesticides would have been approved—this is not simply my view but that of scientists and toxicologists, who are better informed than I—if they were resubmitted for testing today. And everything is covered with an appalling cloak of secrecy so

that the farmer, let alone the consumer, is not permitted to know the toxicological dangers of the pesticides being used.

In the livestock sector, the Ministry has been warned time and again by doctors of the dangers of using antibiotics as a growth stimulant as well as a precaution against the spread of disease on intensive farms. Even the Minister's advisers have warned that we cannot go on using them because the time will come when they will cease to be effective. Doctors have said that the use of some antibiotics is having an adverse effect on patients who, though ill, are unable to respond to antibiotic treatment.

I think that the Ministry's record on hormones is, I regret to say, abysmal and I am not sure that it is very much better at the moment. I am very disturbed, and I hope that the whole House will be disturbed at the way Monsanto Chemicals and other drug companies seem quite confident that hormones will be allowed in this country for the purpose of getting our cows to produce between 20 and 40 per cent. more milk. Some in the medical profession say that the hormones may not affect 99 out of 100 of us, perhaps not even 999 out of a thousand of us, but there will still be perhaps one out of a thousand whom these hormones will affect. They are disappointed that the Ministry of Agriculture is being so secretive about the tests being carried out and have expressed concern that the relationship between the drug companies and some of the Ministry officials has gone further than it really should, and I hope the Ministry understands this concern.

I believe that the Ministry is now in difficulties and I am not talking about the ministerial team; I am talking about those further down in the pyramid who have the very important task of making sure that our food is produced decently and well and is fit for all of us to eat. Having argued for so long, as they have that those four aids were necessary, and not only necessary but perfectly safe and that everyone could just forget about it because everyone in Whitehall knew best—that has been their attitude over and over again when people have questioned them—I do not believe that they can satisfactorily swallow their words and go along with the anxieties that are known in other parts of the world and are known to some extent in this country about those four aids which we in the farming community have had to use.

That is why I think that there has to be a major change and why I hope that MAFF will be slimmed down and that some of its functions relating to food, particularly the safety and hygiene of food, will be transferred to the Department of Health, where they belong.

5.43 pm

Dr. Lewis Moonie (Kirkcaldy): I associate myself with the remarks about the Minister's absence. I sincerely hope he will be back with us quickly. While I was charitably hoping last night that the Minister's attack had not been serious, I was uncharitably hoping it might have been due to something he had eaten; but that does not appear to be the case.

I am a little surprised at the tone of injured innocence on the Government Benches today, with the notable exception of the last speaker, and the over-defensiveness of the response to this motion. I think they protest too much. We are questioning not the independence but the effectiveness of the bodies that they set up to monitor food. We are questioning not the fact that the Ministry has not tried, but the fact that it has failed, and these are two totally different things.

If I had wanted to get a cheap laugh today I would have stood here and read out the amendment from the Order Paper. I notice they are described as

"the Ministry of Agriculture, Fisheries, Food and Consumers."

That is a risible remark for you. Quite frankly, the amendment is laughable. It

"commends the Ministry of Agriculture, Fisheries and Food on its achievements on behalf of consumers in the fields of food safety, food surveillance and consumer information which means they have wide variety of choice of wholesome foods at reasonable prices; commends its comprehensive response to the emergence of health risks"

and so on.

Protecting the consumer? What of the tens of thousands who have suffered from food poisoning in the last year, or the many who have died? We have heard nothing from the Government side today about them. What way is that to protect the consumer? It is of small comfort to the people who have suffered as the result of the policies of this Government and their failure to act effectively.

Wholesome food? Are we referring to chickens perhaps, to eggs, to the burgers made from unmentionable slurries that are poured down people's throats, to the cotton-wool bread that they are forced to eat, to the salt and sugar laden convenience foods? "It is nothing to do with the Government," they cry. That is the level of intelligence of Conservative Back Benchers: "It is everybody's fault but ours."

The only hygiene, the only handwashing, that is going on is Pontius Pilate washing his hands of the whole issue on the Government Front Bench. *[Interruption.]* We treat the Government's claims with the contempt they deserve, as a notable misstatement of reality, worthy of a party led by someone who boasts of having cut her commercial teeth on learning how to inject air into whipped cream to make it appear to go further. That is the level of commitment to food from this Government.

Sadly, much of our modern diet is harmful to us, and it does the Government no credit that they have failed to admit it, particularly in the Minister's disgracefully complacent contribution to this debate.

Mr. Christopher Gill (Ludlow): Will the hon. Member give way?

Dr. Moonie: No, I will not.

Dame Elaine Kellett-Bowman: Arrogant fellow!

Dr. Moonie: This is a serious debate. I do not think the hon. Members who have been trying to intervene raise its tone very well.

Let us consider first of all bacterial and viral contamination of food. The salmonella in chicken and eggs has been well described recently. They have been known to me, as a worker in preventive medicine, for well over 10 years, and nothing has been done about it over that period. Listeriosis likewise has been known for a long time to be a potential contaminant. Campylobacter infection in milk, sadly, is still prevalent. There are many other examples I could give, but I had better pass on.

Let us extend the analogy. Look at the controversy over aluminium so recently aired; the hormones in meat; the use of antibiotics, so eloquently referred to by the hon. Member for Holland with Boston (Sir R. Body)

[Dr. Moonie]

particularly in view of the fact that he is a farmer; the artificial flavourings which are still used; tasteless, mass-produced, factory-farmed beasts, pigs, calves, or for that matter, salmon; the dangers to consumers from the cook-chill process which are only now being fully realised; the equal dangers from many of the fast foods, some of which I know have very high standards of hygiene, but many of which sadly do not. There has been a case in the press recently, but the list is endless.

Let us not forget that an ill-balanced diet also contributes to illness in this country, a diet far too high in fat and salt, lacking in fibre and over-dependent on refined carbohydrate.

Mr. Gill: Will the hon. Member give way?

Dr. Moonie: This is a major contributory factor to our disgraceful position as the country with the highest death rate in the world from heart disease. Well-documented changes to that diet have been recommended over the years, but sadly no action has been taken in the light of them. None of this need be, if we had a Government who acted effectively on the information which they have had for years because, after all, there should be only two principles guiding our actions: first, that we should eat a healthy and well-balanced diet; secondly, that our food should be free from harmful contaminants of any kind.

Sadly, none of the Deprtments responsible for this are up to the job. MAFF, or MAFFC, as we ought to call it now, is the farmer's friend and is not going to put the interests of consumers first. The Department of Health has failed to accept responsibility, with the notable exception of the sadly departed hon. Member for Derbyshire, South (Mrs. Currie), because it is much given to exhortation rather than effective action.

I was reminded, when the Minister mentioned the education programme that he and his colleagues were going to bring in, of the old story of a former director of Action on Smoking and Health, who at a major meeting on the dangers of smoking listened to speaker after speaker extolling the virtues of health education. It was only after the meeting finished that he discovered that they were all from the tobcco industry.

Let me conclude by mentioning the Department of the Environment. No, I shall pass on. We have had enough jokes.

Let me briefly outline a few of the actions that we could and should be taking, all of which would be cost-effective and have beneficial results. First, we should seriously consider removing responsibility for the quality of food from a Department that has shown itself unfit for the job and create an effective alternative—a Ministry of Consumer Affairs, which could handle a far wider range of issues than hitherto, or a non-elected body with some statutory powers. We should at least consider that.

Secondly, we should accept, and say that we accept, sensible proposals on nutrition that have been made over the past three years, and produce plans, particularly to reduce the amount of fat in the national diet.

Thirdly, we should consider restoring the office of medical officer of health for every district, as recommended last year by the Acheson report, which would strengthen the medical officer's role in the control of infection and the environmental health officer's function. They should be backed up in the courts. I accept that many Acts exist which, if properly implemented, would improve the quality of the food we eat, but repeated fines of £10 or so mean that people repeatedly contravene the law. That is not the way to improve matters.

Fourthly, we should remove Crown immunity from hospitals and from this place so that they too can be subjected to the same rigorous standards as commercial food outlets. I see no reason why that should not be the case. It would show that we paid more than lip service to the idea of improved food hygiene.

Fifthly, we should act ruthlesaly to close down any producers who are shown to have sold a contaminated product until such time as they prove that their premises are free from infection and likely to remain so because of changes in practice.

Sixthly, we should restore the level of research and development, particularly in areas related to food hygiene, which, sadly, have been cut. The Government claim that new market research should be funded by the industry, but if we wait for that, we may have to wait a long time. We also need to take some action on clear labelling. I accept that food is labelled, but to the average person it is by no means clear what they are eating. A much simpler code would be far more effective. We should also urgently consider the role of irradiation to prevent the infection of meat.

Ms. Mildred Gordon (Bow and Poplar): Will my hon. Friend give way?

Dr. Moonie: No; I have not given way to Conservative Members, so I shall not give way to my hon. Friends.

During the second world war, the people of Britain ate a healthy, well-balanced diet. That was apparent during the war and after in the number of deaths from heart disease. There is no doubt that we can achieve the same again. The Government have failed to protect the health and well being of our people. They have tried to do so, but they have failed. I hope that the new legislation will be effective.

5.53 pm

Mr. Michael Morris (Northampton, South): The hon. Member for Kirkcaldy (Dr. Moonie) called for a healthy and balanced diet. One or two of my hon. Friends might observe that he is an ample example of consumer resistance to the best efforts of the Ministry of Agriculture, Fisheries and Food.

I must declare an interest as an adviser to a trade association and to certain companies which appear in the Register of Members' Interests.

The motion on today's Order Paper is pretty round in its condemnation of the Ministry of Agriculture. I recall what was happening 10 years ago in the Chamber. Probably only one third of my hon. Friends here today were present 10 years ago when we were in the middle of the winter of discontent. The hon. Member for Ross, Cromarty and Skye (Mr. Kennedy) was not right when he said that we had had 40 years of adequate food supplies in Britain. Ten years ago we had statements in the Chamber from the Labour Government on the shortages of sugar, salt, margarine, rice, coffee and lamb. It is pretty arrogant for the Labour party to suggest today that the Ministry of Agriculture, Fisheries and Food is failing properly to protect consumers.

If the Ministry had failed, one yardstick of its failure might be its regular appearance before the Public Accounts Committee, on which I have sat for 10 years. We are used to seeing the Ministry of Defence, the Department of Health and the Department of Transport, but it is rare for the Ministry of Agriculture, Fisheries and Food to come before that Committee for having failed to meet the objectives laid down; that should be placed on the record.

I am going to Northampton market on Saturday 18 February. If anybody thinks that Northamptonshire's farmers, be they pig, beef or cereal farmers, will greet with open arms the suggestion that the Ministry of Agriculture is firmly in their pockets, they are wildly wrong. I expect to be given a rough time. I shall enjoy that, but the last thing that any of my farmers believe is that the Ministry of Agriculture, Fisheries and Food is in their pockets.

During the summer recess, I took the opportunity to go to the veterinary school at Weybridge. I was thoroughly reassured by the work being done in those laboratories and anyone who has a worry about what is being done in the veterinary world should visit Weybridge. I wonder how many hon. Members have ever done so. They might reasonably spend some time doing that.

I doubt whether any hon. Member who visits large manufacturing companies in the food processing industry either at the weekend or during the recess will find any that are not up to the highest standards, whether in terms of sampling or checking raw materials coming into Britain, or in the processing, testing, packaging or sampling of the products. The way in which the Ministry of Agriculture works with those companies is a safeguard for the consumer.

With the noble Lord, Lord Ennals, I helped to set up the parliamentary Food and Health Forum so that we should have an opportunity to hear from interested outside bodies and colleagues their views on food and health matters. Bodies such as the London Food Commission may be highly critical of the Government, but anyone who does some research into that organisation will know that it is highly critical of western democracies and anything to do with the corporate state, or anything else. But the vast majority of organisations that are associate members of the Food and Health Forum recognise that the Ministry of Agriculture, Fisheries and Food has played a major role in communicating with the consumer. They want more, but that is understandable.

Ms. Gordon: Will the hon. Gentleman give way?

Mr. Morris: No, I shall not give way. Mr. Deputy Speaker has appealed to us to be brief.

My hon. Friend the Minister outlined some of the Ministry's work. There is no doubt that the Food Advisory Committee is a major source of information and research in Britain. Last year, in a review of the use of colour in food, that committee recommended daily allowances based on the most stringent scientific evidence. It is not just Britain that follows those standards; they are likely to be followed throughout Europe and elsewhere. That is a measure of how the rest of the world recognises the Ministry's work as a reference manual.

Adverse comment has been made about the Ministry's inability to communicate with the consumer. My hon. Friend the Member for Uxbridge (Mr. Shersby) referred to the publication "Look at the Label" which was issued not last year or 18 months ago but 10 years ago, when the Ministry of Agriculture issued well over 1 million copies. I invite hon. Members, after the debate, to buy some packaged food and to look at what is on the label. There is an ingredients list, which is especially important for those who may have a particular susceptibility to an element in the product. The dates of minimum durability and the name and address of the supplier are also displayed. Would that we could find that in other parts of the world, particularly in some of the continental countries, and that the Department of Health was as strict on generic medicines and parallel imports as MAFF is on food products.

Mr. Ron Davies: I would not normally interrupt the hon. Gentleman, but as he is proclaiming MAFF's readiness to open the books, can he explain MAFF's reluctance to inform the public of the source of eggs that have been infected with salmonella?

Mr. Morris: As the hon. Gentleman has put his question from the Dispatch Box, it must be a question for the Minister to answer later.

If there is a problem, my hon. Friend the Member for Uxbridge put his finger on it in the three questions that he asked. He said that certain responsibilities had been transferred to the Department of Health. There are, unfortunately, some grey areas. I believe that the Department of Health should be involved only in those food products that make medical claims and that all other food products should be firmly in the province of MAAF. The Department of Health is the sponsoring Ministry to the pharmaceutical industry and controls it through the Committee on Safety of Medicines. If it can do both, I see no reason why MAFF cannot do two jobs. If there is to be change, it should be done in that way, so that hon. Members and consumers know that any matter to do with food is firmly in MAFF's court.

In relation to Europe, as we approach 1992, MAFF is doing a good job in interpreting the needs of British consumers in Europe especially in preserving and ensuring British freedoms in relation, for example to beer and methods of distribution and in opposing nonsensical ideas such as those in the oils and fats tax. MAFF does a good job and should have our support.

6.3 pm

Mr. David Hinchliffe (Wakefield): I shall confine my remarks to one matter, part of which, I accept at the outset, is not entirely the Minister's responsibility. However, we have established, so far, that there are many overlaps between the responsibilities of the Department of Health and MAFF.

I want to consider cook-chill and listeria for one reason. I became personally involved in the issue as a result of the unfortunate tragedy at Stanley Royd hospital in 1984, in which 19 people died and several others became seriously ill in a salmonellor outbreak. Shortly after that, I became a member of Wakefield health authority which, with no support from me, moved towards a cook-chill system to replace the kitchen at Stanley Royd hospital. At that time, I met Professor Richard Lacey, the microbiologist advising the Wakefield health authority, who was strongly opposed to cook-chill. He is known—and in many instances loved—by many Conservative Members. He has received a great deal of abuse from various sources and has been criticised and treated in a disgraceful way because of

[Mr. David Hinchliffe]

his views—to which he has stuck—about listeria and cook-chill, but it has been proved, over a number of years, that he is completely right. The Wakefield system is being used as a pilot system for the whole of the Yorkshire region and is seen as a means of enabling the wholesale privatisation of catering in the NHS.

There was deep concern about the dispute over cook-chill in Wakefield, so an expert group was established by the regional health authority. It studiously avoided involving people who were known to be critical of the cook-chill system. I noticed that Arthur Pinegar, a principal microbiologist at the public health laboratory service, was involved in the expert group, and was doing private work on cook-chill for certain interests outside the NHS and the public health laboratory service. That has been confirmed in answers to parliamentary questions that I have tabled.

I was even more concerned by the subsequent inquiry into the management of Wakefield health authority, which recommended the removal of Sir Jack Smart as chairman and suggested that his replacement should have no contact with the health authority or involvement with the issues that resulted in the various problems. His replacement, appointed by the Government, was Brian Hayward, who had been the vice-chair of Yorkshire regional health authority and had chaired the expert group that studied the introduction of cook-chill. His appointment was the clearest evidence yet that the Government's desire to see cook-chill up and running in Wakefield was a prelude to its introduction elsewhere in Yorkshire and subsequently in other parts of the country. It is interesting that Mr. Hayward has chaired two meetings so far, but has refused to accept anyone raising the issue of the cook-chill system, which is being introduced in the health authority in the next few weeks.

What has happened in Yorkshire has shown clearly the extent of the political scandal that surrounds cook-chill and that powerful business interests—which we see represented in this debate—are overriding serious concerns about public health. There has been a scandalous Government cover-up on the real incidence of listeriosis. Over the past few years, there has been a huge increase in food poisoning which has coincided with the recent trend towards less traditional forms of food preservation, such as chilling.

If one considers the evidence from abroad, one discovers that 200 people died in France in 1986 as a result of listeriosis. In the same year, 200 people died in the United States as a result of listeriosis. It is interesting that, officially, there have been no deaths from listeriosis in this country. I received a parliamentary answer recently which said that in 1987-88, a total of 546 listeriosis cases were reported to the public health laboratory service, but only three had causes that were known to be related to food. The causes of the other 543 cases were not known. That raises serious questions about the reason behind the incidence of listeriosis.

One of the major problems, as I said in an intervention earlier, is that listeriosis is not a notifiable disease in the United Kingdom, so we do not know the true incidence of it. However, we have a good deal of recent evidence. My hon. Friend the Member for South Shields (Dr. Clark) went through some of the evidence. He mentioned the "This Week" programme and the Bristol survey. I must mention that it has been proved that the death of a baby in Leeds fairly recently was directly related to the consumption of cook-chill food bought from a supermarket. The Leeds environmental health service found that seven of 12 samples from different retail outlets contained listeriosis. There was also a survey in Peterborough and yesterday, there was evidence from the public health laboratory service that listeriosis can lie dormant for five days if stored at 7·5 deg C. and then reproduction erupts. That is a worrying problem facing the Government.

Professor Lacy has stated that he believes that 150 to 200 people die every year in this country directly as a result of listeria. The questions that he has raised are not being answered by the various Departments that are concerned with the problem. I want to ask several serious questions and I expect detailed answers to them in the Minister's winding-up speech.

First, in view of all the evidence, to which I and other hon. Members have referred, why have the Government not issued a warning about the consumption of cook-chill food especially by, for example, pregnant women and other vulnerable consumers? Secondly, why are the Government continuing to push the use of cook-chill food in hospitals—as they are in Wakefield and Yorkshire—when the risks from listeria to vulnerable groups such as pregnant women and the elderly are so obvious?

Thirdly—and most important in view of the evidence that we now have—why have the Government not acted on the fact that most if not all supermarkets are contravening the Department of Health guidelines on cook-chill food, both in terms of length of storage and temperature? I also want to know—this is a clear question that should have been answered in written answers—what is the real reason why the new Government guidelines on cook-chill that we have been expecting for months have not yet appeared? I was told that they would be ready last August. Since then I have been told several times that they are not ready, but I have never been told why.

I have spoken only briefly and would have liked to speak at much greater length but I know that many of my hon. Friends want to take part in the debate. I hope that, having waited so long, they will be able to do so and I shall conclude with a number of serious points.

The Government face a huge dilemma over listeria. If the Government tighten standards on, for example, the maximum three-day detention period for cook-chill food, the catering industry, which has huge contracts and investments worth billions of pounds, will face disaster. If the Government tighten up as they should, that will have an incredible impact on the industry, which is so well represented by Conservative Members today—[HON. MEMBERS: "Apologise."] Well, a number of Conservative Members have declared an interest in the catering industry, which is what usually happens from the Tory Benches in such debates. They are directly concerned with and paid by food companies. That point is crucial to our understanding of the Government's position on this issue.

The Government are in deep difficulty in dealing with the retail trade over cook-chill and listeria. They are also in difficulties with their policy on privatising NHS catering. Cook-chill is essential to the wholesale privatisation of catering in the National Health Service. If the Government do nothing and there is a serious listeriosis outbreak, there will rightly be a huge public

outcry about the fact that the knowledge and the evidence were there, but the Government did absolutely nothing. The Government have, understandably from their point of view, chosen the latter course.

The Government are looking after certain friends of the Conservative party in the food industry, and that is no surprise to my hon. Friends. The Government are looking after friends such as Ranks Hovis McDougall plc, which gave £40,000 to the Tory party last year and is directly involved in cook-chill. The Government are looking after friends such as United Biscuits which gave £100,000 to the Conservative party last year and is involved in cook-chill. Indeed, it recently opened a cook-chill division in south Humberside and is ideally placed to move into private catering contracts in the Yorkshire regional health authority area and in health authorities such as my own in Wakefield. The Government are looking after the interests of those such as George Weston Holdings, which includes Associated British Foods, which donated £150,000 to Tory party funds last year.

Those are the real interests that Conservative Members represent and that is why the Government are in such difficulty on this issue. They dare not move because of those huge interests and the investments that are made directly to the Conservative party by companies that are tied up with cook-chill——

Mr. Lord *rose*——

Mr. Hinchliffe: No, I am about to conclude. Through loyalty to my hon. Friends who have queued up all afternoon and who may not get called, I cannot give way. The Minister will have a chance to respond to those points.

I repeat that there has been a scandalous Government cover-up of the real threat from listeria. The evidence is clearly before our eyes. The cover-up is necessary to protect the interests of the friends of the Conservative party at the expense of the safety of the consumer.

6.13 pm

Mr. Richard Alexander (Newark): The House will have been saddened to hear most of the remarks of the hon. Member for Wakefield (Mr. Hinchliffe). He has devalued his own argument and soured what up to now has been a constructive debate.

In the past few weeks we have seen a build-up of hysteria about our food—whipped up by commentators with an eye to a headline, nurtured by the media, which like nothing more than a good scare story, and stirred up not least by the Opposition who are trying to claim that my right hon. Friend the Minister of Agriculture, Fisheries and Food cannot be a Food Minister at the same time as being an Agriculture Minister.

In our lifetimes, we have all been used to scaremongering by so-called experts. When I was younger, we were told that children should not eat baked beans. Now we are told that they contain high protein and that children should have more of them. Sugar used to be described as bad for us, but no longer. Milk, eggs and cheese have all had their detractors—and equally their champions—from time to time.

Salmonella enteritidis was the scare story of last month and we all know what happened to the egg industry for a while as a result——

Mr. Martlew: Will the hon. Gentleman give way?

Mr. Alexander: No, I am developing my argument.

I congratulate my right hon. Friend the Minister of Agriculture, Fisheries and Food on his intervention in the middle of that hysteria as it put a floor on the egg market and did much to prevent a scare from becoming a catastrophe.

Mr. Martlew: I am grateful to the hon. Member for giving way. Does he agree that it is a shame and a crime that the victims of the salmonella outbreaks, the people who have suffered and who on rare occasions have died, have not been compensated at all, while the farmers, who were partly responsible, have been compensated in full?

Mr. Alexander: That is a different argument, but the amount of compensation that was provisionally arranged had had only a small take-up by the farmers.

Dame Elaine Kellett-Bowman: The hon. Member for Wakefield (Mr. Hinchliffe) mentioned a tragic episode at a Wakefield hospital. I must advise him that following that incident the Government immediately took action under the National Health Service (Amendment) Act 1949 to remove Crown immunity from the hospital kitchens. That issue was raised earlier by another Labour Member who advocated the removal of something that has already been removed.

Mr. Alexander: My hon. Friend makes a valid point.

This month we have a new villain, listeria. It has been lovingly seized on by the media and carefully nurtured by consumer programmes. It is frightening the life out of vulnerable people who are worried about what they may or may not eat and who until last week had probably never even heard of it. I wonder how many hon. Members, excluding the experts sitting in the Chamber today, had heard of listeria before we broke up for the Christmas recess—not many, I bet.

Ms. Gordon: Will the hon. Gentleman give way?

Mr. Alexander: No, I have already given way many times.

These scares need to be put into perspective. Two hundred million eggs are consumed every week. Do we see people dropping like flies in old folks' homes? Are they carted out of hospital because they have contracted that mysterious disease? Do people approach us in the street, telling us tales of the people whom they know who have been suffering from salmonella and asking what the Government are going to do about it? We did have the unfortunate death of a schoolboy last week, but to the best of my knowledge even that case has not been proved to be salmonella enteritidis caused by eating an egg. About 200 million eggs have been consumed each week during the past four, five or six weeks and there is no evidence of the scare stories that we heard a few weeks ago coming true.

Sometimes I think that the nation loses its sense of perspective. We could put the issue into greater perspective by remembering that about 200 people die on our roads each month and that hundreds of thousands of people are maimed on our roads every year. We do not have many debates about that, and Opposition motions such as the one that we are discussing are not tabled about that situation.

The answer to the salmonella scare, to the listeria hysteria, is known to everyone who was brought up by

[Mr. Alexander]

sensible mothers in the 1940s, 1950s and 1960s, before the new food processes, the new types of food or the microwave oven came on the scene.

Ms. Gordon *rose——*

Mr. Speaker: Order.

Mr. Alexander: The answer is clear: we should cook our food properly, boil our eggs for at least two minutes, roast frozen chicken properly and never reheat cooked meat that has been allowed to go cold. If we must use microwave ovens, we should make sure that we know how to use them and that they properly grill and roast what we put in them. Most of us learned all that at our mother's knee. We never ate raw eggs, chicken that was not properly roasted or twice-cooked food, yet my right hon. Friend the Minister of Agriculture is pilloried because new techniques have made people more careless, especially when they do not fully understand those techniques.

It has been suggested that it would be wise to split the Minister of Agriculture's responsibilities and that he cannot ride two horses that are running in opposite directions. I do not mind if the responsibilities are split, but, on his behalf, I resent the slurs that have been spread, suggesting that he is incapable of looking after the consumer and the producer. Certainly, many of my farming constituents in Nottinghamshire would take great issue with many of the claims that my right hon. Friend is the farmers' pocket. Equally, the consumer groups would find it difficult to recognise some of the farmers' complaints that he is too much under the thumb of consumer pressure groups. He is riding both horses in the same direction very well indeed.

The food process is a continuous one. It is for growing, producing and marketing food. There need be no conflict in those stages and, even if there were a change, the same civil servants would be doing the same job but in two different offices. The change would be much more cosmetic than real. Many other countries have a Minister for agriculture and food. A Transport Minister can deal with roads and safety. A Secretary of State for industry can deal with manufacturing and encouraging production and still deal with consumer safety and protection.

There is, therefore, no great need for change. There is no need to worry that my right hon. Friend cannot protect the consumer. His recent measures in respect of salmonella and listeria have shown that. There is no need for some of the fear that has recently blown up in the minds of many consumers. We do a disservice to the public and to those who work in the farming and service industries if we try to pretend otherwise.

6.23 pm

Mr. Martyn Jones (Clywd, South-West): I am glad that the hon. Member for Newark (Mr. Alexander) has spoken out against cook-chill. He said that we should never eat meat that has been cooked, allowed to cool and cooked again. We have heard a great deal about salmonella in this debate and it is fair to say that I am probably the only Member of this House who has isolated the organism or seen it under a microscope. Judging by some of the comments that have been made, I suggest that few hon. Members would know it if they tripped over a bucket of it.

I should like to tell my hon. Friend the Member for South Shields (Dr. Clark) that the hon. Member for Derbyshire, South (Mrs. Currie) refuses to appear before the Select Committee because she was pontificating on a subject that she knew little or nothing about. It is said that a little knowledge is a dangerous thing and, in this case, it was certainly dangerous for egg producers in this country. Instead of putting the blame correctly where it lay—no pun intended—which is at the door of the Ministry of Agriculture, Fisheries and Food, she put it at the door of the egg producers. All the real evidence shows that poultry have had a salmonella problem for years, not necessarily phage type 4, but many of the 1,500 species of salmonella that are rife in this country. If she had said that most poultry production was infected with salmonella of one sort or another, she might have had the backing of the evidence and she would have served the nation's health.

The evidence of any special attribute of salmonella enteritidis phage type 4, which makes it much more dangerous in respect of eggs, is extremely tenuous. For some time, transovarian infection of eggs has been shown to occur in septicaemic conditions with all sorts of species of salmonella. The growth of overt cases of salmonella and, incidentally, other types of poisoning—clostridial, staphylococcal and streptococcal—suggests to me that the problem is not one of any "super-bug", but one of food handling. If the rise of chilled and "fast" foods is coupled with the complacency of the Ministry about primary production, we have a recipe for disaster.

The Ministry of Agriculture, Fisheries and Food can certainly do something about primary production and it is certain that it is not performing its functions as well as possible. It is probably true that, if a simple, accurate test had been available, we would have had no problem now so far as salmonella is concerned, as other tests have rid the industry of other forms of specific salmonella infection, such as salmonella pullorum and gallinarum during the period 1940-55.

I have dwelt on the subject of salmonella, but there are other grave areas of doubt that need sorting out for the good of the consumer and the producer. They include bovine somatotropin in milk and antibiotics in meat. The hon. Member for Uxbridge (Mr. Shersby), who is no longer in his place, referred to the case of bovine spongiform encephalopathy as a triumph for the Ministry. However, the Ministry compensated farmers only for 50 per cent. of the value of the animals affected which can hardly be considered as an inducement to report such cases.

The Ministry of Agriculture, Fisheries and Food was a Ministry with a purpose for the consumer when production was necessary for adequate nutrition. Now, with the advent of increasing technology in preservation and production, different criteria are needed for the good of the consumer and, indeed, to protect the producer from the unnecessary ups and downs caused by scares. The vast majority of farmers wish to have real guidance and want only to produce good wholesome food.

The Department of Health should have a clear responsibility to ensure that food is wholesome at the point of use and that enforcement of any necessary measures, if they are required in the area of primary production, should be mandatory on what is, in effect, the Ministry of Agriculture, Fisheries and Food production.

6.27 pm

Mr. Michael Lord (Suffolk, Central): I am conscious that the clock is against us and I shall be as brief as I can. I know that this is an Opposition day, but I welcome the debate to highlight what I see as many of the great successes of the Ministry of Agriculture, Fisheries and Food over the years, which the Minister spelled out very well at the beginning of our debate. I should have thought that there was no doubt about its success until very recent days. The Ministry has existed for 34 years, since its amalgamation, and has done an extremely good job. Everyone has been satisfied with it. The Opposition have had opportunities to bring this subject forward for debate before, if they had wanted to do so, but they have not done so.

The Ministry's achievements are numerous. We all know about the eradication of disease that it has organised, such as tuberculosis in the early days and the great improvements in cultivating and breeding plants and animals. There is increased consumer orientation in the way products such as eggs and meat have been tailored towards the needs of the housewife and the detailed labelling of products has increasingly become a feature of our food, as other hon. Members have commented. We have the highest food safety standards in Europe and, if anyone visited one of my chicken processing factory in Suffolk he would see what care is taken and would be greatly reassured, in view of much of the talk that has been bandied around today.

The national diet is now much healthier. We have heard this evening of people having to eat cotton wool bread —having it stuffed down their throats. I do not see why. All the evidence is that people are looking carefully at their diets and eating more sensibly. They are eating more wholemeal bread, and so on. MAFF greatly encourages that trend.

The achievement has been largely due to MAFF—we have a huge choice of excellent food, properly labelled and reasonably priced. That is a great success story, not only for MAFF and for farming, but for the food industry. It has been a great combined effort. It is true that recently we have had more problems with salmonella and listeria. I do not underrate them, but firm action has been taken and the matters are now in hand. MAFF was right to take steps to underpin the egg industry before Christmas; they have had the desired result. It was also right to re-emphasise the need that some of my hon. Friends have mentioned to cook food properly. That is crucial. The Minister has also tightened controls on egg production and is pressing forward with research into all these problems which was already in hand.

Like my hon. Friends, I deplore the hysteria and ill-informed comment inside and outside the House. The hon. Member for Clwyd, South-West (Mr. Jones) underlined that point and I agree with him, although I do not have his depth of knowledge. Words such as "epidemic" can be all too easily bandied about and have done great harm——

Mr. Martlew: Will the hon. Gentleman give way?

Mr. Lord: I cannot possibly give way: this is a race against the clock.

Such words do great harm. People comment on the differences between free-range and battery hens without understanding those differences, not knowing that free-range eggs have little advantage over battery eggs.

How eggs are cooked is important. Such cases of poisoning as have occurred have been in the larger catering establishments in which more care needs to be taken. There have not been so many in domestic circumstances, in which eggs can be more carefully cooked in the traditional way.

The House will be interested to know that the people of Suffolk have been sensible. A recent poll in one of our newspapers showed that 100 per cent. of the people interviewed and asked about their reaction to the egg story said that they had not changed their egg-eating habits—and people in Suffolk live to grand old ages.

MAFF is not alone in its responsibilities. My hon. Friends have explained how other Departments are involved. Local authorities, supermarkets, retailers and consumer bodies all have responsibilities. As we have also been told, independent consumer committees which are able to scrutinise what is going on continually keep an eye on these matters. No one pretends that there are no difficulties. Modern farming methods, mass catering and modern production techniques mean that there are, but I believe that no Department is better qualified or experienced to keep an eye on these matters than MAFF. Nothing is shabbier than an Opposition looking for a scapegoat: MAFF should not be that scapegoat.

6.33 pm

Mr. Ron Davies (Caerphilly): There is only one thing shabbier, and that is the spectacle of an hon. Member making an agreement with the Opposition to limit his speech and then breaking it. The House will understand if the Minister's opportunity to reply is shortened by the couple of minutes that were deliberately taken up by the hon. Member for Suffolk, Central (Mr. Lord).

Hon. Members on both sides of the House have expressed concern about the health of the Minister of Agriculture, Fisheries and Food. I am sure the House will unanimously ask the Parliamentary Secretary to convey to him our best wishes and hopes that he will make a speedy return to the House.

The Minister's absence has presented the Parliamentary Secretary with something of a unique opportunity—two chances to speak in one debate. That is indeed a rare opportunity, but judging from his earlier performance he will manage to avoid having greatness thrust upon him by a comfortable margin.

What was particularly noticeable about the Parliamentary Secretary's speech was not what he included in his defence of his Department's handling of public health issues, but what he omitted from it. My hon. Friends this evening have asked the Government to account for the handling of the following problems: contaminated lamb resulting from Chernobyl, listeria, salmonella, campylobacter, BST and BSE, pesticide residues, nitrate pollution of water supplies, the quality of food imports, meat inspection, hormone growth promoters and tenderisers, irradiation, research and development, animal welfare and antibiotics, veterinary services, the environmental health service and the problems of 1992.

Ms. Gordon: Will my hon. Friend give way?

Mr. Davies: In a moment.

We heard nothing about the Government's record on any of those issues. I understand that my hon. Friend the Member for Bow and Poplar (Ms. Gordon) has been in the Chamber all day and is anxious to intervene, so I shall make an exception in her case.

Ms. Gordon: Does my hon. Friend agree that all the issues he has just listed—the dangers of bacteria, hormones, radiation, pesticides and the pollution of water—are of serious concern to the women of this country, who are trying to provide their families with a healthy diet on a limited budget? Is it not most unfortunate that no woman has been included in the list of speakers to present the point of view of housewives?

Mr. Davies: It would be inappropriate for me to criticise the selection of speakers, and I assure my hon. Friend that the subjects she has raised do not concern women exclusively. They are of concern to every man, woman and child in the country—although I accept her point that the problems of eking out a meagre budget fall more heavily on women.

The Minister mentioned the speech of his right hon. Friend at the Oxford conference, from which I too want to quote. He said:

"People are—quite rightly—taking more interest than ever before in what they eat and drink. They now take for granted the wide variety of products in our shops. They demand quality and they expect that all their food will be nutritious and safe. It is up to the industry to ensure that these expectations are met".

I agree with those aspirations, but not necessarily with the Minister's conclusion that it is entirely up to the industry to ensure that expectations are met. It is our contention that the Ministry has a responsibility, as well as the industry. If there is a single issue that divides us it is our claim that the responsibility for the enforcement of standards rests with the Ministry, and that it cannot be abdicated in favour of the industry.

The Minister made his speech on 4 January, so it is fair to say that we can take it as representing the up-to-date thinking of the Ministry. The Minister's demands were for variety and quality, and for nutritious and safe food. We believe that those demands are not being met. The most important reason why the Opposition asked for this subject to be debated on this Opposition day is the simple fact that the demands articulated by the Minister are not being met by his Department.

The most obvious and topical area in which the Ministry is failing the consumer is exemplified by the recent crisis of confidence in the egg industry. It is also a fine example of the interdependent interests of producers and consumers, for without the trust of the latter the producers have no market in which to trade their goods.

The Ministry's failures during this fiasco were manifold. The incident can be traced back to the change in attitude, as my hon. Friend the Member for South Shields (Dr. Clark) pointed out, to public health and consumer welfare that was heralded by the arrival of the Conservatives in office in 1979. They changed the rules. There was at that time a serious attempt to tackle the problem of salmonella in poultry by agreeing standards with the protein processing industry that would ensure, as far as possible, that animal feed was not a vector for the spread of infection.

We have already heard the comments of the chairman of the Renderers Association, who said that standards had changed. I refer to the comment by the hon. Member for Holland with Boston (Sir R. Body), who entertained us all with his comments in today's debate:

"Health concerns were overruled in drafting the rules".

If there is a problem with salmonella, it dates back to the change of attitude that went hand in hand with the change of Government in 1979.

In 1986 and 87, 38 out of 218 tests for salmonella in feed processing plants proved positive, but there was not one prosecution. No action was taken by the Ministry. The Parliamentary Secretary, the hon. Member for Mid-Norfolk (Mr. Ryder), described himself as brilliant, and said that his winding up would be brilliant. We thought for a moment that he was reading the Minister's speech inadvertently. In a written reply to my hon. Friend the Member for Carmarthen (Mr. Williams) on 14 December, the Parliamentary Secretary said:

"On re-inspection, all samples of products from these contaminated plants were found to be clear of salmonella contamination and so no prosecutions were brought."

According to a written answer that I received yesterday from the other Parliamentary Secretary, the hon. Member for Calder Valley (Mr. Thompson)—who is not here—in 19 cases the plants tested were still infected when examined a second time. Unbelievably, in that same written answer, the Parliamentary Secretary said that in six instances the plants were still contaminated when inspected a third time. Is it not a question, therefore, of a cosy arrangement between MAFF and the renderers? MAFF visits plants and says, "There is a bit of a problem here; you must tidy up there; a bit of new equipment is needed there; then everything will be okay, because we will come back in a month's time and give you a certificate."

It was found on the third inspection that 50 per cent. of the plants which were defective on the second inspection were producing contaminated food which was going into the food chain and causing 40,000 British citizens to be affected by salmonella contamination. There was not one prosecution because of the cosy relationship between MAFF and the renderers. Which of the Parliamentary Secretaries are we to believe?

It is not as if that has been the only problem in the last couple of weeks, because we have heard of the problem of listeria. I welcomed the comments of my hon. Friend the Member for Wakefield (Mr. Hinchliffe), who spoke with great knowledge and experience because of the tragic circumstances in his constituency. In spite of the inadequate monitoring of the levels of infection, which exemplify the Government's attitude, what little surveillance has been carried out has revealed the extent of the problem for several years. According to the public health laboratory's communicable health report, the risk has been known for the past eight years. That information has been available, and it is distressing that it has not been acted on by the Ministry. Those matters worry us greatly.

We have had a series of press releases and written answers from MAFF and from the Department of Health, which tell us unequivocally only one thing—because of cuts, interdepartmental rivalry and neglect, those two great Departments of State can speak with no more authority on the extent of listeria than they did on salmonella. Meanwhile, increasingly, we read of deaths, such as those reported in yeaterday's *Independent*, which are unequivocally associated with listeriosis.

We have heard about other problems, such as cook-chill foods. Most recently, on 21 December, the

Minister was forced to come to the Dispatch Box to answer the complaints about contaminated food supplies in Mid-Cornwall Meat Packers in the constituency of the hon. Member for Truro (Mr. Taylor). I give the hon. Gentleman full credit for his private notice question.

The Ministry was notified in September 1988 that supplies of meat were arriving at Mid-Cornwall Meat Packers, which were contaminated with faecal matter and which were in an advanced state of decomposition. The Ministry was notified of that in September, but the first notification by the Ministry to the air and sea port health authorities was in mid-December after the hon. Member for Truro had raised that matter. During that three months, 30 consignments went through the port of Fishguard alone, each consignment consisting of 20 tonnes of beef from the Republic of Ireland, possibly contaminated—certainly much of that for Cornwall was contaminated.

That meat was entering the food chain in this country, and not one warning or notice was given to either the port health authorities or to the scores of authorities whose environmental health officers are desperately trying to ensure adequate and wholesome supplies of food for the people of this country. We owe the environmental health officers a debt of gratitude.

Mr. Matthew Taylor (Truro) *rose*——

Mr. Davies: I apologise to the hon. Gentleman, but my time has been taken up. I ask him to make the briefest of interventions.

Mr. Taylor: I hope that the hon. Gentleman will share my concern that, even since this matter was raised, the Government in this country or the Irish authorities have apparently not been able to establish how this happened and therefore can offer no reassurance that it is not continuing.

Mr. Davies: That is precisely my point. There is a problem in Ireland. We do not know whether it is because of illegal slaughtering, a black market deal in veterinary seals or a deliberate misuse of the precedures, but the fact is that the system allows contaminated meat to come into this country. At the port of entry, only 5 per cent. of that meat is inspected. Ninety-five per cent. of the supplies are then available to meat packers and to processors without further inspection. The Ministry did not see fit to issue one warning until the matter had been raised in the House.

Environmental health officers have unprecedented demands upon them due to the burgeoning food processing and preparation industries. There are now 300 fewer such posts than there were in 1983. The latest figures show that, of the 5,500 posts available, there are nearly 500 vacancies—that is, up 135 from 1981. The Government's squeezes on local government spending are to blame. The Ministry of Agriculture, Fisheries and Food, however, as the sponsor of the Food Acts, must bear the responsibility for failing to insist that those Acts are fully implemented. It beggars belief that, at a time when public concern is at fever pitch—apparently with ample reason from what we have heard tonight—the Government can be so cavalier in their attitude to the consumer that they are cutting back on the very research that has hitherto been the backbone of the fight against such public health hazards.

The Government's attitude to chemical contamination is no better. Before the introduction of maximum residue levels in food regulations, *The Food Magazine* commented on a survey of British food by stating:

"43 per cent. of fruit and vegetables analysed have detectable pesticide residues. And out of a total of 426 chemicals cleared for use on Britain's farms, 166 are known or suspected of causing reactions or of links with cancer".

At the current rates of testing approved by the Ministry, it will take 50 years for all the commercially available chemicals to be tested. Until then, we cannot be confident that our domestically produced food has acceptable levels of residues.

It is not only the food we eat, but the water we drink. Millions of our citizens are now in receipt of water supplies containing unacceptable levels of nitrates. Even the Secretary of State for the Environment—who is not especially noted for his sensitivity in these matters—has noticed the problem. As part of his privatisation package, he is proposing to fleece the consumer to put right the problems caused by the historical neglect by MAFF.

The motion is tabled in the name of the Opposition. We know, however, that our concerns are shared by many right hon. and hon. Gentlemen opposite. The hon. Members for Holland with Boston (Sir R. Body), for Southend, East (Mr. Taylor) and for Brentwood and Ongar (Mr. McCrindle) have in their own ways expressed their vote of no confidence in the Ministry by calling for it to be stripped of its food responsibilities. We believe that, however well intentioned they are, their target is the wrong one. It is not the structure of the Government which is to blame, but their policies and their doctrinaire commitment to cuts, and especially deregulation. That is why we invite those who oppose the Government to join us in the Lobby.

6.48 pm

Mr. Ryder: With the leave of the House, I should like to respond to the debate. It is all too easy at the end of such debates for Ministers to describe them as excellent. I believe, however, that this time we have enjoyed an excellent debate with well-informed contributions from my hon. Friends the Members for Newark (Mr. Alexander), for Uxbridge (Mr. Shersby), for Northampton South (Mr. Morris), for Holland with Boston (Sir R. Body) and for Suffolk, Central (Mr. Lord), among others. On the Labour side, I especially enjoyed and listened carefully to the speeches of the hon. Members for Kirkcaldy (Dr. Moonie) and for Clwyd, South-West (Mr. Jones).

Opposition Front Bench spokesmen asked about the protein processing order. I should like to reply to that point and several others in the short time remaining to me. If sampling of a plant's products reveals salmonella contamination, a notice is served requiring compliance with the bacteriological standard within a time limit. Failure to comply, without lawful authority or excuse, constitutes an offence. In 1987 most operators were able to comply within the time limit and their products proved clear of salmonella on resampling. In the few cases where resampling still revealed contamination it was not considered to be a deliberate failure and, therefore, it was not appropriate to bring prosecutions. In only one case was continuing failure to comply revealed on a second resampling. Even in that case the subsequent tests indicated that a salmonella-free product had been achieved.

[Mr. Ryder]

The hon. Member for South Shields (Dr. Clark) asked about restrictions on farms suspected of infection with salmonella. The decision to impose restrictions has depended and will continue to depend on an assessment of the importance of each case and on an overall assessment of the risks from each strain of salmonella.

The hon. Gentleman was also anxious to know whether we had—I use his words—cut the research project in Bristol. The Goverment's financial support for the research work undertaken will not be lost. As my right hon. Friend the Minister has said, that support will be diverted to other important microbiological research. The redeployment of the staff is also being considered by their employers—in this case the Agricultural and Food Research Council.

My hon. Friend the Member for Uxbridge was anxious to know why three questions that he had put down to our Ministry had been transferred to the Department of Health. I promised to look into that matter, but the prime responsibility for microbiological surveillance, including listeria, rests with the Department of Health. That is why that Department will be responsible for answering his questions.

The hon. Member for Ross, Cromarty and Skye (Mr. Kennedy) asked about veterinary training. That matter rests primarily with the Department of Education and Science and the University Grants Committee. I shall pass the hon. Gentleman's comments on to my right hon. Friend and my hon. Friends in the DES.

The right hon. Member for Halton (Mr. Oakes) attacked the Ministry for devoting resources to compensation instead of tackling the problems. As my right hon. Friend the Minister has pointed out on several occasions, however, not least in a lengthy written reply to my hon. Friend the Member for Suffolk, Central last week. We have arranged a series of measures to deal with the problem and many have already been introduced. My right hon. Friend said that this amounts to one of the most comprehensive programmes to combat salmonella anywhere in the world.

Listeria was mentioned by the hon. Member for South Shields and other hon. Members, and it is important to appreciate that my Department, together with the Department of Health and representatives of the industry, is considering current food processing, distribution, retailing and labelling to ensure the safety of the food supply. Appropriate research is being carried out where information is lacking and codes of practice are being developed in conjunction with the industry. The Ministry is funding research projects to investigate improved methods of detecting the bacteria and how processing factors and storage conditions affect the growth and survival of this particular strain of listeria which is causing so much concern.

The motion concerns the Government's handling of food and its effect on consumers. Today I pointed out twice that this is the first time that the Opposition have selected a Supply day to debate this issue since we came into Government in 1979. To claim that the Government are not concerned about consumers is as fatuous as claiming that the conductor is interested only in his orchestra and not the audience. The Government have always taken their responsibilities to consumers and taxpayers far more seriously than has the Labour party. Since the Government took office 10 years ago food prices have increased on average at 5·6 per cent. per annum. That is nearly 2 per cent. a year less than the rate of inflation. Therefore, consumers have benefited under the Government. Prices are now 17 per cent. lower in real terms than they were when we took office in May 1979.

What about the Labour Government's record between 1974 and 1979? My hon. Friends will remember that, during the 1970s, food prices were supposed to be controlled by the ill-fated Department of Prices and Consumer Protection. That was such a misnomer that it even defied the Trade Descriptions Act 1968.

The Government have a responsibility for the entire food chain and that responsibility has been exercised with particular emphasis on the joint interests of the taxpayer and the consumer. What a contrast that is with the Labour Government's record when the well-being of consumers was eroded by disruptions to the food chain caused by strikes and that Government's inefficiency.

We have allowed for the operation of the market and, therefore, we have created the environment in which the food industry has become one of the most successful sectors of the economy—it accounts for no less than 10 per cent. of the gross national product and employs more than 3 million people. Under the Labour Government, consumers faced price rises almost every day and consumer choice was impeded by ineffective, muddled and restrictive economic policies. Under Labour, consumers were faced with food shortages and lack of choice. Now consumers have better choice and better quality food than ever before. I am happy to defend the record of the Government against the Labour record today or any day the Opposition choose.

During the 1980s we have taken a consistent line. We have fought hard in Brussels to control the excesses of the CAP and that is exactly what my right hon. Friend was doing last night when he was taken ill. We have reduced prices, surpluses and the waste of taxpayers' money. We have increased expenditure on food safety and, consequently, given a better deal to consumers.

Several hon. Members, including the Opposition spokesmen, have alleged that the Government have cut research and development projects on food safety, but nothing could be further from the truth. I happen to have with me, for the sake of convenience, a computer list of all such R and D projects funded by my Department during the past two years. If I had brought the computer list for the past 10 years I would have been unable to carry it, yet the Opposition claims that we have cut such R and D work.

Since the 1970s, the quality and variety of the food available has changed. The Labour party tried to dictate the composition of food through detailed food law. That discredited and outmoded approach acted as a disincentive to innovation, and the failure of the United Kingdom dairy industry to market low-fat milk earlier than it did was, in part, due to Labour-inspired rules about the fat content of milk.

The Opposition's allegations today have plummeted to the depths of matchless distortion. By attacking the Government, the Opposition have cast aspersions on the scores and scores of vets and other experts whose advice is acted on by the Ministry; that includes scores and scores of doctors and academics. Those scientists, doctors and vets are men and women of the highest probity and their

skills and devotion to duty are beyond doubt. They are admired in Britain and respected and envied in Europe. They help to ensure the safety of our food and they will resent and reject, as I do, the accusations levelled against them by the Opposition.

Today the Opposition have behaved like rabbits and, as students of Beatrix Potter will know, rabbits that stray into Mr. McGregor's garden generally end up in Mrs. McGregor's pot. I ask the House to reject the Labour party motion and to pass our own.

Mr. Ron Davies *rose*——

Mr. Speaker: Order. The hon. Gentleman has spoken once. Mr. Flynn.

6.58 pm

Mr. Paul Flynn (Newport, West): The Parliamentary Secretary's speech was a disgraceful response to what he described as a fine debate. It is a shame that the Government cannot do better to answer the deep-seated concerns that have been expressed throughout the country about the purity of food except by resorting, once again, to cheap electioneering and debating points about what happened in the past 10 years.

Do the Government not understand how seriously disturbed the whole nation is by the many cases of food contamination? We have seen a display from the Minister who waved about a long list of computer——

Mr. Don Dixon (Jarrow) *rose in his place, and claimed to move,* That the Question be now put.

Question, That the Question be now put, put and agreed to.

Question put accordingly, That the original words stand part of the Question:—

The House divided: Ayes 206, Noes 313.

Division No. 48] **[7 pm**

AYES

Abbott, Ms Diane
Adams, Allen *(Paisley N)*
Anderson, Donald
Archer, Rt Hon Peter
Armstrong, Hilary
Ashley, Rt Hon Jack
Ashton, Joe
Banks, Tony *(Newham NW)*
Barnes, Harry *(Derbyshire NE)*
Barnes, Mrs Rosie *(Greenwich)*
Barron, Kevin
Battle, John
Beckett, Margaret
Benn, Rt Hon Tony
Bennett, A. F. *(D'nt'n & R'dish)*
Bermingham, Gerald
Bidwell, Sydney
Blair, Tony
Blunkett, David
Boateng, Paul
Boyes, Roland
Bradley, Keith
Brown, Gordon *(D'mline E)*
Brown, Nicholas *(Newcastle E)*
Brown, Ron *(Edinburgh Leith)*
Buchan, Norman
Buckley, George J.
Caborn, Richard
Callaghan, Jim
Campbell, Ron *(Blyth Valley)*
Campbell-Savours, D. N.
Canavan, Dennis
Cartwright, John
Clark, Dr David *(S Shields)*
Clarke, Tom *(Monklands W)*
Clay, Bob
Clelland, David
Clwyd, Mrs Ann
Cohen, Harry
Coleman, Donald
Cook, Robin *(Livingston)*
Corbett, Robin
Corbyn, Jeremy
Cousins, Jim
Cox, Tom
Cryer, Bob
Cummings, John
Cunliffe, Lawrence
Cunningham, Dr John
Darling, Alistair
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Ron *(Caerphilly)*
Davis, Terry *(B'ham Hodge H'l)*
Dewar, Donald
Dixon, Don
Dobson, Frank
Doran, Frank
Douglas, Dick
Dunnachie, Jimmy
Dunwoody, Hon Mrs Gwyneth
Eadie, Alexander
Evans, John *(St Helens N)*
Fatchett, Derek
Field, Frank *(Birkenhead)*
Fields, Terry *(L'pool B G'n)*
Flannery, Martin
Flynn, Paul
Foot, Rt Hon Michael
Foster, Derek
Foulkes, George
Fraser, John
Fyfe, Maria
Galbraith, Sam
Galloway, George
Garrett, John *(Norwich South)*
Garrett, Ted *(Wallsend)*
George, Bruce
Gilbert, Rt Hon Dr John
Godman, Dr Norman A.
Golding, Mrs Llin
Gordon, Mildred
Gould, Bryan
Graham, Thomas
Grant, Bernie *(Tottenham)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Hardy, Peter
Harman, Ms Harriet
Haynes, Frank
Healey, Rt Hon Denis
Heffer, Eric S.
Henderson, Doug
Hinchliffe, David
Hogg, N. *(C'nauld & Kilsyth)*
Holland, Stuart
Home Robertson, John
Hood, Jimmy
Howell, Rt Hon D. *(S'heath)*
Hughes, John *(Coventry NE)*
Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport E)*
Hughes, Sean *(Knowsley S)*
Illsley, Eric
Ingram, Adam
Janner, Greville
Jones, Barry *(Alyn & Deeside)*
Jones, Martyn *(Clwyd S W)*
Kaufman, Rt Hon Gerald
Kinnock, Rt Hon Neil
Lambie, David
Leadbitter, Ted
Leighton, Ron
Lestor, Joan *(Eccles)*
Lewis, Terry
Litherland, Robert
Lloyd, Tony *(Stretford)*
Lofthouse, Geoffrey
Loyden, Eddie
McAllion, John
McAvoy, Thomas
McCartney, Ian
Macdonald, Calum A.
McFall, John
McKay, Allen *(Barnsley West)*
McKelvey, William
McLeish, Henry
McNamara, Kevin
McTaggart, Bob
McWilliam, John
Madden, Max
Mahon, Mrs Alice
Marek, Dr John
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Martin, Michael J. *(Springburn)*
Martlew, Eric
Maxton, John
Meacher, Michael
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Mitchell, Austin *(G't Grimsby)*
Moonie, Dr Lewis
Morgan, Rhodri
Morley, Elliott
Morris, Rt Hon A. *(W'shawe)*
Morris, Rt Hon J. *(Aberavon)*
Mowlam, Marjorie
Mullin, Chris
Murphy, Paul
Nellist, Dave
Oakes, Rt Hon Gordon
O'Brien, William
O'Neill, Martin
Orme, Rt Hon Stanley
Owen, Rt Hon Dr David
Parry, Robert
Patchett, Terry
Pike, Peter L.
Powell, Ray *(Ogmore)*
Prescott, John
Primarolo, Dawn
Quin, Ms Joyce
Radice, Giles
Randall, Stuart
Redmond, Martin
Rees, Rt Hon Merlyn
Reid, Dr John
Richardson, Jo
Roberts, Allan *(Bootle)*
Robertson, George
Robinson, Geoffrey
Rogers, Allan
Rooker, Jeff
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Ruddock, Joan
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Shore, Rt Hon Peter
Short, Clare
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, C. *(Isl'ton & F'bury)*
Smith, Rt Hon J. *(Monk'ds E)*
Snape, Peter
Soley, Clive
Spearing, Nigel
Stott, Roger
Strang, Gavin
Straw, Jack
Taylor, Mrs Ann *(Dewsbury)*
Turner, Dennis
Vaz, Keith
Walley, Joan
Wardell, Gareth *(Gower)*
Wareing, Robert N.
Welsh, Michael *(Doncaster N)*
Williams, Rt Hon Alan
Williams, Alan W. *(Carm'then)*
Wilson, Brian
Winnick, David
Wise, Mrs Audrey
Worthington, Tony

Tellers for the Ayes:
Mr. Ken Eastham and
Mr. Frank Cook.

NOES

Adley, Robert
Aitken, Jonathan
Alexander, Richard
Alison, Rt Hon Michael
Alton, David
Amess, David
Amos, Alan
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Tom *(Hazel Grove)*
Ashby, David
Aspinwall, Jack

Atkins, Robert
Atkinson, David
Baker, Rt Hon K. *(Mole Valley)*
Baker, Nicholas *(Dorset N)*
Baldry, Tony
Batiste, Spencer
Beaumont-Dark, Anthony
Beggs, Roy
Beith, A. J.
Bellingham, Henry
Bendall, Vivian
Bevan, David Gilroy
Biffen, Rt Hon John
Blackburn, Dr John G.
Blaker, Rt Hon Sir Peter
Bonsor, Sir Nicholas
Boscawen, Hon Robert
Boswell, Tim
Bottomley, Peter
Bottomley, Mrs Virginia
Bowden, A *(Brighton K'pto'n)*
Bowden, Gerald *(Dulwich)*
Bowis, John
Boyson, Rt Hon Dr Sir Rhodes
Braine, Rt Hon Sir Bernard
Brandon-Bravo, Martin
Brazier, Julian
Bright, Graham
Brooke, Rt Hon Peter
Brown, Michael *(Brigg & Cl't's)*
Browne, John *(Winchester)*
Bruce, Ian *(Dorset South)*
Bruce, Malcolm *(Gordon)*
Buchanan-Smith, Rt Hon Alick
Buck, Sir Antony
Budgen, Nicholas
Burns, Simon
Burt, Alistair
Butcher, John
Butler, Chris
Butterfill, John
Campbell, Menzies *(Fife NE)*
Carlisle, John, *(Luton N)*
Carrington, Matthew
Carttiss, Michael
Cash, William
Channon, Rt Hon Paul
Chapman, Sydney
Chope, Christopher
Churchill, Mr
Clark, Sir W. *(Croydon S)*
Clarke, Rt Hon K. *(Rushcliffe)*
Colvin, Michael
Conway, Derek
Coombs, Anthony *(Wyre F'rest)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon John
Cran, James
Critchley, Julian
Curry, David
Davies, Q. *(Stamf'd & Spald'g)*
Davis, David *(Boothferry)*
Day, Stephen
Devlin, Tim
Dickens, Geoffrey
Dicks, Terry
Dorrell, Stephen
Douglas-Hamilton, Lord James
Dover, Den
Dunn, Bob
Durant, Tony
Dykes, Hugh
Eggar, Tim
Emery, Sir Peter
Evans, David *(Welwyn Hatf'd)*
Evennett, David
Fairbairn, Sir Nicholas
Fallon, Michael
Favell, Tony
Fearn, Ronald
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Finsberg, Sir Geoffrey
Fishburn, John Dudley
Fookes, Dame Janet
Forman, Nigel
Forsyth, Michael *(Stirling)*
Forth, Eric
Fowler, Rt Hon Norman
Fox, Sir Marcus
Franks, Cecil
Freeman, Roger
French, Douglas
Fry, Peter
Gale, Roger
Gardiner, George
Garel-Jones, Tristan
Gill, Christopher
Gilmour, Rt Hon Sir Ian
Glyn, Dr Alan
Goodhart, Sir Philip
Goodlad, Alastair
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Gorst, John
Gow, Ian
Gower, Sir Raymond
Grant, Sir Anthony *(CambsSW)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Gregory, Conal
Griffiths, Peter *(Portsmouth N)*
Ground, Patrick
Gummer, Rt Hon John Selwyn
Hamilton, Hon Archie *(Epsom)*
Hamilton, Neil *(Tatton)*
Hanley, Jeremy
Hannam, John
Hargreaves, A. *(B'ham H'll Gr')*
Hargreaves, Ken *(Hyndburn)*
Haselhurst, Alan
Hayes, Jerry
Hayhoe, Rt Hon Sir Barney
Hayward, Robert
Heathcoat-Amory, David
Heddle, John
Hicks, Mrs Maureen *(Wolv' NE)*
Hicks, Robert *(Cornwall SE)*
Higgins, Rt Hon Terence L.
Hill, James
Hind, Kenneth
Hogg, Hon Douglas *(Gr'th'm)*
Holt, Richard
Hordern, Sir Peter
Howard, Michael
Howarth, Alan *(Strat'd-on-A)*
Howarth, G. *(Cannock & B'wd)*
Howell, Ralph *(North Norfolk)*
Hughes, Robert G. *(Harrow W)*
Hunt, David *(Wirral W)*
Hunt, John *(Ravensbourne)*
Hunter, Andrew
Irvine, Michael
Irving, Charles
Jack, Michael
Jackson, Robert
Janman, Tim
Jessel, Toby
Jones, Gwilym *(Cardiff N)*
Jones, Robert B *(Herts W)*
Kellett-Bowman, Dame Elaine
Kennedy, Charles
Key, Robert
Kilfedder, James
King, Roger *(B'ham N'thfield)*
Kirkhope, Timothy
Kirkwood, Archy
Knapman, Roger
Knight, Greg *(Derby North)*
Knight, Dame Jill *(Edgbaston)*
Knowles, Michael
Lamont, Rt Hon Norman
Lang, Ian
Latham, Michael
Lawrence, Ivan
Lawson, Rt Hon Nigel
Lee, John *(Pendle)*
Lennox-Boyd, Hon Mark
Lester, Jim *(Broxtowe)*
Lightbown, David
Lilley, Peter
Livsey, Richard
Lloyd, Sir Ian *(Havant)*
Lloyd, Peter *(Fareham)*
Lord, Michael
Luce, Rt Hon Richard
Lyell, Sir Nicholas
Macfarlane, Sir Neil
McLoughlin, Patrick
McNair-Wilson, Sir Michael
McNair-Wilson, P. *(New Forest)*
Madel, David
Major, Rt Hon John
Malins, Humfrey
Mans, Keith
Maples, John
Marland, Paul
Marlow, Tony
Marshall, John *(Hendon S)*
Marshall, Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Maude, Hon Francis
Mawhinney, Dr Brian
Mayhew, Rt Hon Sir Patrick
Michie, Mrs Ray *(Arg'l & Bute)*
Miller, Sir Hal
Mills, Iain
Miscampbell, Norman
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David
Moate, Roger
Molyneaux, Rt Hon James
Montgomery, Sir Fergus
Morris, M *(N'hampton S)*
Morrison, Sir Charles
Morrison, Rt Hon P *(Chester)*
Moss, Malcolm
Moynihan, Hon Colin
Mudd, David
Needham, Richard
Nelson, Anthony
Neubert, Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Norris, Steve
Onslow, Rt Hon Cranley
Oppenheim, Phillip
Page, Richard
Paice, James
Parkinson, Rt Hon Cecil
Patnick, Irvine
Patten, Chris *(Bath)*
Patten, John *(Oxford W)*
Pawsey, James
Peacock, Mrs Elizabeth
Porter, David *(Waveney)*
Portillo, Michael
Powell, William *(Corby)*
Price, Sir David
Raffan, Keith
Raison, Rt Hon Timothy
Rathbone, Tim
Redwood, John
Renton, Tim
Rhodes James, Robert
Riddick, Graham
Ridley, Rt Hon Nicholas
Rifkind, Rt Hon Malcolm
Roberts, Wyn *(Conwy)*
Roe, Mrs Marion
Rossi, Sir Hugh
Rost, Peter
Rowe, Andrew
Ryder, Richard
Sackville, Hon Tom
Sainsbury, Hon Tim
Scott, Nicholas
Shaw, David *(Dover)*
Shaw, Sir Michael *(Scarb')*
Shelton, Sir William *(Streatham)*
Shephard, Mrs G. *(Norfolk SW)*
Shepherd, Colin *(Hereford)*
Shepherd, Richard *(Aldridge)*
Shersby, Michael
Sims, Roger
Skeet, Sir Trevor
Smith, Sir Dudley *(Warwick)*
Smith, Tim *(Beaconsfield)*
Smyth, Rev Martin *(Belfast S)*
Soames, Hon Nicholas
Speller, Tony
Spicer, Sir Jim *(Dorset W)*
Spicer, Michael *(S Worcs)*
Stanbrook, Ivor
Stanley, Rt Hon Sir John
Steel, Rt Hon David
Steen, Anthony
Stern, Michael
Stevens, Lewis
Stewart, Allan *(Eastwood)*
Stewart, Andy *(Sherwood)*
Stokes, Sir John
Stradling Thomas, Sir John
Sumberg, David
Summerson, Hugo
Taylor, John M *(Solihull)*
Taylor, Matthew *(Truro)*
Tebbit, Rt Hon Norman
Thatcher, Rt Hon Margaret
Thompson, Patrick *(Norwich N)*
Thorne, Neil
Thurnham, Peter
Townend, John *(Bridlington)*
Townsend, Cyril D. *(B'heath)*
Tredinnick, David
Trippier, David
Twinn, Dr Ian
Waddington, Rt Hon David
Wakeham, Rt Hon John
Walker, Bill *(T'side North)*
Wallace, James
Waller, Gary
Wheeler, John
Wiggin, Jerry
Wilkinson, John
Wood, Timothy
Woodcock, Mike
Yeo, Tim
Young, Sir George *(Acton)*

Tellers for the Noes:
Mr. Kenneth Carlisle and
Mr. David Maclean.

Question accordingly negatived.

Question, That the proposed words be there added, *put forthwith pursuant to Standing Order No. 30. (Questions on amendments)*:—

The House proceeded to a Division:—

Mr. Deputy Speaker (Mr. Harold Walker): I understand that the House has a problem with its time devices and that the order to lock the doors may have been called prematurely. In the light of that, I propose to allow the doors to be reopened and to remain open for one minute.

The House having divided: Ayes 280, Noes 211.

Division No. 47] **[7.13 pm**

AYES

Adley, Robert
Aitken, Jonathan
Alexander, Richard
Alison, Rt Hon Michael
Amess, David
Amos, Alan
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Tom *(Hazel Grove)*
Ashby, David
Aspinwall, Jack
Atkins, Robert
Atkinson, David
Baker, Rt Hon K. *(Mole Valley)*
Baker, Nicholas *(Dorset N)*
Baldry, Tony
Batiste, Spencer
Beaumont-Dark, Anthony
Bellingham, Henry
Bendall, Vivian
Bevan, David Gilroy
Biffen, Rt Hon John
Blackburn, Dr John G.
Blaker, Rt Hon Sir Peter
Bonsor, Sir Nicholas
Boscawen, Hon Robert
Boswell, Tim
Bottomley, Peter
Bottomley, Mrs Virginia
Bowden, A *(Brighton K'pto'n)*
Bowden, Gerald *(Dulwich)*
Bowis, John
Boyson, Rt Hon Dr Sir Rhodes
Braine, Rt Hon Sir Bernard
Brandon-Bravo, Martin
Brazier, Julian
Bright, Graham
Brooke, Rt Hon Peter
Brown, Michael *(Brigg & Cl't's)*
Browne, John *(Winchester)*
Bruce, Ian *(Dorset South)*
Buchanan-Smith, Rt Hon Alick
Buck, Sir Antony
Budgen, Nicholas
Burns, Simon
Burt, Alistair
Butcher, John
Butler, Chris
Butterfill, John
Carlisle, John, *(Luton N)*
Carrington, Matthew
Carttiss, Michael
Cash, William
Channon, Rt Hon Paul
Chapman, Sydney
Chope, Christopher
Churchill, Mr
Clark, Sir W. *(Croydon S)*
Clarke, Rt Hon K. *(Rushcliffe)*
Colvin, Michael
Conway, Derek
Coombs, Anthony *(Wyre F'rest)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon John
Cran, James
Critchley, Julian
Curry, David
Davies, Q. *(Stamf'd & Spald'g)*
Davis, David *(Boothferry)*
Day, Stephen
Devlin, Tim
Dicks, Terry
Dorrell, Stephen
Douglas-Hamilton, Lord James
Dover, Den
Dunn, Bob
Durant, Tony
Dykes, Hugh
Eggar, Tim
Emery, Sir Peter
Evans, David *(Welwyn Hatf'd)*
Evennett, David
Fairbairn, Sir Nicholas
Fallon, Michael
Favell, Tony
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Finsberg, Sir Geoffrey
Fishburn, John Dudley
Fookes, Dame Janet
Forman, Nigel
Forth, Eric
Fowler, Rt Hon Norman
Fox, Sir Marcus
Franks, Cecil
Freeman, Roger
French, Douglas
Fry, Peter
Gale, Roger
Gardiner, George
Garel-Jones, Tristan
Gill, Christopher
Glyn, Dr Alan
Goodhart, Sir Philip
Goodlad, Alastair
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Gorst, John
Gow, Ian
Gower, Sir Raymond
Grant, Sir Anthony *(CambsSW)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Gregory, Conal
Griffiths, Peter *(Portsmouth N)*
Ground, Patrick
Gummer, Rt Hon John Selwyn
Hamilton, Hon Archie *(Epsom)*
Hamilton, Neil *(Tatton)*
Hanley, Jeremy
Hannam, John
Hargreaves, A. *(B'ham H'll Gr')*
Hargreaves, Ken *(Hyndburn)*
Haselhurst, Alan
Hayes, Jerry
Hayhoe, Rt Hon Sir Barney
Hayward, Robert
Heathcoat-Amory, David
Heddle, John
Hicks, Mrs Maureen *(Wolv' NE)*
Hicks, Robert *(Cornwall SE)*
Higgins, Rt Hon Terence L.
Hill, James
Hind, Kenneth
Hogg, Hon Douglas *(Gr'th'm)*
Holt, Richard
Hordern, Sir Peter
Howard, Michael
Howarth, Alan *(Strat'd-on-A)*
Howarth, G. *(Cannock & B'wd)*
Howell, Ralph *(North Norfolk)*
Hughes, Robert G. *(Harrow W)*
Hunt, David *(Wirral W)*
Hunt, John *(Ravensbourne)*
Hunter, Andrew
Irvine, Michael
Irving, Charles
Jack, Michael
Jackson, Robert
Janman, Tim
Jessel, Toby
Jones, Gwilym *(Cardiff N)*
Jones, Robert B *(Herts W)*
Kellett-Bowman, Dame Elaine
Key, Robert
Kilfedder, James
King, Roger *(B'ham N'thfield)*
Kirkhope, Timothy
Knapman, Roger
Knight, Greg *(Derby North)*
Knight, Dame Jill *(Edgbaston)*
Knowles, Michael
Lamont, Rt Hon Norman
Lang, Ian
Latham, Michael
Lee, John *(Pendle)*
Lennox-Boyd, Hon Mark
Lester, Jim *(Broxtowe)*
Lightbown, David
Lilley, Peter
Lloyd, Sir Ian *(Havant)*
Lloyd, Peter *(Fareham)*
Lord, Michael
Luce, Rt Hon Richard
Lyell, Sir Nicholas
Macfarlane, Sir Neil
McLoughlin, Patrick
McNair-Wilson, Sir Michael
McNair-Wilson, P. *(New Forest)*
Madel, David
Major, Rt Hon John
Malins, Humfrey
Mans, Keith
Maples, John
Marland, Paul
Marlow, Tony
Marshall, John *(Hendon S)*
Marshall, Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Maude, Hon Francis
Mawhinney, Dr Brian
Mayhew, Rt Hon Sir Patrick
Miller, Sir Hal
Mills, Iain
Miscampbell, Norman
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David
Moate, Roger
Montgomery, Sir Fergus
Morrison, Sir Charles
Morrison, Rt Hon P *(Chester)*
Moss, Malcolm
Moynihan, Hon Colin
Needham, Richard
Nelson, Anthony
Neubert, Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Norris, Steve
Oppenheim, Phillip
Page, Richard
Paice, James
Parkinson, Rt Hon Cecil
Patnick, Irvine
Patten, Chris *(Bath)*
Patten, John *(Oxford W)*
Pawsey, James
Peacock, Mrs Elizabeth
Porter, David *(Waveney)*
Portillo, Michael
Powell, William *(Corby)*
Price, Sir David
Raffan, Keith
Raison, Rt Hon Timothy
Rathbone, Tim
Redwood, John
Renton, Tim
Rhodes James, Robert
Riddick, Graham
Rifkind, Rt Hon Malcolm
Roberts, Wyn *(Conwy)*
Roe, Mrs Marion
Rossi, Sir Hugh
Rost, Peter
Rowe, Andrew
Ryder, Richard
Sackville, Hon Tom
Sainsbury, Hon Tim
Shaw, David *(Dover)*
Shaw, Sir Michael *(Scarb')*
Shelton, Sir William *(Streatham)*
Shephard, Mrs G. *(Norfolk SW)*
Shepherd, Colin *(Hereford)*
Shepherd, Richard *(Aldridge)*
Sims, Roger
Skeet, Sir Trevor
Smith, Sir Dudley *(Warwick)*
Smith, Tim *(Beaconsfield)*
Soames, Hon Nicholas
Speller, Tony
Spicer, Sir Jim *(Dorset W)*
Spicer, Michael *(S Worcs)*
Stanbrook, Ivor
Stanley, Rt Hon Sir John
Stern, Michael
Stevens, Lewis
Stewart, Allan *(Eastwood)*
Stewart, Andy *(Sherwood)*
Stradling Thomas, Sir John
Sumberg, David
Summerson, Hugo
Taylor, John M *(Solihull)*
Tebbit, Rt Hon Norman
Thompson, Patrick *(Norwich N)*
Thurnham, Peter
Townsend, Cyril D. *(B'heath)*
Tredinnick, David
Trippier, David
Twinn, Dr Ian
Waddington, Rt Hon David
Walker, Bill *(T'side North)*
Wheeler, John
Wiggin, Jerry
Wilkinson, John
Wood, Timothy
Woodcock, Mike
Yeo, Tim
Young, Sir George *(Acton)*

Tellers for the Ayes:
Mr. Kenneth Carlisle and
Mr. David Maclean.

NOES

Abbott, Ms Diane
Adams, Allen *(Paisley N)*
Alton, David
Anderson, Donald
Archer, Rt Hon Peter
Armstrong, Hilary

Ashley, Rt Hon Jack
Ashton, Joe
Banks, Tony *(Newham NW)*
Barnes, Harry *(Derbyshire NE)*
Barnes, Mrs Rosie *(Greenwich)*
Barron, Kevin
Battle, John
Beckett, Margaret
Beith, A. J.
Benn, Rt Hon Tony
Bennett, A. F. *(D'nt'n & R'dish)*
Bermingham, Gerald
Bidwell, Sydney
Blair, Tony
Blunkett, David
Boateng, Paul
Boyes, Roland
Bradley, Keith
Brown, Gordon *(D'mline E)*
Brown, Nicholas *(Newcastle E)*
Brown, Ron *(Edinburgh Leith)*
Bruce, Malcolm *(Gordon)*
Buchan, Norman
Buckley, George J.
Caborn, Richard
Callaghan, Jim
Campbell, Menzies *(Fife NE)*
Campbell, Ron *(Blyth Valley)*
Campbell-Savours, D. N.
Canavan, Dennis
Cartwright, John
Clark, Dr David *(S Shields)*
Clarke, Tom *(Monklands W)*
Clay, Bob
Clelland, David
Clwyd, Mrs Ann
Cohen, Harry
Coleman, Donald
Cook, Frank *(Stockton N)*
Cook, Robin *(Livingston)*
Corbett, Robin
Corbyn, Jeremy
Cox, Tom
Cryer, Bob
Cummings, John
Cunliffe, Lawrence
Cunningham, Dr John
Darling, Alistair
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Ron *(Caerphilly)*
Davis, Terry *(B'ham Hodge H'l)*
Dewar, Donald
Dixon, Don
Dobson, Frank
Doran, Frank
Douglas, Dick
Dunnachie, Jimmy
Dunwoody, Hon Mrs Gwyneth
Eadie, Alexander
Evans, John *(St Helens N)*
Fatchett, Derek
Fearn, Ronald
Field, Frank *(Birkenhead)*
Flannery, Martin
Flynn, Paul
Foot, Rt Hon Michael
Foster, Derek
Foulkes, George
Fraser, John
Fyfe, Maria
Galbraith, Sam
Galloway, George
Garrett, John *(Norwich South)*
Garrett, Ted *(Wallsend)*
Gilbert, Rt Hon Dr John
Godman, Dr Norman A.
Golding, Mrs Llin
Gordon, Mildred
Gould, Bryan
Graham, Thomas
Grant, Bernie *(Tottenham)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Hardy, Peter
Harman, Ms Harriet
Haynes, Frank
Healey, Rt Hon Denis
Heffer, Eric S.
Henderson, Doug
Hinchliffe, David
Hogg, N. *(C'nauld & Kilsyth)*
Holland, Stuart
Home Robertson, John
Hood, Jimmy
Howell, Rt Hon D. *(S'heath)*
Hughes, John *(Coventry NE)*
Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport E)*
Hughes, Sean *(Knowsley S)*
Illsley, Eric
Ingram, Adam
Janner, Greville
Jones, Barry *(Alyn & Deeside)*
Jones, Martyn *(Clwyd S W)*
Kaufman, Rt Hon Gerald
Kennedy, Charles
Kinnock, Rt Hon Neil
Kirkwood, Archy
Lambie, David
Leadbitter, Ted
Leighton, Ron
Lestor, Joan *(Eccles)*
Lewis, Terry
Litherland, Robert
Livsey, Richard
Lloyd, Tony *(Stretford)*
Lofthouse, Geoffrey
Loyden, Eddie
McAllion, John
McAvoy, Thomas
McCartney, Ian
Macdonald, Calum A.
McFall, John
McKay, Allen *(Barnsley West)*
McKelvey, William
McLeish, Henry
McNamara, Kevin
McWilliam, John
Madden, Max
Mahon, Mrs Alice
Marek, Dr John
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Martin, Michael J. *(Springburn)*
Martlew, Eric
Maxton, John
Meacher, Michael
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Michie, Mrs Ray *(Arg'l & Bute)*
Mitchell, Austin *(G't Grimsby)*
Moonie, Dr Lewis
Morgan, Rhodri
Morley, Elliott
Morris, Rt Hon A. *(W'shawe)*
Morris, Rt Hon J. *(Aberavon)*
Mowlam, Marjorie
Mullin, Chris
Murphy, Paul
Nellist, Dave
Oakes, Rt Hon Gordon
O'Brien, William
O'Neill, Martin
Orme, Rt Hon Stanley
Owen, Rt Hon Dr David
Parry, Robert
Patchett, Terry
Pike, Peter L.
Powell, Ray *(Ogmore)*
Prescott, John
Primarolo, Dawn
Quin, Ms Joyce
Radice, Giles
Randall, Stuart
Redmond, Martin
Rees, Rt Hon Merlyn
Reid, Dr John
Richardson, Jo
Roberts, Allan *(Bootle)*
Robertson, George
Rogers, Allan
Rooker, Jeff
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Shore, Rt Hon Peter
Short, Clare
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, C. *(Isl'ton & F'bury)*
Smith, Rt Hon J. *(Monk'ds E)*
Snape, Peter
Soley, Clive
Spearing, Nigel
Steel, Rt Hon David
Stott, Roger
Strang, Gavin
Straw, Jack
Taylor, Mrs Ann *(Dewsbury)*
Vaz, Keith
Wallace, James
Walley, Joan
Wardell, Gareth *(Gower)*
Welsh, Michael *(Doncaster N)*
Williams, Rt Hon Alan
Williams, Alan W. *(Carm'then)*
Wilson, Brian
Winnick, David
Wise, Mrs Audrey
Worthington, Tony
Wray, Jimmy

Tellers for the Noes:
Mr. Ken Eastham and
Mr. Robert N. Wareing.

Mr. Deputy Speaker *forthwith declared the main Question, as amended, to be agreed to.*

Resolved,

That this House commends the Ministry of Agriculture, Fisheries and Food on its achievements on behalf of consumers in the fields of food safety, food surveillance, and consumer information which means that they have wide variety and choice of wholesome foods at reasonable prices; commends its comprehensive response to the emergence of health risks; and commends its constant concern for consumers' interest in European Community negotiations.

Orders of the Day

City of London (Spitafields Market) Bill

Order for Third Reading read.

7.25 pm

Sir Geoffrey Finsberg (Hampstead and Highgate): I beg to move, That the Bill be now read the Third time.

The Second Reading of the Bill took place on 12 May 1988. The Bill spent an extremely long time in Committee and there was not time before the Session ended, to proceed with the Third Reading, even in the spill-over. However, as hon. Members will recall, there was a revival motion and we now have the Third Reading.

It is right that I should briefly point out the ways in which the Bill before us differs from that of May 1988. On that occasion, the hon. Member for Newham, North-West (Mr. Banks) opposed the Bill because his constituents in Stratford market were unhappy. They are now satisfied and he has withdrawn his opposition, as has his local authority.

The hon. Member for Leyton (Mr. Cohen) voted for the Second Reading of the Bill because he was content. I express it that way to show that there is cross-party support for the Bill.

The right hon. Member for Bethnall Green and Stepney (Mr. Shore) is fighting, as I hope I would, a stout-hearted battle as a constituency Member. I respect him for that because the prime job of all hon. Members is to represent their constituencies. The hon. Member for Bow and Poplar (Ms. Gordon) is taking exactly the same line.

As a result of hearings in the Opposed Private Bill Committee, three major changes appear in the Bill that seeks its Third Reading tonight. First, the annual payments for the training schemes have been increased from £50,000 a year to £150,000 a year. Secondly, the payment to the local community trust has been increased from £2·5 million to £5 million. Thirdly, the corporation of the City of London has undertaken to maintain the open spaces at Elder gardens in perpetuity, if the developers' interests cease.

I should like to make it clear that on the revival motion, the right hon. Member for Bethnal Green and Stepney made two incorrect assertions which need to be corrected. He said:

"the Committee could not respond to the petitioners' central point, which was that the Bill should not be proceeded with. The Committee could not respond to that request, because the House had already given the Bill a Second Reading."

That is incorrect because a Committee on a local Bill can disallow that Bill, notwithstanding the fact that it has received a Second Reading, particularly if the Committee finds the preamble not proved. The Committee was not so constrained. The right hon. Gentleman also said:

"Almost any substantial market site has such problems".—[*Official Report*, 1 December 1988; Vol. 142, c. 929-30.]

He was referring to traffic congestion but that is incorrect because Spitalfields has no fixed boundaries and is crossed by a number of public highways. The new site at Temple Mills will be fully enclosed, with one main entrance only. Market traffic will therefore come off the general highway network.

In column 931 the right hon. Gentleman raised the issue of possible changes in the plan. All that I can say is that none have come forward. If they did, they would have to be submitted to the normal planning processes. That has nothing to do with this Bill.

The hon. Member for Bow and Poplar in column 932 raised the important issue——

Mr. Deputy Speaker (Mr. Harold Walker): Order. This is not an appropriate occasion to have an inquest on an earlier debate. It is outside the scope of a proper debate on Third Reading.

Sir Geoffrey Finsberg: I was demonstrating what is in the Bill in relation to what was said earlier, which I thought might be acceptable. The Elder gardens issue has been clarified by Tower Hamlets. It has given an undertaking to keep a substantial portion as open space.

I do not want to detain the House long because the principles were decided on Second Reading. The Committee made sensible alterations and the House agreed that the matter should come forward in this way. Therefore, I hope that the House will give the Bill a Third Reading. If necessary, with the leave of the House, I shall seek to reply to any new points that may emerge.

7.31 pm

Mr. Peter Shore (Bethnal Green and Stepney): I agree that on 12 May when we debated the Second Reading I, along with others, opposed the propositions in the Bill for two main reasons. First, the planning case for transferring the horticultural market in Spitalfields to a new location at Temple Mills in the borough of Waltham Forest had not been made. Secondly, the planned redevelopment of the market site was against the wishes and interests of the great bulk of the residents in the Spitalfields area.

The real case for the Bill—this was not the case argued in the House at the time—is the alternative and lucrative use to which the site of the present Spitalfields market is to be put. The City of London corporation is to receive a capital sum of about £60 million, a new market worth about £35 million and revenues from the old market site of £2·5 million a year—a substantial financial package. Spitalfields development group will be the other great gainer, carrying out a profitable, mainly office, development costing some £500 million.

We are now nine months away from the Second Reading debate. Having read the record of the 11 meetings of the Committee, presided over by the hon. Member for Saffron Walden (Mr. Haselhurst), I find no reason to change my original judgment and I shall vote against the Third Reading.

Before proceeding, I wish to place on record my thanks to the Committee. Committee members showed patience and care in their treatment of petitioners and witnesses who appeared before them. I also thank the petitioners who argued their case before the Committee with skill and persistence.

There have been developments and changes since we last debated the matter. Like the hon. Member for Hampstead and Highgate (Sir G. Finsberg), I should like to refer to them. First, the Committee considered closely the section 52 agreement between Spitalfields development group, the City corporation and the London borough of Tower Hamlets. The Committee found that agreement inadequate in several respects and sought enhanced undertakings from the promoters.

[Mr. Peter Shore]

The main agreed items, as the hon. Member for Hampstead and Highgate has told us, were, first, that, Spitalfields Redevelopment Group gave a stronger and more permanent commitment to maintaining Elder gardens and Horner square so long as the City corporation maintained its lease on the old market site. Secondly, the amount set aside for the community trust which will assist a number of organisations in Spitalfields was raised from £2·5 million to £5 million, a welcome increase. Thirdly, finance for the training schemes to be run by THATT was increased from £50,000 to £150,000 per annum. As my hon. Friend the Member for Newham North-East (Mr. Leighton) pointed out in an intervention on Second Reading, £50,000 would have financed the training of only 10 or 12 young people a year. Now we have training finance for 30 to 36 people.

The fourth change was improved compensation for the Market garage at Spital square, which was to be displaced. Outside the section 52 agreement a further change was designed to make more permanent and certain guarantees for the maintenance of the only open space in the area which is Allen gardens. This guarantee hinges on the ongoing policies of Tower Hamlets council. As the Committee accepted, unfortunately a local authority cannot fetter its discretion in advance, so no absolutely binding undertakings can be given. Nevertheless the council gave verbal undertakings from which it would be difficult for it to withdraw.

Another change that I must report to the House is a reduction in the number of petitioners. The intention of the Transport and General Workers Union to withdraw its petition was announced to the House on 12 May in the concluding remarks of the hon. Member for Hampstead and Highgate. In evidence to the Committee the union made it plain that its anxieties about disturbance costs and possible redundancies of employees in the market had been satisfied by a payment of £300,000 to the union. During the Committee stage Stratford market traders, who had originally felt that they would be disadvantaged by the move to Temple Mills, withdrew their petition in return for compensation totalling £1·8 million to be divided among the 25 or 30 traders.

The Committee stage also cast considerable light on how the market tenants association now representing the existing Spitalfields market traders came to accept the move to Temple Mills. It was a considerable change. I told the House on Second Reading of the Greater London council's study of east end London markets in 1985. The GLC questionnaire found that of about 100 market tenants involved, 59 felt that there were real advantages at the site at Spitalfields and 69 had no immediate plans to relocate their business. I said that that did not indicate any great desire among market traders to move and that their consent to do so two years later was probably due to a feeling of resignation in face of the strong pressures from the corporation of London and Spitalfields Development Group. The evidence on day five, 21 June 1988, gives a detailed account of what took place. No doubt many arguments were found to be persuasive, but pride of place must be given to the Spitalfields Redevelopment Group whose offer of £7·5 million in compensation, was, I suspect, conclusive.

It is clear that a number of interests were squared during the Committee stage. It would be churlish not to recognise the helpful role of the Committee in securing changes in the section 52 agreement. But these changes are, after all, only marginal. The local interests of employees and employers directly involved in the Spitalfields market and the interests of other market traders in Stratford have been taken care of and compensation paid. That is something.

The two major objections that I put on 12 May remain unaffected. First, the case for relocating Spitalfields market, and in particular for resiting it at Temple Mills, has not been made. I pointed out on Second Reading that the City of London in its very frank report, "The Future of Spitalfields", acknowledged on 22 October 1987 that there was

"no overriding reason to relocate the market".

Acknowledging certain problems with the present site, the report concluded:

"despite these factors, the market is relatively successful and it has to be said that not all the problems are insurmountable: e.g. with the co-operation of the local authority (Tower Hamlets) and the Metropolitan Police much could be done to alleviate rubbish dumping and traffic congestion respectively. More space could be found in the area for vehicle parking and the corporation could consider taking control of the surrounding streets in order to regulate the whole trading area."

As I also pointed out, no planning study of London's existing markets and their future location has been undertaken. Indeed, there is no body or organisation now in existence that can plan on an all-London basis.

Furthermore, there has been no authoritative study of the Temple Mills site. Mr. Thomerson, one of the long-standing tenants of Spitalfields market and a petitioner against the Bill, argued strongly that the facilities provided by the new market were already out of date and that the traffic problems would be just as serious in Temple Mills as they are in Spitalfields. Mr. Thomerson is sufficiently disturbed by the prospects that he has already presented a further petition in readiness for the Committee stage, should the Bill reach the other place.

The Ministry of Agriculture, Fisheries and Food, which is responsible for markets and whose Minister is not present tonight—I welcome the presence of the Parliamentary Under-Secretary of State for the Environment—has adopted a neutral posture towards the Bill and has expressed no view about the desirability of change. Indeed, in a reply of 6 June to Mr. Thomerson, who wrote to the Minister, a MAFF official said:

"We feel that the issues raised on the horticultural side are commercial ones which are best dealt with by those involved commercially. We are very much aware that there is opposition from several different quarters and we are concerned that a petitioner such as yourself should avail himself of the opportunity to present petitions to the Bill in Committee. It is here that detailed consideration can best be given to the point you raised."

With all respect to the Committee, it is not equipped to consider whether the Spitalfields market should be best located in Temple Mills. In his new petition, Mr. Thomerson gives a detailed critique of the desired layout of Temple Mills, concluding that,

"without considerable attention to these items, the new proposed market of Spitalfields is less suitable than its existing premises, in consequence of which the Preamble to the Bill and the reason for the proposed alteration of the site becomes untrue."

As the House will recall, the preamble to the Bill begins:

"The age and condition of Spitalfields market is such that the market fails to meet modern market needs and practices."

Mr. Thomerson's petition goes on:

"Without some improvement in local access and egress roads, many of which are local residential one-way systems, congestion in the area will become intolerable, certainly until such times as the M11 is extended to the area and could seriously detract from any success if the proposed new market by causing the local traffic problem to be no better than at the existing site therefore defeating the objective of an improved traffic situation".

So much for the planning case for the proposed transfer. But the heart of the objection remains the proposed redevelopment of the vacated Spitafields site with a substantial new office development. I have no prejuduce against office developments, but to devote the greater part of the 11-acre Spitalfields market site to the provision of a further 885,000 sq ft of offices, in a borough which has already provided scores of acres and millions of square feet to office buildings in its dockland area, is a flagrant misuse of scarce building land. It becomes all the more blatant when that is put alongside the fact that Tower Hamlets has the worst housing problem in London, and Spitalfield ward is the most deprived ward, not only in housing but in every other respect, in the whole of Britain.

The ward is also the centre of the Bangladeshi community in Tower Hamlets where, for employment purposes, low-cost workshops are the main need of the community. The impact of a massive new office development will be to drive up all land, factory and housing prices in the area, and rents for commercial and industrial premises. Since the Committee has completed its deliberations, it has been announced that there is to be a complete redesign of the redevelopment proposals for Spitalfields market, so that it will include the City's first major shopping centre, incorporating new developments of some 250,000 to 300,000 sq ft. How this additional building is to be fitted into the Spitalfields market site, and how it will square with the proposed new shopping centre in the Whitechapel road I do not know.

Of course, office development is the most lucrative form of land use in London today, but while we must cater for our office needs, it is entirely wrong, particularly in hard-pressed inner city areas, to give them an overriding priority over housing and other community needs. Offices do not regenerate inner city areas; they simply create islands of self-contained activity and prosperity in otherwise rundown areas. I believe that the main focus of inner city regeneration should be meeting the needs of the people in the areas concerned.

The Government's view, by contrast, is that the needs of local residents should be secondary. Believing as they do in the trickle-down theory, their primary aim is to bring into inner city areas islands of office development and high-priced accommodation. That may change the physical aspect, and the social composition of the area immediately concerned, but it does little or nothing to solve the problems of the wider area in which redevelopment has taken place.

For all these reasons, I shall certainly vote against the Third Reading. I invite my right hon. and hon. Friends and perhaps some more open-minded Conservative Members to join me.

7.46 pm

The Parliamentary Under-Secretary of State for the Environment (Mr. David Trippier): It may be helpful if I intervene briefly to give an indication of the Government's view of the Bill.

The Government have considered the content of the Bill and have no objection in principle to the proposals in it. Neither the Ministry of Agriculture, Fisheries and Food, which has the responsibility for wholesale markets, as the right hon. Member for Bethnal Green and Stepney (Mr. Shore) said, nor my Department has any outstanding points on the Bill. In the usual, conventional way, the Government are taking a neutral stance on the Bill.

It is, of course, for the promoters to persuade Parliament that the powers they are seeking are justified. It may be helpful to the House if I say just a few words about the planning issues relating to the development of the existing Spitalfields site. The planning application submitted by the Spitalfields Redevelopment Group to redevelop the site of the existing market was approved by a policy sub-committee of Tower Hamlets council on 7 September 1987. The application was not referred to the Secretary of State for the Environment because the council did not consider that it constituted a departure from the development plan. My Department did not receive any representations asking that the application be called in for public inquiry.

Once planning permission has been granted, the Secretary of State has no further locus. I understand that local people will derive some £20 million-worth of benefits from an agreement that was reached between the developer, the City of London corporation and Tower Hamlets council. In the circumstances, I hope that the Bill will be allowed to proceed.

Mr. Shore: The Minister says that no representations have been made about calling in the application, but I and other people in Tower hamlets wrote, and received a not unusual reply fom the Secretary of State saying that it was not an appropriate matter for his intervention, and that it should be decided locally.

7.48 pm

Ms. Mildred Gordon (Bow and Poplar): No evidence has been produced since Second Reading to show that there is anything wrong with this market that it is not fairly simple to put right. One thousand people are employed in this flourishing market, which is developing new areas of wholesale food sales, so the market is expanding.

There are 32 flats above the market and 50 people live there in low-cost dwellings. It will be very hard to find housing for them, as the housing waiting list in Tower Hamlets has 20,000 people on it, and there are many homeless people.

Several groups who have petitioned against the market, as my right hon. Friend says, have been given sweeteners enabling them to withdraw their petitions, but for the ordinary residents of Spitalfields, the contrary is true. There is no benefit whatsoever and if the market is demolished they will lose a source of ethnic food of the kind that they need, and they will have to travel a long way to buy their supplies.

The development that will take its place will produce very great disadvantages. There is nothing in the Committee stage of the Bill to show any guarantees for the

[Ms. Mildred Gordon]

protection of local industries, which employ local people. Local industries, such as the leather and garment manufacturers, will be put at risk. Increased land and property prices will result in local tenants suffering, as is clear from other areas where similar developments have occurred.

Open space is at threat. I welcome the verbal undertaking by Tower Hamlets that a substantial portion of Allen Gardens will be retained, but who will decide what is "substantial"—in an area where there is need for at least double the amount of open space that exists at present? Losing some of it is regrettable. Even now, a number of pocket handkerchief-sized parks and gardens in Tower Hamlets, previously designated as public open spaces—which are extremely important in an area in which 85 per cent. of the population lives in apartments—are under threat and in the process of being offered to developers.

Their disappearance would turn the whole area into the type of concrete jungle that exists in New York. Flat-dwellers will have nowhere to walk the dog or take their children to play or find a spot in which to sit in the sun and get a breath of fresh air when they have an hour or two to spare. Any loss of parkland and open space is extremely serious in this part of the world.

The future of this multicultural, multiracial community depends on the Bill being defeated. Three Georgian cottages were listed in the area. Two of them were demolished last year. This arouses fears that the special dwellings that were occupied by the Huguenots, houses with large windows designed to let in the light so the silk weavers could work, the mulberry trees and all the traditional and historic ambience of the area will be destroyed if the development goes ahead.

The real reason for doing away with the market is to make room for this development, which will be mostly office space. There will also be shops and a shopping centre which will compete with other shopping centres in the area and which the local community does not need. Clearly, the Bill will provide an opportunity for a lot of profit to be made, and to hell with the local community.

Although I oppose the Bill, I would support proposals which put Government money into the area. I accept that much improvement could be made, but that improvement must involve the local workshops and the provision of affordable dwellings and training for local people, so upgrading the area and improving the health of the people and their living conditions. The Bill will do none of that. It will blight the local community.

7.53 pm

Mr. Ron Leighton (Newham, North-East): We are tonight dealing with the important issue of the redevelopment of a large part of the east end of London, an area in which some of us live and represent in the House. This should have been dealt with by way of a proper public inquiry and not by the private Bill procedure. Indeed, it is an abuse of that procedure. This is happening too frequently and we must register our protest about it.

On Second Reading, as my right hon. Friend the Member for Bethnal Green and Stepney (Mr. Shore) said, I referred to the pitiful sum of £50,000 that was being earmarked for training. At least that has been trebled. It will be spread over a five-year period, with an extra £500,000 being made available. It would be churlish of me not to welcome that additional money, even though it is still not enough.

I want to consider the community gain—the "public gain" as it is called in the United States—which should be obtained from this type of development. It is clear that the gain to the community in the area is not enough. I chaired a Select Committee which went to America to examine developments of this kind there, the home of free enterprise and capitalism. I shall compare the practice there with the way in which this development is planned for in the east end of London.

The market will go and something will be put in its place. Who will benefit from that? Megabucks—hundreds of millions, if not billions, of pounds—will be made out of this development. How much of that will go to the local residential community of about 8,000 people? Many others live in the surrounding neighbourhood. A proper public inquiry should have examined the impact on the area. There has been no proper examination of all the issues involved.

Across the border is Canary wharf, which is now a mini-Manhattan. It is a £3 billion to £4 billion project. But again, there was no proper inquiry. The same is happening at Spitalfields.

The fact that Spitalfields is a market acts as a depressant on the price of land. With this development, the value of the land will rocket. Across the border is Wapping, where land is now worth £20 million an acre —simply because this development is property-market-led.

Land let for workshops fetches about £3 a square foot. Land let as offices in London fetches about £50 a square foot. That is the sort of money about which we are speaking. Land used for industrial purposes is worth between £3,000 and £4,000 an acre. In this area, the land will fetch perhaps £20 million an acre if it is devoted to offices and luxury housing, as it surely will.

That results in small businesses being squeezed out. Indeed, we will tonight decide whether the small people, the small businesses, shall be squeezed out by rising land values. Because small businesses are on leases, their properties will go to the developers. That will eliminate the local community.

Many of them are Bangladeshis. Prince Charles recently visited the area and met the Bangladeshis in their small workshops. All of those workshops will be priced out of the market and they will have to go. But where will they go? The development will house banks, finance houses and insurance companies. The City of London will expand and incorporate the area.

Does anybody imagine that the Bangladeshis will get jobs in the banks and insurance houses? It is nonsense to suggest that they will. And considering the pitiful sums being made available for training, it is nonsense to suggest that local people will be trained to take up jobs in finance houses.

I question the theory that just any development is good. Some seem to think that local people benefit automatically from it. That is not so. It has not happened in, say, docklands, where the local population has certainly not benefited. Indeed, local people have lost out. There has been a growth of employment in the docklands area, but

it has not gone to the local population. In fact, the number of unemployed in that area is higher now than before the UDC was set up. The reason for that is——

Mr. Deputy Speaker: Order. The hon. Gentleman will not go into reasons for that. We are discussing the City of London (Spitalfields Market) Bill; I hope that the hon. Gentleman will confine his remarks to that.

Mr. Leighton: What I am trying to explain is what will happen if we pass this Bill; an economic process will be set in train where land values are forced up, traditional industries and traditional occupations employing local people will be forced out. New sorts of firms and industries, all office-based, and service industries will come in which will bring in their own labour, and this will cause unemployment in the Spitalfields area. I am suggesting that if we pass this Bill tonight, instead of the residential community benefiting, it will suffer.

I would like to quote, if I may, a witness, Dr. Robin Hambleton. He is a senior research fellow at the school of advanced urban studies in Bristol and he was asked about the idea that any sort of development is bound to benefit the local people. He was asked:

"Does regeneration inevitably improve prospects for the local residents?"

He said:

"Thanks to the major research initiative involving studies of several British cities carried out by the Economic and Social Research Council in recent years we know that a general rise in local economic activity does not necessarily result in a 'trickle down' of employment benefit to disadvantaged groups".

He referred to American research and concluded:

"The key finding is that disadvantaged residents have great difficulty benefiting from economic regeneration. Indeed, low and moderate income people tend not to benefit."

That is the result of impartial research, and this is what is going to happen in Spitalfields. Planning permission will be given without any prior inquiry to this new development, and it will push up land values, or perhaps I should say land prices. What I am asking tonight is, who will benefit from that? Certainly the developers will benefit; certainly the financiers, many of whom will come from North America and Japan, will benefit. In other words, people from outside, and often people from outside this country, will benefit, but not the residential community; they will be squeezed out. The local community will be destroyed and will be worse off. I think that that is fundamentally wrong.

I would like to mention very briefly to the House the result of what the Select Committee saw when it looked at this sort of development in the United States.

Mr. Deputy Speaker: Order. I do not think that I can allow the hon. Gentleman to do that. That would lead us into a discussion of a much broader nature than that which is the subject of the Bill before the House. The hon. Gentleman must confine his remarks to the Third Reading of the City of London (Spitalfields Market) Bill rather than to urban regeneration or job creation in the United States.

Mr. Leighton: I defer to you, Mr. Deputy Speaker, as ever. It is just a fact that we are dealing with the urban regeneration of this part of east London. We spent a great deal of taxpayers' money trying to find out about these things; how does one share the benefit? The hon. Member, the Chairman of the Agriculture Committee, who is present, might wonder how we share our knowledge with the House when we have an occasion like this if it is not in order. If it is not in order, I will not persist.

I shall just say this about the firm which is developing Canary wharf—Olympia York. We visited its project in New York, which is the same as its project at Canary wharf and it is paying a community gain of $1 billion to New York City—and I am glad the Minister is paying attention to this. He might like to look at *The New York Times* of December 27—I will only give one sentence of this—which said:

"Battery Park City plans to contribute $1 billion to develop housing in New York City."

The same is true in Boston, where we found——

Mr. Deputy Speaker: Order. We will have Baltimore, Hong Kong and everywhere else if we are not careful. If the hon. Gentleman pursues this line, I will have to allow others to put a contrary view. I think we must get back to Spitalfields.

Mr. Leighton: I stand rebuked, and extremely humbled and crestfallen. I must not persist in that line of argument, and I shall not. I will just say that we are so backward in this country that when this development takes place a fair proportion does not go to the local people, as in virtually every other country that I have visited and studied and I do hope that I will find an occasion when it will be legitimate and in order to give the benefit of this experience to the House. That is why, unless I am convinced of the community gain, I will vote against this Bill.

We are changing the nature of this area, and we are giving the benefits to financiers from outside this country, let alone outside this area, and to the developers, and we are not giving fair do's and an equitable distribution of the benefits to the people who live in that area, many of whom were born there. They are getting the rough end of the stick all the time. Their area is going to be developed; they will be spectators standing on the sidelines, watching the fruits of this development go to others. It is not good enough. This should be dealt with by proper planning procedures, not by an abuse of the private Bill procedure. This is not how we should do our business, and therefore, unless I am convinced by the hon. Member, I shall vote against this Bill tonight.

8.8 pm

Mr. Martin Redmond (Don Valley): I seek clarification, because if this Bill is to receive its Third Reading this evening, I would like to ask the hon. Member for Hampstead and Highgate (Sir G. Finsberg) some questions in relation to the Bill. Contrary to what he has said—and I listened very, very, carefully—there have only been some minor financial concessions but the Bill itself has not been altered, and the report by the Committee indicates that all the clauses contained within the Bill have been allowed. That obviously causes great concern.

The first point which has been referred to by hon. Members from this side of the House concerns the age and condition of Spitalfields market. I suggest that perhaps the promoters of the Bill should not have rushed in to demolish and transfer this market, but should have sought to develop the site. They should spend some of the millions of pounds in which the area is apparently awash and that the financial people in the City will make from the Bill if it is allowed its Third Reading.

[Mr. Martin Redmond]

I say that the present market should stay on this site. One can look around the City of London and see many famous landmarks disappearing because the money market is building monstrosities which are neither beautiful to look at nor pleasing on the feet as one walks the concrete corridors within them.

You, Mr. Deputy Speaker, come from a town which has a famous market, the Doncaster market, which Doncaster council has spent a considerable sum of money upgrading to ensure that the market town meets the requirements of the people who live there. The hon. Member for Hampstead and Highgate (Sir G. Finsberg) referred to the financial benefits to some residents from the Bill. A hell of a lot more money could have been obtained for them. If the people who are to be affected were to gain the most financially, I could support the Bill, but the local people will not benefit as much as those who make a killing from the redevelopment.

If old age and poor condition are the criteria for demolition, the churches should be looking for safeguards. Many churches in London are old and require money. Are we to demolish those and allow high rise flats and offices to take their place for the lads who are making a killing in the City's money markets? Certainly the poor people will not be able to afford the accommodation that will rise from the ashes if the Bill goes through.

We should consider the character of the City of London. If the market is demolished, no matter what replaces it, some of the City's character and flavour will disappear. Character and flavour are important ingredients in London's finances. People who live and work in London depend upon tourists, and an old place full of character and charm will attract tourists a damn sight more than a modern clean market.

Even at this late stage, the promoters should consider spending the money that they intend to spend on the promotion of offices and high-rent accommodation on improving the poor quality facilities about which the Bill talks.

Doncaster, as you know Mr. Deputy Speaker, has an excellent market. We would hate to think that that market was to be shifted to Bolton. Doncaster would lose its character as a market town. One could draw a similar conclusion from the Bill. If Spitalfields market moves four miles as the crow flies, it will lose some of its charm.

I had a look at the map in the Private Bill Office because I was interested to see where the new site would be. The map did not show exactly where the old site was in relation to the new site, but looking at the new site I was filled with apprehension. The Bill contains none of the safeguards that I would want to see if the Bill related to my area.

On one side there are some marshalling yards. We all know that railways attract children. Mams and dads take their children to the market. It is suggested that there will be only one entrance to the proposed site compared with the many roads leading into the present market. If, as the hon. Member for Hampstead and Highgate would have us believe, the market is crowded on market day, there will be children. Will an adequate fence be maintained to ensure that those children do not wander onto those marshalling yards with the resulting problems and even fatalities? What financial provisions are there to compensate any child or adult who is injured as a result of the proposed market being so close to the marshalling yards?

On another side of the proposed site is the river, which also means danger. How many deaths will occur if there is not adequate finance for a fence to protect children from the river? Given my anxiety about that, which I hope the hon. Gentleman shares, why is there no provision in the Bill for adequate fencing of the market's perimeter?

The single entrance into the market is also a matter for anxiety. Will there be adequate car parking? I see nothing in the Bill about the provision of such a car park. Will cars be parked on the roads in the immediate vicinity? Again, we come back to the dangers of the marshalling yards and the river. There is nothing in the Bill about the number of cars that will have to be provided for if the new site takes off in the way that is expected.

Such matters will not affect the Bill's promoters. Having moved the site and passed the market to another council, their obligation is finished. They will then proceed to build the office blocks and the high rent or high price flats. Is that in line with the thinking of a certain gentleman who lives down the road, who has passed a number of comments on the way in which architects are spoiling the character of London?

I thought that the Minister might have expressed some anxiety about the lack of details in the Bill about what will happen to the new site. The gentleman down the road is obviously concerned, as I know the Minister is. However, he made no reference to that in his short contribution at the Dispatch Box.

The demolition of two Georgian cottages has been referred to. Not all Labour Members are philistines. We welcome the old charm and love that the craftsmen of old gave us, which is obviously part of our heritage that we should be seeking to protect. The Prime Minister herself talks about protecting our heritage and I look forward to hearing her oppose the Bill.

Clause 5 says:

"accommodation within the new site will so far as reasonably practicable".

Who decides what is practicable? Is it the owners of the site? If so, they will say, obviously, that it is reasonably practical, that they have met the terms of the Bill and that, therefore, it can go to the other place. Anyone who disagrees is left to make a decision about whether to go to the courts, which will decide whether the owners are correct in making that assumption. However, how many owners or tenants of market stalls can afford to take on the local authority or the people with big business interests? They do not have the money to take people to court, given the high costs of taking a case through the legal system. The Bill should have provided that if a dispute occurred, the method of taking it to arbitration was one that was fair for both sides. That would have cost far less than seeking redress through the courts of the land, as the Bill provides.

Other hon. Members have referred to compensation. Far more compensation could have been offered by the promoters of the Bill. Although one talks of millions of pounds of compensation, the people who live in the area will suffer the monstrosities that seem to be the norm. The promoters of the Bill received some bumf from the parliamentary agents this morning that made everything about the Third Reading of the Bill appear rosy. There are many other points in it, but I do not wish to delay the House too long.

If Conservative Members are interested in contributing to the debate, perhaps they will catch your eye, Mr. Deputy Speaker, and tell us why they think that the Bill is good for Spitalfields. I have heard no arguments from Conservative Members about why the Bill should proceed, so I hope that the hon. Member for Hampstead and Highgate will answer some of the points that we have raised. I do not know what benefits will go to the area of the present market other than to the people who will make a financial killing if the Bill receives a Third Reading.

Question put, That the Bill be now read the Third time.

The House divided: Ayes 168, Noes 53.

Division No. 48] **[8.23 pm**

AYES

Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Tom *(Hazel Grove)*
Ashby, David
Aspinwall, Jack
Atkins, Robert
Atkinson, David
Baker, Nicholas *(Dorset N)*
Batiste, Spencer
Bendall, Vivian
Bennett, Nicholas *(Pembroke)*
Bevan, David Gilroy
Blaker, Rt Hon Sir Peter
Boscawen, Hon Robert
Boswell, Tim
Braine, Rt Hon Sir Bernard
Brandon-Bravo, Martin
Bright, Graham
Brooke, Rt Hon Peter
Brown, Michael *(Brigg & Cl't's)*
Browne, John *(Winchester)*
Bruce, Ian *(Dorset South)*
Budgen, Nicholas
Butler, Chris
Butterfill, John
Carlisle, John, *(Luton N)*
Cartwright, John
Cash, William
Chapman, Sydney
Churchill, Mr
Clark, Sir W. *(Croydon S)*
Clarke, Rt Hon K. *(Rushcliffe)*
Cohen, Harry
Conway, Derek
Coombs, Anthony *(Wyre F'rest)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon John
Cormack, Patrick
Couchman, James
Davies, Q. *(Stamf'd & Spald'g)*
Davis, David *(Boothferry)*
Day, Stephen
Devlin, Tim
Dorrell, Stephen
Dover, Den
Dunn, Bob
Durant, Tony
Evans, David *(Welwyn Hatf'd)*
Fallon, Michael
Field, Barry *(Isle of Wight)*
Finsberg, Sir Geoffrey
Fishburn, John Dudley
Fookes, Dame Janet
Forman, Nigel
Forth, Eric
Fowler, Rt Hon Norman
Fox, Sir Marcus
Franks, Cecil
Garel-Jones, Tristan
Gill, Christopher
Glyn, Dr Alan
Goodhart, Sir Philip
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Gorst, John
Gow, Ian
Gower, Sir Raymond
Grant, Sir Anthony *(CambsSW)*
Greenway, Harry *(Ealing N)*
Gregory, Conal
Griffiths, Peter *(Portsmouth N)*
Grist, Ian
Gummer, Rt Hon John Selwyn
Hannam, John
Hargreaves, Ken *(Hyndburn)*
Harris, David
Haselhurst, Alan
Hayward, Robert
Heathcoat-Amory, David
Heddle, John
Hicks, Robert *(Cornwall SE)*
Hill, James
Hordern, Sir Peter
Howarth, G. *(Cannock & B'wd)*
Howell, Ralph *(North Norfolk)*
Hunt, David *(Wirral W)*
Hunt, John *(Ravensbourne)*
Hunter, Andrew
Irvine, Michael
Irving, Charles
Jack, Michael
Janman, Tim
Jessel, Toby
Jones, Gwilym *(Cardiff N)*
Jones, Robert B *(Herts W)*
Kellett-Bowman, Dame Elaine
Kilfedder, James
King, Roger *(B'ham N'thfield)*
Kirkhope, Timothy
Knapman, Roger
Lamont, Rt Hon Norman
Lang, Ian
Lawrence, Ivan
Lennox-Boyd, Hon Mark
Lester, Jim *(Broxtowe)*
Lewis, Terry
Lightbown, David
Lilley, Peter
Lloyd, Peter *(Fareham)*
Lord, Michael
Macfarlane, Sir Neil
McLoughlin, Patrick
McNair-Wilson, Sir Michael
Mans, Keith
Maples, John
Marshall, Michael *(Arundel)*
Mayhew, Rt Hon Sir Patrick
Miller, Sir Hal
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David
Montgomery, Sir Fergus
Moonie, Dr Lewis
Morrison, Sir Charles
Moss, Malcolm
Moynihan, Hon Colin
Neale, Gerrard
Neubert, Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Page, Richard
Paice, James
Pawsey, James
Porter, David *(Waveney)*
Portillo, Michael
Redwood, John
Riddick, Graham
Rifkind, Rt Hon Malcolm
Roberts, Wyn *(Conwy)*
Roe, Mrs Marion
Rowe, Andrew
Ryder, Richard
Sackville, Hon Tom
Sayeed, Jonathan
Shaw, David *(Dover)*
Shaw, Sir Michael *(Scarb')*
Shepherd, Colin *(Hereford)*
Sims, Roger
Skeet, Sir Trevor
Smith, Tim *(Beaconsfield)*
Stanbrook, Ivor
Steen, Anthony
Stern, Michael
Stewart, Allan *(Eastwood)*
Stewart, Andy *(Sherwood)*
Summerson, Hugo
Taylor, John M *(Solihull)*
Thatcher, Rt Hon Margaret
Thorne, Neil
Thurnham, Peter
Townsend, Cyril D. *(B'heath)*
Trippier, David
Trotter, Neville
Wakeham, Rt Hon John
Wheeler, John
Wiggin, Jerry
Wilkinson, John
Wood, Timothy

Tellers for the Ayes:
Mr. Jeremy Hanley and
Mr. Peter Rost.

NOES

Barron, Kevin
Bennett, A. F. *(D'nt'n & R'dish)*
Bermingham, Gerald
Callaghan, Jim
Campbell-Savours, D. N.
Clark, Dr David *(S Shields)*
Clay, Bob
Cook, Frank *(Stockton N)*
Cook, Robin *(Livingston)*
Cousins, Jim
Cryer, Bob
Dixon, Don
Doran, Frank
Eastham, Ken
Flannery, Martin
Flynn, Paul
Galbraith, Sam
George, Bruce
Godman, Dr Norman A.
Golding, Mrs Llin
Gordon, Mildred
Grocott, Bruce
Hardy, Peter
Haynes, Frank
Hinchliffe, David
Holland, Stuart
Hughes, John *(Coventry NE)*
Janner, Greville
Leighton, Ron
Lloyd, Tony *(Stretford)*
McAvoy, Thomas
McFall, John
McKay, Allen *(Barnsley West)*
McKelvey, William
Mahon, Mrs Alice
Morley, Elliott
Mowlam, Marjorie
Mullin, Chris
Nellist, Dave
O'Brien, William
Orme, Rt Hon Stanley
Patchett, Terry
Pike, Peter L.
Primarolo, Dawn
Roberts, Allan *(Bootle)*
Rooker, Jeff
Sheerman, Barry
Shore, Rt Hon Peter
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, C. *(Isl'ton & F'bury)*
Spearing, Nigel
Wise, Mrs Audrey

Tellers for the Noes:
Mr. Michael Welsh and
Mr. Martin Redmond.

Question accordingly agreed to.
Bill read the Third time, and passed.

Avon Light Rail Transit Bill *[Lords]*

Order for Second Reading read.

8.34 pm

Mr. Jerry Wiggin (Weston-super-Mare): I beg to move, That the Bill be now read a Second time.

Discussion on the rapid transit system to serve the city of Bristol in the county of Avon in order to overcome the inexorably increasing problems of traffic congestion has been continuing since at least 1980. In that year, a metropolitan railway system, similar to that established in Newcastle, was proposed for Bristol and its hinterland by a number of those who are now in turn associated with the Avon Light Rail Transit Bill No. 1.

The original concept foresaw the linkage of much of the present railway network in Avon, with an underground section that would serve the expanding business and commercial area in the centre of Bristol. Although widely admired, the concept made little progress, since it relied entirely on the public purse for the subscription of capital through the taxpayer and local authority ratepayers, both for construction and for subsequent operation. An important statement had nevertheless been made—that a major contribution to improving public transport in Avon could be achieved only by a radical transformation of the railway network which no longer addressed itself to the necessity of serving the rapidly expanding commuter traffic to and from the city of Bristol.

Bristol has one of the highest levels of car ownership of any urban area of the United Kingdom, but equally, it suffers from the inadequacy of the road infrastructure and the inability to increase it without indulging in major central area road construction, which would be prohibitive on both cost and environmental grounds. It is also a fact that the majority of those living in the Avon travel-to-work area also work within the boundaries of that area. That makes the county of Avon an unusually self-contained economic unit. However, it also imposes enormous additional pressures on the transport infrastructure which the local bus operators, despite imaginative developments of their system, are unable wholly to satisfy in competing for road space, they are also the victims of increasing congestion.

Since 1980, the economic progress of Bristol and Avon has not only reflected the increasing prosperity of the nation as a whole, but in many respects has outstripped it. That is due to the excellence of the mainline railway and motorway connections with the captial and with other parts of the United Kingdom, the development of Bristol as a centre for the financial services industry and the increasing concentration on high-technology industries, clustering around long-established and prospering companies such as British Aerospace and Rolls-Royce, which continue to form a major manufacturing base in the region. As a result, the outlying districts of Woodspring, Wansdyke, and Northavon have shown substantial population increases, one feature of which is the establishment of virtually a complete new town, Bradley Stoke, on the northern outskirts of the city of Bristol.

It may confidently be expected that the economic development of Bristol and Avon will continue, given those many favourable circumstances that naturally benefit the area. However, the problems of that success, notably that of traffic congestion, also continue to grow apace. Unless confidently and effectively addressed, they will not only threaten to break that expansion, but impose ever increasing penalties of pollution and environmental decay.

As a major regional capital, Bristol ought not to face such problems without a solution and that, in essence, is the concept behind the rapid transit system now proposed. The network proposed is similar to that first considered in the Avon metro proposal; but the technology of achievement has altered radically, due entirely to state-of-the-art development of modern, street-running light rail systems. The House will be aware that it has already approved such systems for Manchester and Sheffield, a Bill to establish a new network in the west midlands has now been deposited and there is active discussion of light rail networks for Edinburgh, Cardiff, Plymouth, Leeds, south Hampshire, Nottingham and a number of other important locations in the United Kingdom.

All those systems, including of course that in Bristol, will be similar to modern urban light rail systems which are a significant and important element of public transport on the continent, most notably in West Germany, France, Holland and Belgium. Even in the United States, the bastion of the motor car, light rail networks are undergoing a dramatic and highly successful revival; throughout the year, some 20 such systems are proposed or inaugurated. It is a major growth industry which offers considerable attractions for the British railway equipment manufacturing industry, once it has achieved expertise through shop window developments here at home. The opportunity so to create new job opportunities in the manufacturing industry must not be under-estimated. Equally, there is a warning that, unless British companies enter that expanding market, it will be lost entirely to overseas competitors.

Nor should the environmental aspect be overlooked. The demand that the anticipated 5 per cent. per annum increase in road traffic will create cannot be accommodated without a considerable impact on the environment in its broadest sense. The accommodation of necessary roadworks would have a devastating effect, and the related required parking provisions would be unacceptable both in land take and in its visual and economic impact. Additional roads create additional traffic. Development would be forced outwards and the attack on the green belt intensified. The so-called freedom of the private motorist cannot be satisfied without enormous cost, a cost which is too great. The pollution factor, despite an increased consumption of unleaded petrol, will also have an impact. Currently, the level of nitrogen dioxide emission from car exhausts in Bristol city centre is more than twice the recommended EEC limit.

The promoters of the Avon Light Rail Transit Bill No. 1 seek to establish, over a number of years and with a series of Bills, a complete network serving much of the populated area of the county of Avon, the essential feature of which is the intention to supply direct and rapid access to the centre of Bristol. That is something that the existing rail network, frozen in its final development at the end of the last century, cannot achieve, but which a modern light rail network can accomplish swiftly, effectively and economically.

The Bill seeks to reopen and convert a length of railway first opened in stages between 1867 and 1906, which has carried no traffic, apart from occasional steam specials, since 1981. The route parallels a wholly inadequate road,

the A369 from Portishead to Bristol, whose entire length can be consumed by a traffic jam at peak hours and which, even at off-peak times, constitutes ineffective access to the centre of Bristol.

Protests at traffic delays encountered by the people of Bristol are now a major feature of local authority meetings. The situation is worsened by the existence of a major traffic interchange on the M5 Exeter-to-Birmingham motorway, which Avon county council and the Department of Transport now consider to be greatly overloaded. The reopening of this single route to a temporary terminus at Wapping wharf in the centre of Bristol therefore constitutes in itself a major contribution to solving the serious problem of traffic congestion. That view has not been contested. The House will agree that it makes no sense whatsoever for such problems to continue and to increase while a perfectly usable railway line lies moribund and there are those willing and able to return it to use.

In essence, this is a Bill not for a new railway, but for the re-establishment of an existing one. Further Bills, to be laid before Parliament, at the foreseen annual intervals as currently provided for, will seek to extend this Bill by means of a street-running section crossing the centre of Bristol to link Wapping wharf and Temple Meads. Redundant railway infrastructure will be incorporated to strike north through Horfield to Filton and the new town of Bradley Stoke, while, to the east, another former railway route will be re-established to bring access to parts of Kingswood and then to Yate, where there will also be a street-running section to serve the centre of the new town area.

Further routes will aim to serve south Bristol and the area which have recently been incorporated, with parliamentary approval, in the new urban development corporation for Bristol. Advanced Transport for Avon, promoter of this and subsequent Bills, has also expressed its desire to serve the Avonmouth area and the city of Bath, whose particular traffic problems have now exceeded manageable levels.

Financing is crucial. The Bill—the first of its kind to come before the House for many years—seeks to establish a public transport system within the private sector. Projections obtained from expert consultants show that the proposed system, including, in isolation, the route for which powers are sought in this Bill, can be operated profitably without recourse to public subsidy of running costs, and undertakings that no such subsidy will be sought have been offered to Bristol city council and Avon county council which, quite properly, sought such undertakings. Such an undertaking was indeed given under the company's common seal to the county council last February.

The finance for construction will also lie heavily—indeed, predominantly—with the private sector. Advanced Transport for Avon proposes to demonstrate the long-known linkage between enhanced property values and the development of modern transport systems. This phenomenon of uprating in land and property values as a result of transport development was used to supply substantial capital to the British-constructed metro system in Hong Kong. It is being employed, in variant, in the Beckton and City extensions to the docklands light railway and will inevitably form a vital ingredient of future light rail developments in the United Kingdom, quite apart from Bristol. To establish access to these land values, Advanced Transport of Avon will form a joint development company with appropriate development companies. The first of those agreements is now taking place, supplying not only opportunity, but also working capital for the development cost of the system.

Mr. Bob Cryer (Bradford, South): In arguing the case for the Bill, the hon. Gentleman said that this is a first stage and a precursor to a number of developing stages, and that further Bills will be brought forward to give authority for, for example, street works. However, the financial memorandum to the Bill states:

"Expenditure which may be incurred in the future development of the light rail transit sytem cannot now be quantified."

If the hon. Gentleman is arguing that the system can be developed, how can he do so without explaining where the money comes from to develop the system?

Mr. Wiggin: The hon. Gentleman, who is knowledgeable about the Bill for a Sheffield light transit system, will recall that in both that case and this, there is a progression. The promoters of these schemes, whether public authorities as in the case of Sheffield, or private company, as in this case, seek to bite off each little piece rather than seeing the scheme as one vast project, the cost of which would be huge.

This relatively modest proposal as a precursor of another Bill is a sensible way of progressing. I hope that, by the time we reach the later Bills, the first stages will be running and showing that the figures and estimates are truthful. I do not think that doing this piece by piece is a bad method; I hope that, once we have convinced the House that the Bill should be given a Second Reading, further Bills will progress with greater ease.

Through its expert advisers, Advanced Transport for Avon has established a series of sites which are available for development through the usual planning consent procedure—sites on which development would occur in any case. Instead of being exported elsewhere, the additional profits that will accrue from supplying modern transport potential to those sites will be put to work creating employment and prosperity for the communities of Avon and Bristol.

The basis for that is that the people who benefit directly from the system—the house owner, the shopkeeper and the property owner—will pay, through the development that they occupy, a large part of the capital cost. I hope that the House will pay particular attention to the phrases "the normal planning consent procedure" and "on which development would occur in any case". I would not be party to a Bill that sought to delve even further into the green belt. The House knows my views about development beyond it. The idea is to provide a railway line to a development; that development will then have an enhanced value; it is therefore possible to share some of that value with the railway system.

The employment potential involved in construction, operation and maintenance of the system must not be under-estimated as a vital economic factor for the future. A large amount of job creation, estimated at about 2,000 permanent situations—including direct and indirect jobs but excluding construction personnel—will take place when the whole system is completed.

The company will grant a licence for construction to companies with enough expertise and experience to undertake the work. I can inform the House that a

[Mr. Wiggin]

substantial agreement with a prime contractor is now in place with a British company of international excellence. In turn, that company will supply £3·5 million in development capital to Advanced Transport for Avon. The company will also license an operator, and has entered into an agreement with Bristol city council and Avon county council in respect of their considerations in the matter.

Advanced Transport for Avon has worked closely with the Department of Transport in formulating its plans, and with the help of our merchant bank advisers is now considering a preliminary application for access to section 56 grants which can be available for projects of this sort. Section 56 grants will, it is understood, be available to the light rail systems now approved or seeking approval in Manchester, Sheffield and Birmingham. These discussions will continue, but the House will understand that nothing of substance can be said about the matter until the negotiations between the company and the Department of Transport are concluded.

It is, however, a well-established principle that section 56 grants are made available only when there is a demonstrable benefit to the community in general in terms of easement of traffic, reduction of congestion and pollution and a saving to the public purse in other direct respects, such as a saving of expenditure on infrastructure. In Avon alone, serious traffic accidents cost about £47 million a year, so even a modest reduction brought about by travellers switching from the roads to the Avon light rail transit will recompense the company's modest access to Government funds. Even in respect of this single Bill for a limited route, it is clear that a major reduction in traffic congestion and in the almost legendary delays for travellers between Portishead and Bristol will produce major benefits for the public as well as the private purse.

I mentioned earlier undertakings proposed or made between the company and Bristol city council and Avon county council. They cover a number of important aspects, among them the contributions that the company will make to the public infrastructure by the provision of funds for works associated with the light railway in connection with highways and footways. The sums involved are considerable, and the company has also offered to make a direct financial contribution to the county council to assist it with adjustments to its work load in progressing the light railway.

Throughout the prolonged negotiations over these matters, it can be shown that the company has responded generously and positively to the requests made by these two local authorities for a direct contribution to infrastructure costs.

Consultation is central to the success of a project of this kind. Unusually, and, in contemporary terms, uniquely, this public transport project is propelled by the private sector rather than by a consortium of local authorities as is the case elsewhere. Throughout the past three years, Advanced Transport for Avon has conducted detailed negotiations with the principal local authorities at officer and political level and through the respective parliamentary agents for the parties. About 76 other bodies have been consulted. Almost certainly uniquely, some of these negotiations have been conducted in public through the medium of television. There have been many public meetings and addresses by the promoters to public and private bodies. No one could say that absolutely everyone has been wholly satisfied by what they have heard from Advanced Transport for Avon. Such a state of perfection, although desirable, is, in practical terms, impossible to achieve. Obviously, the time demanded by such meetings dictates that individuals and bodies who are directly influenced are the subject of detailed discussion, so discussions to date have mainly taken place with those involved in the first route and Bristol city centre.

As the project expands, the consultation process will widen correspondingly. As a private company, Advanced Transport for Avon possesses certain commercial confidences which it must retain to itself. That essential element of commercial and business life is capable of being misrepresented. In future Bills, the establishment of a street-running section across Bristol city centre will require the approval of two principal local authorities under the Tramways Acts. The company has energetically endeavoured to establish a route acceptable to all parties and to give greater time for that to be achieved. It was agreed with the county council last year to delay the deposit of the Bill to do with that section. That causes a certain delay to the project, with commensurate additional costs, but it can be cited as a clear example of the company's willingness to undertake and seek accommodation with the parties with which it negotiates.

As a further pertinent example, I cite the negotiations between the company and the Bristol port authority, which is anxious to safeguard the opportunity at some time in the future, to operate freight trains to and from its dock at Royal Portbury. That relatively new facility has no present rail link, but in the light of future traffic developments it may be necessary to establish one. The promoters have shown their willingness to accommodate such traffic within the standards and limits imposed by the railways inspectorate and have further offered at their own expense to lay the track between Bower Ashton junction and the projected junction near the Royal Portbury dock to a standard sufficient to bear the weight of modern freight trains, rather than the much lighter light railway vehicles.

That is a further and important example of the promoters supporting the public infrastructure from their own purse, as the Royal Portbury dock is owned and administered by Bristol city council. No doubt an increase in the traffic to and from that dock would benefit the people of Bristol, who continue to support that facility through their rates.

Public opinion has consistently demonstrated its support for the LRT project. That was confirmed in a MORI opinion poll, which demonstrated through the approved sampling system that 85 per cent. of the people of Avon want the light rail system introduced. That extraordinarily high figure confirms the desire of the local population to see effective action to reduce the increasing traffic congestion which afflicts the city and county.

There have, of course, been critics, and the hon. Member for Bristol, South (Ms. Primarolo) has been one of them. However, she will be the first to confirm that she has had a number of meetings with the promoters and, on the most recent occasion, she was accompanied by representatives of the Labour party who sit on Bristol city council and Avon county council.

At different times, the hon. Member for Bristol, South has expressed concern on a wide range of points, which

include safety in operation of the system, the method of financing, consultation, whether the system will reduce congestion and whether the company intends to complete the network throughout. She has stated that the promoters were unwilling or unable to supply her with information on all or any of those points. An undertaking, however, on those matters has been given by the company to the county council during the proceedings in another place and before the commencement of proceedings in this House. Further undertakings now being negotiated with the two authorities, are confidently expected to lead to the withdrawal of holding petitions lodged by Bristol city council and Avon county council. The negotiations were detailed, complex and lengthy. As I have already stated, they are the subject of undertakings to be given under the company's common seal.

Given that those authorities bear weighty responsibilities in permitting the implementation of the light rail network, it is strange that they are satisfied, while the hon. Member for Bristol, South—who bears no such burdens—states frequently that she is not. If the hon. Lady is fortunate enough to catch your eye, Mr. Speaker, I hope that we shall have the opportunity of hearing her detailed reasonings.

The costs of promoting the light rail scheme in Bristol have to date been entirely supported by private capital, from the promoters directly, and from those who have subscribed or contributed to the scheme in other ways. That again makes the project a unique venture, as an urban transport scheme of this kind has not been promoted by the private sector since well before the last war. In other words, those who have put up the money to promote the scheme have taken a considerable venture risk. Notwithstanding the many difficulties and problems encountered—not least the persistent objections of the hon. Member for Bristol, South—the promoters have continued to recruit both further support and capital and to reach important agreements for the financing and construction of the system. That demonstrates the faith of the railway industry, of individuals and providers of capital, that the project is sound and well-founded and capable of execution within the terms described by the promoters.

In the eight years since the original Avon metro scheme was unveiled, this is the only practical initiative which has emerged to overcome costly and increasing traffic congestion in the county of Avon. Critics who have condemned the scheme have yet to suggest any viable alternatives, or say how it is that they would develop a light rail system in Avon without a major contribution of private investment.

As the light rail industry gathers pace—first in docklands, and now in Sheffield, Manchester and Birmingham—it is abundantly clear to all open-minded people that it would be absurd for a major city such as Bristol to suffer complete traffic coagulation, with all the economic disturbance that that will incur, on the basis that public transport schemes promoted from the private sector should not be allowed to succeed for ideological or other reasons.

Of course a project of this kind involves risk—nothing in this world is absolutely certain—but the light rail project for Bristol and Avon is a brave, imaginative and courageous one, which has been set before the House by public-spirited promoters, who are determined to show that there is a sensible and viable alternative to congestion upon the roads, which ultimately benefits no one.

9.3 pm

Ms. Dawn Primarolo (Bristol, South): I should like first to deal with a few points made by the hon. Member for Weston-super-Mare (Mr. Wiggin). I must say that I learned no more from listening to his speech than I have learnt in Bristol in the past 18 months when negotiating with the company. Unfortunately, his speech was full of generalities about which most of us would find it extremely difficult to disagree—indeed, about which it would be foolhardy to disagree.

In summary, the hon. Member for Weston-super-Mare told us that there is a traffic problem in Bristol, which is indisputable; that something needs to be done about it—quite right; and that light rapid transit may be part of that solution. I have no problems with that; I completely accept it. He then told us that it will be paid for from private property speculation through the mechanism of land enhancement values, to which I shall return.

Much of what the hon. Member for Weston-super-Mare told the House has not been discussed in Bristol. His claim that the light rapid transit system can be effectively, swiftly and economically built is not borne out by international and national research.

There is a crucial difference between the scheme proposed in the Bill and other schemes proposed for Manchester, the west midlands and Yorkshire. I have a copy of the *Chartered Surveyor Weekly* of 24 November, which lists all the schemes in the pipeline. All the schemes that the hon. Gentleman has mentioned or cares to compare with that proposed in the Bill are being put forward by public transport executives, which incorporate public and private funding, and not by private companies. I believe that the hon. Gentleman is mistaken and is attempting to mislead the House if he says that the scheme proposed in the Bill is exactly the same as the other schemes. I do not accept that.

I heard what the hon. Gentleman said about financing, but before I deal with that I want to correct, in case there is any misunderstanding, what he said about the negotiations with the local authorities. Negotiations are taking place between the company and Avon county council and Bristol city council. The company has offered to give undertakings regarding the development of the project, which are being considered. I do not question that. I got the impression from the hon. Gentleman, however, that he was seeking to suggest that agreement had already been reached on those undertakings and that they were under company seal. At present, those undertakings are still in draft. They have not been formally exchanged and negotiations are still proceeding.

Mr. Cryer: I am following the debate with great interest and I want to make sure that I have got it right. Is my hon. Friend saying that the local authorities have not expressed support for the project, although they are negotiating with the company? Will my hon. Friend tell me the political character of the two authorities, as that would help the House? My understanding of the speech of the hon. Member for Weston-super-Mare (Mr. Wiggin) is that somehow opposition to the project is based on political ideology and dogma.

Ms. Primarolo: I must make it clear to the House that the two local authorities have no problem in accepting the principle of the light rapid transit system. I share their support for that system. One cannot be against it, as it offers many opportunities.

The city council is Labour-controlled and the county council, a hung council, is in the hands of the Tories and the Liberals. Those authorities have raised a number of queries with the company and have sought undertakings from it. I understand that agreement is near, but negotiations have not yet been concluded and it is misleading to imply anything else.

The way in which the company and its associates have sought to promote the Bill has, at times, been less than honourable and sometimes sordid. Local publicity undertaken by the company has played on people's worries about the problems of Bristol's traffic congestion. Anyone who lives in Bristol, as I do, knows that it has great traffic problems. The lead levels are extremely high and sometimes it can take two hours in the morning to get from the villages around the outskirts of Bristol into the city centre. Clearly that is intolerable.

The company has told us that it will solve all the traffic difficulties by developing the light rapid transit system. That claim needs closer examination. The company has never made it clear to the people of Bristol that little substantive detail currently exists about the scheme. That lack of detail has been constantly highlighted by my detailed questions and the fact that the company has constantly hidden behind the principle of commercial confidentiality and the like. That is inappropriate.

Returning to the ideological point, I should like to read out a letter that was circulated by four hon. Members, including the sponsor of the Bill, to every Conservative Member. The letter is dishonest, untrue and designed to mislead. Some of the points it raises were dealt with in the speech by the hon. Member for Weston-super-Mare. The letter is dated 24 January.

Mr. Wiggin: I wrote that letter and put my signature to it. I should like to know how the hon. Member for Bristol, South (Ms. Primarolo) obtained it.

Ms. Primarolo: You, Mr. Speaker, will recall that I raised a point of order earlier today and my hon. Friend the Member for Newham, North-West (Mr. Banks) said that he thought it had been put in his pigeonhole inadvertently. He did not know why it had been sent to him as he is a Labour Member.

Mr. Wiggin: On a point of order, Mr. Speaker. When a private communication inadvertently goes to another hon. Member, is it right and proper that it should then be put into the public domain? I understood that there was a certain code of conduct about these matters, and I hope that you might give a ruling.

Mr. Cryer: Further to that point of order, Mr. Speaker. You may recall that when the matter was raised earlier today you took the view, which I share, that it was not really a point of order. As I recall, your rejoinder was to the effect that if letters are put around which misrepresent a position, as my hon. Friend the Member for Bristol, South (Ms. Primarolo) claims, she should have the opportunity to attack them tonight. That is precisely what she is doing.

Mr. Speaker: I did say that earlier this afternoon. I have no knowledge of such letters. I expressed the view that it might be rather interesting for the Chair also to have copies of them.

Mr. Martin Redmond (Don Valley): Further to that point of order, Mr. Speaker. Is it in order for any hon. Member to seek to raise points of order because he is ashamed of a letter that has been circulated?

Mr. Speaker: I do not think that it is a question of shame at all. The hon. Member sought to ask through the Chair how the hon. Lady had obtained a copy of the letter.

Ms. Primarolo: I have already explained how I obtained the letter. It is dated 24 January and entitled

"Avon Light Rail Transit Bill"

It says:

"This Bill is the first of a series that will enable Bristol to have a Light Rail System serving the City and its environs. Much of the track which will be used is existing line. A number of the far left on Bristol City Council are opposed to private enterprise providing transport services and for this and other reasons Dawn Primarolo is proposing to divide the House".

I shall pause to comment on that paragraph. It is wholly mischievious and without substance and I challenge the hon. Member for Weston-super-Mare to prove it if he can. It is accepted and well known throughout public transport executives that in the present climate private finance is part of the arrangement in public transport. That is a fact of life.

The letter continues:

"Besides this political point"—

The hon. Member for Weston-super-Mare was trying to make the ideological point that we are opposed to the Bill simply because it involves private enterprise. That allegation is a disgrace and I hope that he will withdraw it. I fail to see how that was a political point; it was just a straight smear. The letter continues:

"similar proposals for other cities could be damaged if she is able to defeat us."

I relish the though that I might defeat them, but they have more votes than we have. Even I know that.

The implication of that paragraph will mislead Conservative Members if they do not look at it carefully. It suggests that the defeat of this Bill would have implications for a future Bill. That is contrary to the private Bill procedure. It is contrary to the way in which the House makes decisions. I hope that the people who receive that letter have worked out that that, too, was a dishonest and misleading statement.

The letter goes on:

"We would be very grateful if you could find it possible to vote in support of this Bill. Signed, Jerry Wiggin, Michael Stern, Jack Aspinwall and Jonathan Sayeed."

Forgive me, Mr. Speaker—I cannot remember their constituencies exactly, so I have used their names.

I think that the letter is out of order in the sense that it is an unfair practice and once again brings the private Bill procedure into disrepute. We are supposed to be an open, democratic House. We do not need secret letters, we do not need allegations, we do not need smears. We need the matter debated here on the Floor of the House, openly, so that we know what is being agreed to.

I now turn specifically to the points that I want to make about this Bill.

Mr. Wiggin: At last.

Ms. Primarolo: It is not as boring as the hon. Gentleman was.

Any tiny company with a pipe dream, a good idea—and I am not disputing that this is a good idea—can draft a Bill which is given credence in Parliament under the private Bill procedure. This proposal is unusual, if not unique, in that it is from a very small company—I understand that it has one full-time employee and five company directors. Even with expert advice—we are not given references; we are just told that it is expert advice—it hardly forms the basis of, or represents, a company with a structure such as would fill one with confidence that it could run a public transport system.

The Select Committee which looked at the private Bill procedure—it is an inappropriate procedure, particularly for this Bill—says,

"Nor is it accepted that members of the public suffer any disadvantage from the use of the Private Bill procedure rather than the procedure for planning inquiries".

The proposal needs very careful consideration under the planning inquiry regulations. The company holds meetings where slides and attractive pictures are shown and where there is an artistic presentation of what a tram system might look like, but that is not a consultation process; it is informing people what the company intends to do. Consultation is a two-way process. The company claims that these meetings have been held, but they have, in fact, been public relations exercises.

The Department of Transport must also come in for criticism over light rapid transit systems because, despite the fact that the concept of light rail transit has existed for a number of years, nothing has emerged from the Transport and Road Research Laboratory following its review of the light rail details published in 1979, and there are no Government policy statements or circulars specifically dealing with light rail at present. Because the company told me that it would be bound by legislation and by the guidelines that central Government had laid down, I wrote to the Department asking for details of operational specifications, including safety, which is an important concern, and I was told that guidelines were being prepared, that they were in draft form and would be available soon, but that they do not yet exist and are not yet available.

My idea of public transport is that it is cheap and efficient and serves the needs of the area in which it operates. We need seriously to consider whether this proposal fulfils those criteria. Turning to the specific proposals in the Bill and in an attempt to provide some background, I should mention that nearly two years ago a proposal was launched by Advanced Transport for Avon for a metro scheme. To begin with, rightly or wrongly, the people of Bristol believed that that implied a network which was at least partly, if not wholly, underground, and which would at a sweep solve Bristol's acute traffic problems. This public transport would be provided as a free gift to Bristol by a private company which would finance the enterprise by land enhancement values—that is, by property speculation. It is unprecedented anywhere in the world for a scheme to be totally financed in this way.

The literature produced by the company was glossy and attractive and accompanying rhetoric painted an easy, imaginative and—what was more—a free system. Naturally, Bristolians received the proposals enthusiastically, admired the artist's impressions of what the trams would look like and welcomed this initiative to solve their traffic problems.

On closer examination, it became increasingly obvious that no substantive information about some aspects of the scheme—including the crucial financing—had been properly worked out. That was unlike the system in Tyne and Wear, where a detailed policy statement and three-year plan on how the scheme would be developed was produced before it went forward. It was also unlike the light rail transit system of Greater Manchester on which detailed information was produced. The project developers in Avon produced A4 or A3 leaflets and nothing else. Unfortunately, that was not comparable to those other schemes.

The scheme varies in one other crucial respect from Manchester, Tyne and Wear and the others where the proposals were put forward by public transport executives. ATA is a wholly private company, seeking, through a private Bill, the powers normally afforded to public transport executives.

I shall use an analogy to explain what I am trying to say about the Bill. Suppose that someone came to you, Mr. Speaker, and said, "I will build the house of your dreams for £100,000. Will you give me £100,000?" One would ask a series of questions before handing over the £100,000. One would ask of the person; "Are you a qualified architect? Are you a qualified builder? Do you own the land on which you are going to build the house? Have you got planning permission? Will I have all the services?" All of us would ask those and a great many other questions before passing over the £100,000.

A company is saying to Bristolians, "We can build you, through speculation, a nice, efficient and clean transport system that will considerably ease Bristol's traffic problems." That is to be applauded and the company should be congratulated because it has done what nobody else has done. However, it can hardly complain when we and our representatives say, "Hang on a minute: there are a few detailed questions that we need to have clarified before we enter into that agreement with you."

I should be wholly failing in my role as a representative if I failed to raise the following points. First, on the matter of finance, we were initially told that the scheme would not cost a penny of ratepayers' or taxpayers' money but would be financed by speculation. Then we were told that the developers planned to apply for section 56 funding from central Government and would finance the scheme through a combination of grant funding and bank loans.

Normally, section 56 funding is available to local authorities and public transport executives who match the finance in some way. In October, I asked the Secretary of State for Transport to make a statement on the financing of light rapid transit railway developments. He gave the standard answer. I understand that the Government are reviewing section 56 funding, but it was said that it was normally expected that, when section 56 money was given, it was matched by local authority money. Quite rightly, that upset quite a few people in Bristol, including me, because it was not what we had been led to believe. Obviously, the Government had answered on the basis of the Department of Transport's circular No. 285 which states that light rapid transit systems might be eligible for section 56 funding under the Transport Act 1968.

Mr. Michael Welsh (Doncaster, North): On a point of order, Mr. Speaker. I wonder whether the sponsor of the Bill is allowed to speak in the Chamber to the people responsible for the Bill. I thought that this was the House of Commons.

Mr. Speaker: That is not unknown. Those who are beyond the bar are invisible in the House, and I cannot see what is going on.

Mrs. Alice Mahon (Halifax): On a point of order, Mr. Speaker. I had reason to complain earlier about the noise and laughter when my hon. Friend the Member for Bristol, South (Ms. Primarolo) was making her case. The Serjeant at Arms succeeded in quelling the noise but I hope that we do not have any more.

Mr. Speaker: I have not heard any noise.

Ms. Primarolo: Things moved on. The Department of Transport told the company that it needed more detailed information. Lo and behold, it was in similar areas to those on which I had been asking questions. The company was asked to undertake an economic evaluation which would form part of its application for the grant before the detailed application could be considered. If it is necessary for the Department of Transport to know these things, the House and the people of Bristol should know them before they commit themselves finally to being for or against the scheme.

I understand that the economic evaluation will cover road congestion, pollution, amenity, regeneration, finance and ridership—the normal subjects set out in the circular issued by the Department of the Environment. The economic evaluation will be ready soon. Unfortunately, the debate has taken place before it is available. We might all have been wiser about the details of the company's proposals had it felt able to wait until the information was available.

The company has never demonstrated that it has sufficient finance to construct the entire scheme. It is inconsistent in its answers on the nature and extent of the public-private mix in finance. The latest development in the saga is that two weeks ago it was announced that two companies—Parkdale and VOM International—with ATA, the people asking for the Bill, have formed a third company called Avon Development Ltd., which will undertake property speculation to raise money to pass over to the company which wants to build the railway. That leads to confusion. What the two companies have not said is that they are so confident that land enhancement will raise considerable profit that they are prepared now to underwrite all the money for the project. They are not so confident that it is a good scheme. Presumably there is a financial risk.

The planned reliance on property speculation is unprecedented and would encourage the unwelcome escalation of property prices in Bristol, a city which is suffering sorely already because of housing and land price problems. It is said that the total scheme of which this is the first stage will cost £300 million to £400 million. I think that that is an under-estimate, but we will not discuss that now.

Let us think about how the money is to be raised. How much property development would there need to be in Bristol? Property companies will want to make their own profit and have enough left to give to the railway company to build the system. If they wish to raise £300 million to £400 million the gross figure involved in property speculation in Bristol would be astronomical. That could have a profound effect on the city and its future development, raising difficult questions such as the development of green field sites and the green belt on the edge of the city. If that happened local and district plans would be breached. It is unreasonable to propose a project that raises all those questions without giving a clear understanding about how it will work.

We have asked whether the company can confirm that £14 million of public money will be sought in the construction of the No. 1 plan. Can the company say whether the money is being sought in Government grants that will not involve a contribution from the local highways authority? Can it also confirm that no local authority funding will be required for the costing and operation of the railway in future? If the company is not seeking public subsidy to meet the operating costs of the railway, it must know that its proposal is an international rarity. The subsidy that is usually required for the operation of light railways tends to be high. How can this company justify its proposals in relation to the studies that it has undertaken in Avon, including full ridership and revenue studies on a best and worst scenario?

We have asked many detailed questions, not because we want the company to tell us where the money is coming from, as we can understand the concept of commercial confidentiality, but this company seems to be unable to understand the ways in which it could tell us firmly that is has the money to complete the entire network. The advice given to me by experts shows that the first part of the system means nothing on its own, and it must be taken as part of an integrated transport network in the city.

I commented earlier on certain development problems, including the contravention of the green belt and other planning policies. We have asked the company frequently to explain clearly how the proposed land enhancement will work, how the land value will be liberated to pay for the project and its possible effects on the future of Bristol's environment. Bristol is a beautiful city and intends to stay that way. While I represent one of its constituencies, I shall certainly fight the proposal to allow unfettered property development across the city, whether or not it provides a free addition to our transport network. The price is too high for us to pay.

There has been rumour upon rumour about how the company would be financed. At the beginning we were told that it would be done by a rail consortium. Then we found that the consortium was just one railway enthusiast, who claimed to speak on behalf of many people, but did not. That scheme fell by the wayside. Next, we were told that the finance would be raised through loans, then grants, and then a combination of loans and grants. Then we returned to the idea of land enhancement. Now we are considering a proposal by this new company. It is unsatisfactory to proceed in this way in an area as crucial as public transport.

We sent the proposals to Mr. Barry J. Simpson, who is our main expert adviser, and who has given me support and advice. He is a planning and transport consultant and has done national and international comparisons of this kind of scheme. We asked him for his opinions on the proposals, which give us the most up-to-date information.

The company does reply to letters and provides some information, and we have regular discussions about the matter.

On traffic congestion, Mr. Simpson says that the revenue implications of the number of people the company expects to use the system is on the low side compared with other systems and that that makes the cost very suspicious. All other urban rail systems with that kind of ridership level—that is, the number of people who decide to leave their cars and go on the trams instead—require heavy public subsidy. He goes on to say that evidence from other light rail networks shows that a light rail system by itself does not have a significant effect on road traffic congestion. While some motorists are persuaded to use the rail instead of their cars, other car users seem to replace them; perhaps other members of the family use the car which has been left at home. Some cities, such as Marseilles, which has had a metro system of this type since 1977, still have terrible traffic congestion, and others, such as Gothenburg, Bremen and Munich, have used light rail as an opportunity to address a whole series of measures relating to traffic restraint and the environment.

It requires an integrated, co-ordinated response by all concerned with the provision of public transport to solve the problem of congestion and that certainly applies to the city of Bristol. That means co-ordination between the city council, the county council, the company promoting the Bill, the bus companies, British Rail and organisations such as the Civic Society, Cities for People, Cycle Bag and Transport 2000.

Those various organisations must meet and work out an integrated, complementary system of buses, car restraint, trams and pedestrianisation. Having done that, they should bring forward proposals of a similar nature to the Tyne and Wear system and others that have been shown to be successful. The House would then probably give a speedy passage to the enabling measure. But that has not happened in this case.

The evidence is that other networks of this type have not made a significant difference to traffic congestion. The company has continually been asked to substantiate its claim that traffic congestion would be solved by the scheme. It has not done that.

Various questions about technical evaluation need to be asked, but time does not permit me to do that. However, I point out that we are talking of a system that runs on roads when it goes through the city and on overhead cables with gantries. We must note clearly the implications, including the construction time, the traffic disruption during construction, the frequency of running and what would happen if this private company decided at any stage that it no longer wished to run a private metro system in the city of Bristol.

Mr. Cryer: Does my hon. Friend believe that the local authorities' reservations about the project arise because of the method of financing the construction by bank borrowing, as explained in the Bill? For example, if the company overreached itself and was forced into liquidation, perhaps after interfering with highways to facilitate construction, the local authorities would have to pick up the bill and bring the highways back into proper use.

Ms. Primarolo: That is another question to which I do not know the answer. Central Government, through the local authorities, might have to take over the scheme or remove the whole system from the roads of Bristol. My hon. Friend has raised one of many technical problems that I do not have time to develop.

The hon. Member for Weston-super-Mare spoke of employment, and in that connection one must consider the question of safety. As the hon. Member pointed out, the company will not run the system. It will be licensed to other operators and part of that contract will include a percentage of profit—we understand 5 to 10 per cent.—that will go directly to the holding company, ATA, to pay off its bank loan. So the operators will have to make a profit for themselves, pay their workers and pay a subsidy, a direct payment, to ATA.

I asked the company for its criteria in those licences so that I could see what measures were involved. It sent me vehicle specifications for the trams. Interesting though vehicle specifications are, they do not form the basis for criteria on the very serious considerations of who is entitled to operate a system and under what guidelines they will be expected so to do.

We have seen many problems caused by the pursuit of profit affecting safety on public transport only too recently, and we know full well that there is a very delicate balance between making something economically viable and spending the money that is necessary to make it safe for the public.

I heard the hon. Member for Weston-super-Mare say on the radio this morning that this project would create 2,000 jobs. I think that the Labour party will win the next general election, but Conservative members do not agree with me. Just because I say it does not make it true, and just because the hon. Gentleman says without proof or detail that 2,000 jobs might be created does not make it a reality, and it plays on the fears and worries of people who are desperate for work to suggest that this scheme would at a sweep create 2,000 jobs and that the only reason they have not got them is because I have the audacity to try to question the company on its intentions, its backers and its security.

A private company is being given the status of a public transport executive with compulsory purchase powers and all the other powers of a public transport executive. That is very important. We need to look carefully at whom Parliament gives the authority to run public transport and to make sure that nothing is left to chance. I am not saying that the company is not capable of running the scheme; I am saying is that it needs to answer some questions before we can form an intelligent judgment on whether it can run the scheme.

The safety arguments are linked to the accountability arguments, and it is vital that all the details of the scheme are in the public domain so that they can be properly discussed and considered. If the company's finances are unclear and the project goes ahead with tightly drawn financial criteria, it will not always be possible to guarantee safety, and we should be aware of that before we give the authority to proceed.

As I said earlier, international research shows that light rapid transit systems need greater public finance, both capital and revenue, or private finance and are more expensive than any other type of public transport system. We may be prepared to pay that price because we believe the system is superior to buses, and certainly there is a strong environmental argument about lead pollution and the problems of the city of Bristol to support that.

[Ms. Primarolo]

We are talking about establishing that accountability and control from the beginning. Parliament cannot make a decision on behalf of the people of Bristol about this scheme until we have all the information from the company and until the people of Bristol have had an opportunity to comment on all the consequences of this Bill.

It is undeniable that Bristol's traffic congestion is appalling and that light rapid transit systems may well be part of the solution, but we must be sure that the traffic problem is not inadvertently made worse by our supporting a scheme that has not been properly worked out.

The company has initiated discussions with various authorities. It is unfortunate and regrettable that the local authorities have not done that before in moving forward, unlike other local authorities. There are many reasons for that, but I shall not go into those now.

There is no short cut for deciding matters of public transport. Parliament must have the relevant information. It is legitimate for us to ask for that. Hon. Members should not face a barrage of misrepresentation and abuse. I have been told that if the Bill fails I will be to blame for Bristol's appalling traffic problems. Such accusations should be firmly rejected by the House. We should say that, while wanting to solve Bristol's traffic problems, we will not be bounced into a shoddy decision simply because something sounds like a good idea. Therefore, I ask the House to vote against the Bill.

9.46 pm

The Minister for Public Transport (Mr. Michael Portillo): It may be helpful if I intervene to give a brief idea of the Government's view on the Bill.

This is one of a number of private Bills providing for new light railway systems, or modern tramways, in our major cities. Light rail has many potential advantages—for example, faster speeds than buses where segregated from other vehicles, but with the flexibility to go on-street and to cope with gradients and curves beyond the capacity of conventional railways.

Therefore, we welcome the way in which transport planners in many urban areas are now examining what light rail has to offer. It can bring considerable benefits, as it has done in the case of the docklands light railway. Parliament has already legislated for the Manchester MetroLink project, which was promoted by the Greater Manchester passenger travel executive.

Now Advanced Transport for Avon is seeking to take an important new step—the initiation as well as the development of a light railway by a private company. It is expecting finance from the improvement in land values which rail access would bring.

In principle, the Bill is acceptable to the Government, and we have no points outstanding on it.

The Department of Transport provided finance for the docklands light railway and we have said that the Manchester MetroLink is likely to be eligible for grant. Advanced Transport for Avon has not applied for grant. If it does so, we shall look at its case on its merits. I cannot forecast the outcome of that tonight.

We welcome the private sector initiative on which the project is based. That accords closely with the Government's wish to see the private sector involved to the greatest possible extent in the efficient provision of public transport. I hope that we shall see more such proposals before long.

I should add that we are satisfied with the railway's safety aspects as proposed in the Bill.

There are a number of petitioners against the Bill, and if their petitions are pursued they will have the opportunity to present their objections to the Select Committee. The Committee will be in a much better position than we are tonight to examine in detail the issues involved and it will have the added advantage of having expert evidence.

Therefore, I hope that the House will give the Bill a Second Reading to allow it to proceed in the usual way to Committee for detailed consideration of the issues involved.

9.48 pm

Mr. Peter Snape (West Bromwich, East): I listened with interest to the points made by my hon. Friend the Member for Bristol, South (Ms. Primarolo). She rightly said that similar Bills now before the House have been put forward by passenger transport executives. Understandably, she talked of the need for an intetrated and co-ordinated transport system in Bristol. I agree with her, but, regrettably, under the present Administration such integration and co-ordination is anathema. Each system is supposed to compete one with another—a transport mode unique in the western world and one that is already causing considerable problems in London as in other cities, which, if allowed to continue unchecked, will presumably cause the sort of problems in Bristol outlined by my hon. Friend.

There are four outstanding petitions against the Bill. I checked earlier today and found that there is still an outstanding point in the petition presented by Avon county council, but it is hoped that it will be resolved, thus rendering it unnecessary for the county council to take the petition before the Opposed Private Bill Committee. There are some outstanding problems that affect British Rail, especially about running rights for existing, virtually disused railway lines and their possible use for rail freight traffic at night. Again, it is hoped that those difficulties will be resolved before a petition is taken to the Committee.

My hon. Friend the Member for Bristol, South will know better than I about the detailed and protracted negotiations that have taken place with Bristol city council. Certain offers have been made and certain assurances have been given to the city council, which will be considered. The one other outstanding petitioner is a private steel stockholding company. It was originally offered an alternative site, which it accepted. Evidently, some difficulties with that site arose and an alternative has now been offered. Negotiations are taking place at present.

My hon. Friend the Member for Bristol, South discussed the problem of railway safety. That is uppermost in our minds when we remember the Clapham accident before Christmas. It is not for me to give my hon. Friend any assurances about that, and she will be aware that the responsibility for safety on the Avon system, as on any other railway system in the United Kingdom, will lie with the railways inspectorate of the Department of Transport.

Mr. Portillo: With the operator.

Mr. Snape: The Minister says that responsibility will lie with the operator, so it seems that the railways inspectorate of the Department of Transport will have no part to play in safety. My hon. Friend the Member for Bristol, South is right, therefore, to express her fears and concerns; I should also express them officially on behalf of the Opposition. It has always been the custom for the railways inspectorate of the Department of Transport—or the Board of Trade before that—to be responsible, in any railway system, for overseeing the railway and seeing that safety regulations are in place and are carried out.

Mr. Portillo *indicated assent.*

Mr. Snape: I am grateful that I am getting a nod from the Minister that that will be the case for this particular system.

It is a pity that these matters—with which my hon. Friend has dealt so ably and thoroughly—were not debated and decided before Third Reading. Had they been, we might have been deprived of my hon. Friend's speech, but the Bill might have received a fairer wind. It remains to be seen whether the outstanding points to which I referred can be resolved before the Bill is considered by the Committee. I hope that they will be resolved and although, like my hon. Friend, I feel that it would have been infinitely preferable for public accountability to be involved in the Avon system, we are stuck whether we like it or not—and of course, we do not—with a Government who have a crazy ideology that states that every mode of transport must compete against the others.

Provided that the petitioners can be reassured, it seems that within the narrow parameters of that ideology a start will at least be made on a new transport system for the Bristol area. Given the amount of congestion in that city, I am sure that my hon. Friend will agree that an initiative—perhaps a more detailed and integrated initiative than the present one—is essential. However, perhaps we should put up with the half loaf that we have instead of having the proper system that my hon. Friend the Member for Bristol, South, myself, and all Opposition Members at least would like to see.

9.54 pm

Mr. Michael Welsh (Doncaster, North): I rise to speak against the Bill on a number of issues but I shall be short and selective because that is necessary.

If a Bill is presented to this House, it should be correctly worded so that we can understand it. Parts of the Bill frighten me in so far as they relate to protecting individuals against legislation of this nature. Clause 14 states:

"The Company may"—

that word "may" is very important; indeed, I almost take "may" as being the opposite to "must"—

"at its own expense, subject as hereinafter provided, underpin or otherwise strengthen any house or building within 30 metres of any of the authorised works, and for this purpose the following provisions shall have effect:—".

that the company may underpin houses, buildings or factories if it so desires. It may be right or it may be wrong to do so.

However, the worst part of these provisions for any individual who may be a houseowner are contained in subsection (c), which states:

"If any owner, lessee or occupier of any such house or building, shall, within 10 days after the giving of such notice, give a counter-notice in writing that he disputes the necessity of such underpinning or strengthening, the question of the necessity shall be settled by arbitration".

I repeat that only 10 days are given. How many hon. Members go on holiday for more than 10 days? I should think that the answer is many. I have gone on holiday many times for 12 days. If the Bill is to be seriously considered, we must consider the importance of giving a poor house owner only 10 days to answer the notice. The house owner might go to the beautiful Yorkshire coast of Scarborough for a fortnight's holiday, but this subsection means that he has no chance to appeal. The work will go ahead and his house will be underpinned, or anything that the company desires may happen, because the clause states "may".

The Bill is wrongly worded. It may have passed certain rules of the House and some examination, but on balance, I should not like to think that somebody might underpin my house within a period of just 10 days when I might be in Scarborough on a fortnight's holiday. I should be terribly hurt on my return and, being a Yorkshire lad, I might even lose my temper. The consequence would most probably be that the chap who underpinned the house would end up on the floor and I would end up in court. I should not like that to happen to anybody.

No hon. Member, of whatever political party, should accept such limiting wording. Indeed, many Conservative Members go away for three months' holiday. If they went away for that length of time, they might return to find their houses underpinned or even pulled down, without knowing anything about it.

However, it would be too late for them to do anything about it because it would have been done under an Act of Parliament. If that happened, those Conservative Members would come crying to us, saying, "We should have voted with you. We should not have allowed the Bill to go through."

Let us be fair—if a Bill of this description is introduced, it should at least be written so that everybody has a reasonable chance to object, through the law of the land, to the decisions that are made in this House. That subsection is absolutely wicked.

If we consider the Bill further, we come to clause 18 which deals with the extinction of private rights of way. I know that many Conservative Members and many of my hon. Friends do a tremendous amount of walking. It is a great sport in this country to go hiking with one's wife or family and to enjoy being in the countryside. There are ways of protecting the countryside under certain Acts, but this Bill will take away the right to go walking in the countryside and to push a pram down the highway. That cannot be right; it is almost immoral to take away the right of people to go strolling in the countryside, but this Bill would do that.

It being Ten o'clock, the debate stood adjourned.

Motion made, and Question put.

That, at this day's sitting, the Avon Light Rail Transit Bill *[Lords]* may be proceeded with, though opposed, until any hour.—*[Mr. Fallon.]*

The House divided: Ayes 182, Noes 57.

Division No. 49] **[10 pm**

AYES

Adley, Robert	Arnold, Tom *(Hazel Grove)*
Alexander, Richard	Ashby, David
Alton, David	Aspinwall, Jack
Arbuthnot, James	Atkins, Robert
Arnold, Jacques *(Gravesham)*	Atkinson, David

Baker, Nicholas *(Dorset N)*
Batiste, Spencer
Beaumont-Dark, Anthony
Beggs, Roy
Beith, A. J.
Bendall, Vivian
Bennett, Nicholas *(Pembroke)*
Bevan, David Gilroy
Biffen, Rt Hon John
Blaker, Rt Hon Sir Peter
Boscawen, Hon Robert
Boswell, Tim
Bowis, John
Braine, Rt Hon Sir Bernard
Brandon-Bravo, Martin
Bright, Graham
Brooke, Rt Hon Peter
Brown, Michael *(Brigg & Cl't's)*
Browne, John *(Winchester)*
Bruce, Ian *(Dorset South)*
Bruce, Malcolm *(Gordon)*
Budgen, Nicholas
Burt, Alistair
Butcher, John
Butler, Chris
Butterfill, John
Campbell, Menzies *(Fife NE)*
Carlisle, John, *(Luton N)*
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Carttiss, Michael
Cartwright, John
Cash, William
Chapman, Sydney
Chope, Christopher
Clark, Sir W *(Croydon S)*
Clarke, Rt Hon K. *(Rushcliffe)*
Conway, Derek
Coombs, Anthony *(Wyre F'rest)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon John
Cran, James
Davies, Q. *(Stamf'd & Spald'g)*
Davis, David *(Boothferry)*
Devlin, Tim
Dorrell, Stephen
Douglas-Hamilton, Lord James
Dover, Den
Dunn, Bob
Durant, Tony
Evans, David *(Welwyn Hatf'd)*
Fallon, Michael
Favell, Tony
Field, Barry *(Isle of Wight)*
Finsberg, Sir Geoffrey
Fishburn, John Dudley
Fookes, Dame Janet
Forman, Nigel
Forsyth, Michael *(Stirling)*
Forth, Eric
Fox, Sir Marcus
Franks, Cecil
French, Douglas
Garel-Jones, Tristan
Gill, Christopher
Glyn, Dr Alan
Goodhart, Sir Philip
Goodlad, Alastair
Gorst, John
Gow, Ian
Gower, Sir Raymond
Grant, Sir Anthony *(CambsSW)*
Gregory, Conal
Griffiths, Peter *(Portsmouth N)*
Ground, Patrick
Hannam, John
Hargreaves, A. *(B'ham H'll Gr')*
Harris, David
Hayward, Robert
Heathcoat-Amory, David
Heddle, John
Hicks, Robert *(Cornwall SE)*
Howarth, Alan *(Strat'd-on-A)*
Howarth, G. *(Cannock & B'wd)*
Howell, Ralph *(North Norfolk)*
Hughes, Robert G. *(Harrow W)*
Hunt, David *(Wirral W)*
Hunter, Andrew
Irvine, Michael
Jack, Michael
Janman, Tim
Jessel, Toby
Jones, Gwilym *(Cardiff N)*
Jones, Robert B *(Herts W)*
Kilfedder, James
King, Roger *(B'ham N'thfield)*
Kirkhope, Timothy
Kirkwood, Archy
Knapman, Roger
Knight, Dame Jill *(Edgbaston)*
Lang, Ian
Leigh, Edward *(Gainsbor'gh)*
Lightbown, David
Lilley, Peter
Livsey, Richard
Lloyd, Peter *(Fareham)*
Lord, Michael
Macfarlane, Sir Neil
McLoughlin, Patrick
McNair-Wilson, Sir Michael
Mans, Keith
Marshall, Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Maude, Hon Francis
Mayhew, Rt Hon Sir Patrick
Miller, Sir Hal
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David
Moss, Malcolm
Moynihan, Hon Colin
Neale, Gerrard
Neubert, Michael
Nicholls, Patrick
Nicholson, David *(Taunton)*
Norris, Steve
Paice, James
Patten, Chris *(Bath)*
Pawsey, James
Peacock, Mrs Elizabeth
Porter, David *(Waveney)*
Portillo, Michael
Raffan, Keith
Redwood, John
Roberts, Wyn *(Conwy)*
Roe, Mrs Marion
Ross, William *(Londonderry E)*
Rowe, Andrew
Sackville, Hon Tom
Sayeed, Jonathan
Shaw, David *(Dover)*
Shaw, Sir Michael *(Scarb')*
Shepherd, Colin *(Hereford)*
Sims, Roger
Skeet, Sir Trevor
Smith, Tim *(Beaconsfield)*
Speller, Tony
Spicer, Michael *(S Worcs)*
Stanbrook, Ivor
Steel, Rt Hon David
Steen, Anthony
Stern, Michael
Stevens, Lewis
Stewart, Allan *(Eastwood)*
Stewart, Andy *(Sherwood)*
Stradling Thomas, Sir John
Summerson, Hugo
Thompson, Patrick *(Norwich N)*
Thorne, Neil
Thurnham, Peter
Townend, John *(Bridlington)*
Tredinnick, David
Trippier, David
Trotter, Neville
Waddington, Rt Hon David
Wakeham, Rt Hon John
Walker, Bill *(T'side North)*
Wallace, James
Waller, Gary
Wiggin, Jerry
Wilkinson, John
Wood, Timothy
Woodcock, Mike

Tellers for the Ayes:
Mr. David Maclean and
Mr. John M. Taylor.

NOES

Armstrong, Hilary
Barron, Kevin
Bermingham, Gerald
Boateng, Paul
Buckley, George J.
Callaghan, Jim
Cook, Frank *(Stockton N)*
Cousins, Jim
Cunliffe, Lawrence
Cunningham, Dr John
Dalyell, Tam
Darling, Alistair
Doran, Frank
Dunnachie, Jimmy
Eastham, Ken
Ewing, Mrs Margaret *(Moray)*
Flynn, Paul
Galloway, George
Gordon, Mildred
Graham, Thomas
Griffiths, Nigel *(Edinburgh S)*
Hardy, Peter
Hinchliffe, David
Home Robertson, John
Hood, Jimmy
Hughes, John *(Coventry NE)*
Illsley, Eric
Janner, Greville
Lewis, Terry
Lloyd, Tony *(Stretford)*
Lofthouse, Geoffrey
Loyden, Eddie
McAvoy, Thomas
McCartney, Ian
McFall, John
Mahon, Mrs Alice
Martlew, Eric
Maxton, John
Morgan, Rhodri
Morley, Elliott
Mullin, Chris
Nellist, Dave
Parry, Robert
Pike, Peter L.
Primarolo, Dawn
Redmond, Martin
Roberts, Allan *(Bootle)*
Ruddock, Joan
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, C. *(Isl'ton & F'bury)*
Taylor, Mrs Ann *(Dewsbury)*
Walley, Joan
Welsh, Andrew *(Angus E)*
Welsh, Michael *(Doncaster N)*
Williams, Alan W. *(Carm'then)*
Wise, Mrs Audrey

Tellers for the Noes:
Mr. Bob Cryer and
Mr. Alan Meale.

Question accordingly agreed to.

Ordered,

That, at this day's sitting, the City of London (Spitalfields Market) Bill and the Avon Light Rail Transit Bill [*Lords*] may be proceeded with, though opposed, until any hour.

Question again proposed, That the Bill be now read a Second Time.

10.13 pm

Mr. Welsh: I shall now carry on to talk about the extinction of certain rights of way. I am not against changing rights of way. If this were a planning application, there would be discussion at planning level and, if the planners wanted to do away with one right of way, they would provide another one. That would be done, however, before the plans were accepted, which is reasonable. That is the correct planning approach. However, it is written in this Bill and, if it is passed, it will become an Act of Parliament and planning will not be involved. That is why I strongly object to Bills of this description, because they give planning permission in disguise. That is wrong. It is against good planning and local government.

Mr. Jonathan Sayeed (Bristol, East): Has the hon. Gentleman read the Greater Manchester (Light Rapid Transit System) (No. 3) Bill which has exactly the same powers—the powers to acquire land, to disregard recent improvements and interests, and to cause the extinction of private rights of way. Will the hon. Gentleman therefore vote against the Greater Manchester Bill?

Mr. Welsh: We are discussing this Bill, but I shall note the hon. Gentleman's comments.

Such matters should not be in any Bill. Plans should go to the planning authority and not to this House. It is laid down by this House that they should go through the planning authority. They should be considered in the correct way. After negotiations at planning level with planning officers—not elected members—the council should make a decision. I hope that, after such detailed discussion the scheme will go ahead. That is the correct way to proceed under the planning laws decided by this House.

These are not partisan issues involving the Government and the Opposition, but important issues that affect all of us. Clause 20 of the Bill relates to the acquisition of part of certain properties and subsection (2) says:

"Where the land subject to the notice is part only of a house, building or factory, or part only of land consisting of a house, together with any park or garden belonging thereto"

the person on whom that notice is served has only 21 days in which to object. Conservative Members could come back from the Caribbean, and we could come back from beautiful Scarborough, to find that we no longer had a garden because we were away for more than 21 days and were therefore unable to appeal against the notice. That cannot be right, but that is what the Bill says.

If the Bill is unamended in Committee, many Conservative Members will come back from holiday to find that their swimming pool has gone. Imagine going to dive into one's pool only to find it has changed into a railway track. The same could happen to the tennis courts. I am a keen vegetable man and I would not want anyone to interfere with them, but that could easily happen.

Some people go away for winter holidays. Many of our elderly citizens go away to Spain for two or three months in the winter. They enjoy the sunshine and they live a lot longer because of such holidays—all credit is due to them. I go to Spain for about eight days at Christmas and it is lovely to see the elderly citizens who stay there for two or three months. What would happen to them if the Bill went through? They would have no garden left.

I cannot accept the present wording in the Bill. It should be thrown out and a new Bill should be introduced. The present Bill is unacceptable to the people to whom we are accountable.

Similar Bills may have been put through years ago, but since the 1960s our society has changed. People go on longer holidays, so it is not right for the 21-day notice to be included in the present Bill.

Clause 23(1) states:

"If the deposited plans or the deposited book of reference are inaccurate in their description of any land"

the company may apply for a correction after giving not less than 10 days' notice. Such action would not be possible under normal local planning procedures. For a number of years I was chairman of planning, and if my officers brought plans to me before I went into a committee I always insisted that we had long discussions with those who had submitted them so that the best result was achieved, for the environment, the developer and the community.

If any of the information is wrong, a person has 10 days in which to alter it, but after that they can do nothing about it. What happens if people are on holiday? What happens to those people who are ill in the infirmary, who cannot comprehend any letters, let alone answer them? They may come back to find the description of the land that they occupy has been altered after 10 days. That cannot be right.

We have to examine the Bill a little more rationally and ask the sponsors to take back the Bill and rewrite it to give the kiddies and the lads and lasses time to look at it, consider it in more detail and appeal before any decisions are taken. For that and for other reasons, but mainly because of the reasons that I have described, I cannot accept the Bill. It is an affront to democracy and I do not think that hon. Members from either side of the House should accept a Bill written in such a way. I ask hon. Members to vote against it later this evening.

[Mr. Welsh]

10.19 pm

Mr. Bob Cryer (Bradford, South): I speak objectively as a shareholder in a private railway. I have five £10 shares in the Keighley and Worth Valley light railway. I was chairman of the Keighley and Worth Valley Light Railway Preservation Society for 10 years and undertook negotiations with British Railways that led to the agreement to purchase the line over 25 years, and I was instrumental in ensuring that that railway was operated on the basis of democratic Socialism.

I cannot be accused of not supporting railways, but it is fair to raise a number of queries about the proposals. I am an enthusiastic advocate of railways, but I have to make sure that the proposals are soundly based so that, if the scheme gets into difficulties, it does not cast a reflection on other railway projects, which could happen.

The hon. Member for Weston-super-Mare (Mr. Wiggin) suggested that the Bill was the precursor of several, that it is a building-brick process and that the railway will be developed in steps towards an integral system with the extensions being authorised by future Acts of Parliament. However, I pointed out to him—he answered me in a most unsatisfactory way—that the financial memorandum contains no details about any financial projections that would help to justify the Bill as the pier on which the spreading bridge might be built. It states:

"Expenditure which may be incurred in the future development of the light rail transit system cannot now be quantified."

That underlines the case of my hon. Friend the Member for Bristol, South (Ms. Primarolo) that there is a lack of detail. Basic details are required in such proposals.

The Minister said that we should hurry this part of the procedures out of the way and get the Bill into Committee. Committees considering private Bills are notorious earning areas for lawyers who do not go into detail as much as they go into length of time. I have never had the misfortune of being on a private Bill Committee, and I hope never to do so, but my hon. Friends who have been on such Committees tell me that it is not the best way of pursuing what is in effect a public policy Bill. It is interesting that, in the Division on the business motion, the Government turned out a fair chunk of the payroll vote. Not for the first time, the Government are pursuing public policy by means of a private Bill. They have done that on several previous occasions. They are getting the payroll vote whipped in to support a private Bill and that really goes against the grain.

Paragraph (4) of the preamble states:

"It is accordingly expedient that the Company should be empowered to construct the works authorised by this Act, and to acquire or use the lands referred to in this Act, for the development of the first stage of such a system".

Therefore, the Bill is providing compulsory purchase powers. If the Bill were being promoted by a public body, those powers would undergo much greater scrutiny, because a public body is more accountable than the company appears to be under the Bill. It appears that an office and a secretary are running the company and a board of directors meets separately because the premises are not large enough. That is my impression.

Secondly, it is unsatisfactory to give compulsory purchase powers to a private body that will use them to sell land at a speculative price to finance the development of the railway, because it cuts out the inquiries into compulsory purchase proposals which, for example, a local authority would be required to hold if it were embarking simply on the compulsory purchase procedure under existing legislation.

Mr. Redmond: On a point of order, Madam Deputy Speaker. I have been here from the beginning of the debate. The House has been discussing whether to give the Bill a Second Reading. We have just had a vote to allow business to continue after 10 o'clock. The hon. Member for Weston-super-Mare (Mr. Wiggin) voted for business to continue. I have several questions that I want to ask about the Bill. Unfortunately, I cannot ask them. I wonder, Madam Deputy Speaker, whether it would be in order for you to suspend the sitting for 10 or 15 minutes to allow the hon. Member for Weston-super-Mare to do whatever he needs to do so that he can come back into the Chamber.

Madam Deputy Speaker (Miss Betty Boothroyd): I understand the hon. Gentleman's point of order, but the whereabouts of hon. Members is not a matter for the Chair.

Mr. Cryer: Planning consent will be required from the local authority, but there will be some pressure, once the Bill has been passed, for the local authority to acquiesce because of the scale of the proposal and, by and large, because everybody wants to see traffic congestion eased.

Of course, everyone says that a light railway transit system is bound to be an improvement and they are probably right, but to justify the Bill we ought to have more details than have so far been provided. We do not want this to founder because of the peculiar, indeed unique, method of financing the proposal, which could give rise to serious problems. As I understand it, the money to start the work is being provided not by the Advanced Transport for Avon company but by the contractor that it has chosen to build the line, presumably on a repayment basis later. According to the promoter, the construction company is providing some £3·5 million. It is a very unusual system whereby a construction company pays to construct something that it is employed to undertake by the principal promoting company.

I, too, am sorry that the sponsor is not here to take up this point and answer it to the satisfaction of the House —*[Interruption.]*

Madam Deputy Speaker: Order. The hon. Member for Weston-super-Mare (Mr. Wiggin), who is speaking from the Strangers Gallery, is not in the Chamber.

Mr. Cryer: I am grateful to you, Madam Deputy Speaker, for confirming that the hon. Member for Weston-super-Mare is not in the Chamber and is unable, therefore, to answer the questions that I am raising.

Mr. Jonathan Sayeed (Bristol, East): I am happy to give the hon. Member for Bradford, South (Mr. Cryer) the assurance that when my hon. Friend the Member for Weston-super-Mare (Mr. Wiggin) returns, I will inform him of anything that has been said that is germane to the argument. It is unlikely that I shall be troubling him.

Mr. Cryer: That is helpful of the hon. Member for Bristol, East (Mr. Sayeed), although I do not see why he should sneer at the end. If he is saying that, having made

this offer, he is not going to bother, it is an arrogant affront to the House that he should present a Bill with the backing of the payroll vote and, when hon. Members seek information, fob them off with a sneer such as I saw just now. It is an affront to democracy and to the procedures of the House. *[Interruption.]* I do not know who said, "Get on with it," but it is very important that we should consider this seriously.

Would the hon. Member for Stockton, South (Mr. Devlin) like to intervene rather than shouting from a sedentary position?

Mr. Tim Devlin (Stockton, South): The hon. Gentleman asked who had said, "Let's get on with it," to which my reply was, "Just about everyone."

Mr. Cryer: I see. The hon. Gentleman wants to rush legislation through using the jackboot heel of the payroll vote to crush Parliament. I sometimes wonder whether some Conservative Members carry boxes of matches in their pockets, intending to set fire to this place because they regard it as redundant. I do not like having to say this, but that is the arrogant attitude that some Conservative Members seem to have to this place.

The method of construction is somewhat curious. The promoter made it clear—and it is clear from the Bill—that the company will have to borrow from the banks. The promoter did not explain what sort of construction period is envisaged. What effect will the present high interest rates have on the project? They must surely have some influence on it. Will the company have to stretch the construction time from five to seven years, for example to cushion itself against soaring interest rates under the Government's present policy?

It is dangerous to depend so heavily on borrowing, because revenue will not come in until land is sold and land values have increased—something that the Chancellor of the Exchequer is desperately trying to stop. The Chancellor tells the House that prices are slowing down, and it is the whole point and purpose of the increase in interest rates to cool the economy, which is overheated and producing higher prices yet to succeed the Bill depends on the very reverse of the Chancellor's policy. The Chancellor is trying to control prices; the Bill depends on soaring prices to provide the finance for the venture. Tat is a very risky financial basis on which to place what is—in all considered judgments—a very important venture.

If, by any chance, the Chancellor's policies succeed, the alternative source of revenue—a system of what amounts to franchising or licensing—will have to be used. The company has to complete the construction to obtain the revenue from the licensed operators to meet the costs of borrowing. The Bill provides that a proportion of the charge to the licensees will be to cover interest on the money borrowed. That is a very curious system, as the company clearly cannot obtain revenue from the licensees until construction is already a good way advanced and there is a prospect of the licensees obtaining fare revenue from people using the railways.

It seems to me that there are potential dangers. Suppose that quicksand is discovered, or that the company has to construct major deviations to avoid sewage systems, which it is not allowed to touch under the Bill. Those are potential problems with an urban transport system. If the borrowing process is stretched over a number of years, any such difficulties in construction will mean heavier borrowing and the possibility of the company getting into financial difficulty, particularly if the land that it is compulsorily purchased does not have the enhanced value that is necessary to meet the considerable costs—perhaps £3 million to £4 million in all, although they are not sums speculated on in the Bill. Sage opinion will have it that this is not a sound basis on which to enter the construction of a major civil engineering works, because such works have a nasty habit of proving costlier than estimated and producing construction snags that were only hinted at when a venture was first embarked upon.

Construction time is important when we consider the safety of the operation of the light railway and the volume of traffic using the roads. Major road works are envisaged in the Bill. Clause 26 and the ensuing clauses set out protective provisions to make sure that the construction companies follow a proper procedure of notification to local authorities about when they are about to embark on highway construction, deviation or whatever. That means that there will be severe intrusion into traffic flows to and from Bristol.

The promoters have not indicated for how long traffic flows will be interrupted. We have the right to know what calculations the company has made. If the Minister's point about the Committee dealing with these matters in detail is right, the promoters should have the information between now and the Committee stage. They should really have it in their pockets now, ready to be produced to inquirers like me. For how long will the citizens of Bristol have to put up with single line working, and so on? Will it be months or years? What places will be affected? The House should know, so that we are better able to make a judgment about the merits of the Bill and the shrewdness with which the promoters have planned the project.

There are temporary and permanent problems to be considered. There will be the intrusion of road works during construction, but there will also be permanent disruption caused by the level crossings that are authorised in clause 12. The laying of the rails may take only a few weeks, but the level crossings will be permanent. There has been comment from both sides of the House about the traffic congestion in Bristol, and the provision of level crossings is important.

Accidents have taken place at level crossings operated by British Rail. Clause 12(5) refers to "automatic or other devices". Does that mean automatic level crossings? I refer the House to the Hixon level crossing disaster some years ago, when a heavy transformer was being taken across a level crossing where the barriers were not linked to signals. A British Rail train, hauled by an English Electric type 4 locomotive, hit the transformer. The transformer, weighing many tonnes, was carried several yards down the line with loss of life. That was in the early days of automatic barriers for crossings.

As a matter of operating safety, I prefer manned or womaned level crossings with interlocking signals between the gates and the signals so that a driver knows that, when the signal is released, the full gates are across the road, barricading the railway from traffic intrusion. The Bill simply says that the Secretary of State can authorise level crossings.

It would be handy to know what sort of level crossings the promoters have in mind, because there were several accidents in 1987 with half-barrier level crossings. Motorists try to dodge round them. I know that they should not, but we are talking about areas with heavy

[Mr. Cryer]

traffic congestion, and there is pressure on motorists to take short cuts and get round safety measures. It is important to know whether there will be interlocking signals with barriers, and preferably gates, or automatic, remotely-operated level crossing signals with the gates not being linked to signals. This is a crucial matter, particularly as a great deal of traffic goes into and out of Bristol. I hope that the promoters will provide the information.

My hon. Friend the Member for Bristol, South complained about the lack of detail. I was a little surprised at that, because of my activities in obtaining the light railway order and the transport order to establish the Keighley and Worth Valley light railway in 1967 and 1968. We were required by the Department of Transport to provide a great deal of detail—including, for example, a register of all the curves on the branch line. We had to provide details of the bridges and abutments, the axle load that the bridges could provide and a register of the weights of rail. Presumably, on a new railway, there will be new rails.

The promoters say that it is envisaged that part of their railway will be linked to a dock, which will provide future freight services. I am all for the transfer of freight from road to rail, and I welcome that aspect of the proposal. But the biggest wagons on British Rail have an axle load of 22 tonnes. Is any detail provided to satisfy the Department of Transport that any bridge work and weight of rail will be sufficient to withstand such axle loads? Are the promoters, in their calculations for finance, taking into account the extra expense in such construction?

I can tell the House that some of the most damaging movements of wagons on the British Rail network are the 22-tonne axle loads, which have had some very damaging effects on bridges and viaducts.

Ms. Primarolo: The Bill proposes a railway that will go from Portishead into the city centre at Wapping wharf. In order to join up with the route identified in the proposed No. 2 Bill, which has not yet come to the House, a bridge is required. What is more, it will have to be built parallel to a swing bridge.

Bristol is an old port with an extensively used dock in the inner city. When I mention that there will be great difficulties in building that bridge, the company is silent. Our expert advice leads us to believe that the company has not properly taken into consideration these points about the cost and the technical points about the bridge.

Mr. Cryer: I am grateful to my hon. Friend for elucidating that point. I am slightly shocked that the hon. Member for Weston-super-Mare did not mention those matters. Had he done so that would have indicated to the House a determination to tackle the issues head on and convince the House, not by the payroll vote but by tackling all the problems seriously. That seriousness has been entirely absent from the hon. Member's elucidation of the Bill.

As the right hon. Member for Shropshire, North (Mr. Biffen) said during the 1987 general election campaign, it is not good for a Government to have too big a majority. He was right—although he was sacked for saying it—because instead of providing a sound and reasoned case, the Government simply rely on the payroll vote, on those who are loyal anyway and on those who desperately want to join the payroll vote and are anxious to be here and to be noticed. That way of proceeding is not conducive to a healthy Parliament. It is far better for Ministers to have to argue their case and answer the sort of legitimate questions that we are asking. We are asking three questions not in any spirit of ideological antagonism but because my hon. Friend the Member for Bristol, South and others are concerned to ensure that any light railway transit system is soundly based financially and technically.

I welcome in principle the suggestion of the hon. Member for Weston-super-Mare that part of this network should be used for freight, but several technical questions about the construction of the system remain unanswered.

It would have been pleasant if the hon. Member had said that all employees of the railway would have full trade union rights and that great consideration would be given not only to the safety of the public but to the health and safety of the staff. Generally speaking, if the standards of the latter are high, the standards of operation for the public are high.

Such an assurance would have helped those who fear that a private railway network might mean lower standards of employment, with poor wages and long working hours. After all, we have been discovering, for example, that while British Rail has majority union membership, private contractors can lower standards. That is a pointer to the Clapham junction crash. I shall not reach any conclusion, because the inquiry into that has not been completed, but signalmen installing signals near one of the busiest junctions in the world were working through the night, with torches, installing wiring.

It would have helped the House if we had been assured that such standards would not be allowed on this projected railway, and that one factor in ensuring decent standards of employment would be the right to trade union membership. While the hon. Member for Weston-super-Mare may be intimidated by—or perhaps he supports—the Government's antagonism towards trade unions, he could have settled some of our doubts had he made the position clear.

I support the introduction of light railway systems anywhere in Britain—*[Interruption.]*—including in Bristol. One of my children attends Bristol polytechnic and I am fond of the city, having visited it many times. But that system must be financially sound, be part of an integral transport network and not be operating in an absurdly antagonistic competitive situation.

There must be a collective decision on how to solve these traffic problems. I want the problems solved in the most sensible and rational way, and a better way of doing that would be to have the initiative taken by the two local authorities—one a Labour-controlled local authority, and the other Tory and Liberal-controlled—and using their pivotal position to invoke, if necessary, the assistance of the private sector.

I would not exclude the private sector, but we should use the local authorities as the primary initiative to develop a liaison between all the other means of transport. It seems to me that, particularly where the local authority is responsible for the maintenance of the roads, it would make sense to have a much closer link during construction than is proposed.

I suggest, therefore, that the best way of dealing with the Bill is for the sponsor to withdraw it and to say, "No, I am not going to depend on the payroll vote to get this Bill

through, come what may; there are defects and I will bring it back to the House," on the basis that I have suggested. In that way he will receive the consent and support of both sides of the House, but I am afraid that on the present basis the Bill is so misconceived and the promoters' case is so lacking in detail, that I will vote against the Second Reading.

10.51 pm

Mr. Martin Redmond (Don Valley): I listened very intently to what the hon. Member for Weston-super-Mare (Mr. Wiggin) had to say when he was introducing the Bill. Unfortunately, nothing that was said allayed any of the doubts that I have about this Bill. I cannot understand why there is suddenly such a terrible rush to have this Bill discussed that we have to move a business motion to proceed after 10 o'clock, when last year a number of other private Bills were in the Private Bills Office and two came out. On inquiry, we were told that was because no one was pushing them into the system.

I find it deplorable that this House is called to discuss a private Bill after 10 o'clock at night, when really we should have had ample time before the Queen's Speech. I wonder whether we should be here discussing this Bill at all, although I accept that the Clerks to the Private Bill Office have deemed that it is a Bill that can be discussed.

A Bill such as is being promoted this evening has such major implications that it would have been better dealt with by a public inquiry in Bristol, to give the people there the opportunity of having their questions answered.

We received in the post this morning a statement on behalf of the promoters, and one would be grateful if at the end of the debate the hon. Member for Weston-super-Mare could clarify it, because, if this is the first in a series of Bills that is to come before this House, one really must object if one believes in long-term planning. But, in laying down long-term plans, one must know what the objectives are at the end of the day. According to the Bill's promoters, other Bills are coming along that will enhance this Bill's progress.

I cannot understand why the Minister raised no objections. He said that no public money had been earmarked but that if an application were made, consideration would be given to it. Surely the Minister should have said that such money would be used for the passengers using the railways today.

The promoters say that the second phase of the rail transit system avoids the heavy cost of underground construction. Obviously, one would like such a system to be underground and out of sight where it would not blight the landscape.

Paragraph (4) of the promoters' statement says that there have been extensive discussions between Avon county council and Bristol city council on matters of concern to them and that a substantial measure of agreement has been reached. Surely it would have been in the promoters' interests for all parties concerned to have reached agreement before the Bill came to the House.

I cannot understand why last year there was no rush, but this year there is a rush and the various parties appear not to want to reach agreement. I understand that a number of petitioners have withdrawn.

My hon. Friend the Member for Bradford, South (Mr. Cryer) mentioned the Chancellor's anxiety about borrowing and the way in which measures such as this affect expenditure and the rates.

Clause 6(3) says:

"The Company shall construct good and sufficient fences on the side of any road bridge forming part of the LRT system."

What happens to the fences in between the bridges? Who is responsible for them? The hon. Member for Weston-super-Mare said that the railway would use part of the existing British Rail system. I hope that he will correct me if I am wrong. Should we assume that responsibility for fencing between any new bridges will rest with British Rail? If not, the owners of the land backing on to the railway will be presented with a bill, if the Bill receives its Second Reading this evening.

Clause 9(1) says:

"the railways shall be electric power or such other motive power as the Secretary of State may approve."

If it is to be electricity, why do we need that qualification? Is it to keep the options open, so that diesel-powered motors can be used to propel the carriages? That would mean pollution for the nearby houses.

Clause 9(3) states:

"In the provision of passenger services on the LRT system the Company shall have regard to the transport needs of members of the public who are elderly or disabled."

Does that mean providing facilities such as special seating and easy access to and egress from the pick-up points, or does it mean that the fares charged to the elderly or disabled will be lower than those for normal, working members of the public? Perhaps the hon. Member for Weston-super-Mare will clarify whether the Bill is referring to fares and facilities, or merely to fares.

I am extremely concerned about clause 11, which deals with the temporary stoppage of highways. Although the Bill is a private Bill, it seems that many members of the public will be affected if the Bill is enacted. A temporary stoppage of the highway may create additional problems on the motorways going into Bristol, so that may be another reason why the Bill should be withdrawn. We should look at the overall strategy and needs because anything that helps to take traffic off the road should be supported, unless it deals with the matter piecemeal.

My hon. Friend the Member for Bradford, South (Mr. Cryer) also mentioned safety arrangements at public level crossings. There have been many accidents on such systems and we should consider the arrangements that the company will make to alleviate some of the dangers. It is not sufficient to say that we shall accept good, standard practices; we should seek to improve those practices.

One cannot stress enough the underpinning of houses near works. It seems to be, "Heads I win, tails you lose". From the moment that the Bill was introduced, it blighted houses along the proposed route. Some of the people represented by the hon. Member for Weston-super-Mare have lost many thousands of pounds because of the blight on their houses. The company will not be responsible for making up the difference between what the houses would have fetched and their present value. The hon. Gentleman should take that point further. On the other hand, houses that are not affected by blight may have their prices enhanced and, as a result, will not receive compensation.

Clause 15(4) states:

"The Company shall take all such steps as may reasonably be required.".

[Mr. Martin Redmond]

Again, it is possible to argue about what "reasonably" means. Is this a matter for an adjudicator like the one used by British Coal, the decisions of whom the Government and British Coal appear to take no notice of, regardless of what they are? Such decisions should be made by an independent arbitrator.

Clause 16 makes certain provisions to ensure safe use of electricity. What insurance does the company intend to take out? It is to be hoped that many people will use a transport system in Bristol that has required such long-term planning. Will there be adequate cover, or will the firm go bankrupt if it has to pay out any large sums?

Clause 18 provides for the extinction of private rights of way, which is deplorable. Many rights of way have been private for many years. Owners sometimes allow the public to use them—walks that are charming in both summer and winter.

Turning to clause 22, I should like to know whether the company will pick up the blighted properties for the market price that they would otherwise have fetched. As for clause 23, which deals with deposited plans, I deplore the Genghis Khan-like principle, "Irrespective of what is decided you must accept what I say, and we can correct any errors."

I should also like to know who makes the appointments referred to on page 16 of the Bill. Perhaps, if the Bill has a Committee stage, the matter will be clarified then.

It appears from clause 27(5) that there will be no chance for local people affected by the Bill to complain. The Bill gives a private company carte blanche to assume the same rights and powers as a public body with none of the responsibilities. Public bodies as we know them are accountable to the Government and to themselves; this private company will be accountable to no one but the courts, and the little men who cannot afford legal action will be in no position to take the company on.

Clause 27(10) states that the company shall

"supply the engineer with all such information as he may reasonably require".

Why should British Rail seek to provide a competitor with whatever benefits it might have as a company?

We hope that the Bill will be withdrawn and that a much more sensible Bill will be introduced as part of an overall package to provide the transport system that Bristol needs. It is deplorable that people should be attacked for holding a different point of view. My hon. Friend the Member for Bristol, South (Ms. Primarolo) quite rightly wants her questions answered so as to be sure that her constituents will be looked after properly, but Conservative Members appear to consider it wrong to hold a different view from theirs. I hope that they will bear in mind the fact that a different point of view can sometimes be very good for people outside this House.

Question put, That the Bill be now read a Second time:—

The House divided: Ayes 149, Noes 49.

Division No. 50] **[23.10 pm**

AYES

Adley, Robert
Alton, David
Amess, David
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Ashby, David
Ashdown, Rt Hon Paddy
Atkins, Robert
Atkinson, David
Baker, Nicholas *(Dorset N)*
Beaumont-Dark, Anthony
Beggs, Roy
Beith, A. J.
Bennett, Nicholas *(Pembroke)*
Bevan, David Gilroy
Boscawen, Hon Robert
Boswell, Tim
Bowis, John
Brazier, Julian
Brown, Michael *(Brigg & Cl't's)*
Browne, John *(Winchester)*
Bruce, Ian *(Dorset South)*
Bruce, Malcolm *(Gordon)*
Budgen, Nicholas
Burns, Simon
Burt, Alistair
Butcher, John
Butler, Chris
Butterfill, John
Campbell, Menzies *(Fife NE)*
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Carttiss, Michael
Cartwright, John
Cash, William
Chapman, Sydney
Clark, Sir W. *(Croydon S)*
Clarke, Rt Hon K. *(Rushcliffe)*
Conway, Derek
Coombs, Anthony *(Wyre F'rest)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon John
Cran, James
Davies, Q. *(Stamf'd & Spald'g)*
Davis, David *(Boothferry)*
Devlin, Tim
Dorrell, Stephen
Douglas-Hamilton, Lord James
Dover, Den
Dunn, Bob
Durant, Tony
Fallon, Michael
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Fishburn, John Dudley
Fookes, Dame Janet
Forman, Nigel
Forsyth, Michael *(Stirling)*
Franks, Cecil
French, Douglas
Garel-Jones, Tristan
Gill, Christopher
Goodhart, Sir Philip
Goodlad, Alastair
Gorman, Mrs Teresa
Gower, Sir Raymond
Gregory, Conal
Griffiths, Peter *(Portsmouth N)*
Ground, Patrick
Gummer, Rt Hon John Selwyn
Hamilton, Neil *(Tatton)*
Hannam, John
Harris, David
Hayward, Robert
Heathcoat-Amory, David
Heddle, John
Hicks, Robert *(Cornwall SE)*
Howarth, Alan *(Strat'd-on-A)*
Howarth, G. *(Cannock & B'wd)*
Howell, Ralph *(North Norfolk)*
Hughes, Robert G. *(Harrow W)*
Hunt, David *(Wirral W)*
Hunter, Andrew
Irvine, Michael
Jack, Michael
Jessel, Toby
Jones, Gwilym *(Cardiff N)*
Jones, Robert B *(Herts W)*
King, Roger *(B'ham N'thfield)*
Kirkwood, Archy
Knapman, Roger
Knowles, Michael
Leigh, Edward *(Gainsbor'gh)*
Lightbown, David
Lilley, Peter
Livsey, Richard
Lloyd, Peter *(Fareham)*
Lyell, Sir Nicholas
Maclean, David
Mans, Keith
Mayhew, Rt Hon Sir Patrick
Miller, Sir Hal
Mills, Iain
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David
Moss, Malcolm
Moynihan, Hon Colin
Neale, Gerrard
Neubert, Michael
Nicholls, Patrick
Nicholson, David *(Taunton)*
Norris, Steve
Paice, James
Patten, Chris *(Bath)*
Pawsey, James
Peacock, Mrs Elizabeth
Porter, David *(Waveney)*
Portillo, Michael
Raffan, Keith
Roberts, Wyn *(Conwy)*
Roe, Mrs Marion
Ross, William *(Londonderry E)*
Rowe, Andrew
Sackville, Hon Tom
Shaw, David *(Dover)*
Shaw, Sir Michael *(Scarb')*
Shepherd, Colin *(Hereford)*
Skeet, Sir Trevor
Smith, Tim *(Beaconsfield)*
Speller, Tony
Spicer, Michael *(S Worcs)*
Stanbrook, Ivor
Steel, Rt Hon David
Stern, Michael
Stevens, Lewis
Stewart, Allan *(Eastwood)*
Stradling Thomas, Sir John
Summerson, Hugo
Taylor, John M *(Solihull)*
Thompson, Patrick *(Norwich N)*
Thurnham, Peter
Tredinnick, David
Trippier, David
Trotter, Neville
Waddington, Rt Hon David
Walker, Bill *(T'side North)*
Wallace, James
Waller, Gary
Wiggin, Jerry

Tellers for the Ayes:
Mr. Jonathan Sayeed and
Mr. Jack Aspinall.

NOES

Barnes, Harry *(Derbyshire NE)*
Barron, Kevin
Bermingham, Gerald
Boateng, Paul
Buckley, George J.
Cryer, Bob
Cunliffe, Lawrence
Davies, Ron *(Caerphilly)*
Doran, Frank
Evans, John *(St Helens N)*
Ewing, Mrs Margaret *(Moray)*
Galbraith, Sam
Godman, Dr Norman A.
Gordon, Mildred

Hardy, Peter
Haynes, Frank
Hinchliffe, David
Home Robertson, John
Hood, Jimmy
Hughes, John *(Coventry NE)*
Ilsley, Eric
Jones, Martyn *(Clwyd S W)*
Lloyd, Tony *(Stretford)*
Loyden, Eddie
McAvoy, Thomas
McCartney, Ian
McFall, John
Mahon, Mrs Alice
Martlew, Eric
Maxton, John
Michael, Alun
Moonie, Dr Lewis
Morgan, Rhodri
Morley, Elliott
Mullin, Chris
Nellist, Dave
Parry, Robert
Pike, Peter L.
Primarolo, Dawn
Redmond, Martin
Roberts, Allan *(Bootle)*
Salmond, Alex
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Walley, Joan
Welsh, Andrew *(Angus E)*
Williams, Alan W. *(Carm'then)*
Wise, Mrs Audrey
Wray, Jimmy

Tellers for the Noes:
Mr. Michael Welsh and
Mr. Alan Meale.

Question accordingly agreed to.
Bill read a Second time and committed.

Access to Personal Files

11.22 pm

The Parliamentary Under-Secretary of State for Scotland (Mr. Michael Forsyth): I beg to move,

That the draft Access to Personal Files (Social Work) (Scotland) Regulations 1989, which were laid before this House on 16th January, be approved.

The Government have liberalised access to computer records by making orders under the Data Protection Act 1984. This measure was followed in 1987 by the Access to Personal Files Act, promoted by the hon. Member for Roxburgh and Berwickshire (Mr. Kirkwood), whom I am delighted to see in the Chamber. It made provision for access in a number of areas to records kept manually or in any other non-computerised form.

The Government gave a general commitment to develop access to personal information on manual records in certain areas in a controlled and evolutionary way. There must, however, be checks and balances in any access arrangements to ensure that individual rights are respected and that public-sector authorities can continue to discharge their legal responsibilities towards the people they serve. That is the basis upon which the range of measures we have in mind will proceed.

I will sketch in some steps we are taking on access to personal records in public sector services. The Government favour the principle that NHS patients have the right to see what has been written about them. We gave a commitment to this effect during the passage of the 1987 Act. We believe that what is needed is a voluntary code of practice on access to those records, and consultations have taken place on a United Kingdom basis with the relevant professional and other interests. No agreement has yet been reached. We strongly prefer the voluntary route, and I hope that the discussions will be concluded satisfactorily.

We have consulted widely on access to school pupil records and further education student records. We believe that parents should have a right of access to pupil records and that pupils or students over 16 should also have an independent right. Last year, our consultations on access in the further education sector showed general support for the Government's proposals. Before making regulations we will have to consider carefully a number of complex technical points raised by consultees. We will also want to take into account the results of separate consultations on school pupil records.

In December, we issued a consultative paper on access to housing records. Local authorities, new towns, the Scottish Special Housing Association, Scottish Homes, the Confederation of Scottish Local Authorities and other interested bodies have been consulted. The responses are currently being considered.

The present regulations apply the principle of access to social work records held by local authorities. The regulations should be brought into force on 1 April. Local authorities have been aware of our plans for some time and some have been working towards more open access as a matter of good professional practice. The proposed timetable will allow authorities to adjust their procedures and, where necessary, train staff. The regulations provide for access, subject to certain safeguards. Those safeguards reflect circumstances in which it would not be right to grant access to all the available information on

[Mr. Michael Forsyth]

individuals. It should be exceptional for information to be withheld and, even where some is withheld, it should be possible to release most of the available information.

How will it work in practice? Following a request from an individual, a local authority will have to tell him whether it holds "personal information" about him and give him access to it. The definition of "personal information" in the 1987 Act includes expressions of opinion, but no indication of the intentions of the authority towards the individual.

The right to access may be satisfied either by supplying an individual with a copy of the personal information or by some other means, such as letting him see the information. If, however, the individual, having seen the information requires a copy of it, he must be given one. And, if any of the information is not intelligible without explanation, the individual is entitled to that explanation.

Applications for access must be in writing. In addition, authorities will be able to charge a fee of up to £10 for giving access. Authorities should take account of an applicant's ability to pay. Authorities are not obliged to comply with an access request unless they receive the information necessary to establish the identity of the applicant and to locate the information he seeks. Where information on the record could lead to the identity of a third party being revealed or being identified as its source, the local authority must notify the third party within 14 days of receipt of a request for access and seek his consent to access being given. "Third party", in this context, does not include a health professional or someone employed by, or providing a service for reward to, the local authority. Authorities have 40 days from the date of receiving the request or obtaining the necessary further information or consent already referred to, to comply with it.

There are exemptions from the general provisions on access. Some of the information held may contain material provided by a health professional. The local authority will have to notify the health board or the health professional —if the individual is not employed by a health board— within 14 days of receiving the request. Where the health board or the health professional says that access should not be given to some or all of the information, the local authority cannot grant access. This would happen where access might cause serious harm to the physical or mental health of the individual or another person, or where access would let a third party be identified—other than a health professional. That also applies to information which comes from the reporter to the children's panel.

The reporter's job depends on a free flow of information to him from the police and other agencies, including health professionals. The reporter will often have an interest in a child or children of families who are involved with those other agencies and where sensitive and confidential family issues are at stake. For example, the police may be pursuing criminal investigations against the parent of a child whose case is being examined by the reporter.

Over the years, reporters have built up good relationships with other agencies that have been prepared to share their information about families in order to help the reporter make the fullest assessment of a child's situation. That relationship could be prejudiced if the social work department disclosed information inappropriately.

It seems sensible, therefore, to make the social work department get the reporter's approval to disclose any information which comes from him. The reporter must apply tests, including those of serious harm and identity of third parties, broadly similar to those required by social work authorities.

The local authority itself may withhold information in certain circumstances. Those include the risk of serious harm to the health or emotional condition of the individual or a third party. Withholding information on that ground would be exceptional. Local authorities cannot disclose information about or provided by third parties without their consent unless the information can be made anonymous. If the authority does not receive the third party's consent within the time limit, it must give access to as much information as possible without revealing the other person's identity or the fact that he is the source of the information.

Individuals can ask for their records to be changed if they feel that the personal information is wrong. Individuals can ask for a review by the local authority of any decision taken to withhold access completely or partially or where requests to change the records are rejected.

These regulations and the data protection orders provide individuals with comprehensive rights of access, subject to certain specified safeguards, to local authority social work records. They mark the first of a number of steps towards extending the area of service to which access to personal information will apply.

I commend the regulations to the House.

11.30 pm

Mr. Sam Galbraith (Strathkelvin and Bearsden): First, I pay tribute to the hon. Member for Roxburgh and Berwickshire (Mr. Kirkwood) for the Bill of which the regulations form a subsequent part. I was not in the House when that Bill passed through it, but I have read *Hansard*, from which it is clear that the hon. Member pursued the matter with considerable vigour and attention to detail. It is a tribute to the hon. Gentleman and to the House that the Bill is now on the statute book.

Turning to the regulations, I acknowledge the Minister's consultation with various parties before the draft circulars were prepared. However, I understand that there was some slight difficulty over the regulations applying to the reporters to the children's panels. I understand that those regulations were inserted at a later date. Today I received a representation from the reporter to the children's panel in Tayside, a Mr. Meek, who was worried whether the word "individual" should also apply to children who are also able to refuse the question on informed consent.

However, I welcome the consultation that took place before the regulations were produced. Because we agree broadly with the regulations, we shall not vote against them. We welcome them because, although considerable work will be involved, social workers agree that they will lead to better records and better decisions by social workers.

The more I read the regulations, the more I am impressed by their complexity. Social work records are

voluminous and extremely detailed. They contain a mixture of opinion and fact and a vast amount of third party information. The combination of those factors makes social work records difficult to open up widely to the public.

It is slightly incongruous that we are talking about social work records without also discussing medical case records, which are not so detailed. They are usually smaller and mostly factual, and rarely contain non-medical third-party opinions. It would be logical and easier for us to have discussed them in the first place. However, if copies of medical records had been made available to patients, many of the problems dealt with by the regulations would not exist, because the patients would already possess copies of the information.

Therefore, we should remain committed—as the Labour party is, and I am sure the hon. Member for Roxburgh and Berwickshire is—to opening up medical records as well. I shall be interested to hear what the Minister has to say about that. There are considerable parallels between the records we are discussing tonight and medical case records. We remain committed to that, but only after extensive consultation, and with the agreement of the medical profession ensuring all the necessary safeguards.

During the passage of this Bill, Ministers constantly came to the Dispatch Box and spoke of the discussions that they were having with the medical profession on this matter. Could the Minister let us know just how far they have gone? When the Access to Medical Reports Bill was being debated, the Minister said:

"The House will recall that, during the passage of what is now the Access to Personal Files Act in the previous Parliament, the Government gave an undertaking to enter into talks with the medical profession, with a view to achieving substantive and timely progress in opening up medical records on a non-statutory basis".—[*Official Report*, 12 February 1988; Vol. 127, c. 665.]

Perhaps the Minister could let us know what progress has been made in these talks. Are we any further forward in opening up medical records on a non-statutory basis?

While we are talking tonight about social work records, I do not think that we can allow medical records to be taboo. If we are to give patients increased flexibility, greater choice and control over their medical care, they must have a copy of their own case records.

On this subject, I echo the words of my hon. Friend the Member for Great Grimsby (Mr. Mitchell) who said in the debate on the Access to Personal Files Bill:

"In the field of health it is especially important to redress the odds that are presently in favour of the medical profession and turn them in favour of the consumer. This is part of the general idea of giving people power. They have power to choose as consumers and they want that power in all aspects of their lives. We have a duty to give them that power and that applies especially in medical matters"—

as I understand myself—

"where there is a kind of awe of the medical profession that can shelter incompetence and inadequacy."—[*Official Report*, 20 February 1987; Vol. 110, c. 1197.]

We say, "Hear, hear," to these words.

Mr. Archy Kirkwood (Roxburgh and Berwickshire): Say it again, Sam.

Mr. Galbraith: The hon. Member can read it in the morning in the *Official Report* because I want to get on now, so that other hon. Members can perhaps catch your eye, Madam Deputy Speaker.

I come now specifically to the regulations, although I will intertwine my comments on them with parallels on medical case records. I deal first with the charge of £10. The Minister and I will agree that, to both of us, £10 is probably not all that much. I thought I heard one of my hon. Friends at the back of me disagreeing. Really, though, £10 is not that much. The Minister knows that to a member of Muirfield golf club £10 would not be very much to ask. He will appreciate, however, that the sort of people who generally have social work records are often on income support; and if one is on income support, a charge of £10 is excessive.

I realise that local authorities need not make that charge, and I think that Strathclyde will probably make no charge, but I should have preferred the £10 charge not to be part of this. There should be no financial barrier, no practical or theoretical barrier, in gaining access to one's files.

The lead-in time is rather short. This starts on 1 April. The Minister said that it will give time for the necessary training and preparation of new files. It may be true that there will be time, but there is also another area to be dealt with—discussion with other parties on the third party's access to the information. It has been the experience of social work departments that, when they go to other bodies such as the police or children's panels or health boards, those bodies are unaware of what is happening. It will take a considerable amount of time for them to pick up on all the regulations, and that will make the lead-in time rather short. We could have done with extending it a little further.

On the definition of "serious harm", I am glad to see my hon. Friend the Member for Aberdeen, South (Mr. Doran) who will perhaps, if he can catch your eye, Madam Deputy Speaker, give a lawyer's viewpoint on this question. It has been said to me that this will be of great benefit to the profession to which my hon. Friend belongs. It is difficult to decide what serious harm is, but I think that we could do with a slightly wider definition.

Access to the records could be prevented by that test. I know that from my own profession. In discussions about whether medical records should be opened up, someone almost always says, "It would be difficult to do that because it might produce serious harm in the patient." I always worry about that excuse. I have been practising for many years now and I cannot think of one case in which I could not have allowed access on the ground that to do so would have caused serious harm to the patient. I am not saying that that never happens in other specialties, although I should have thought that if serious harm occurred, it would have occurred in my specialty. I am not saying that we do not need safeguards: I merely say that, although the danger of serious harm is often used as a reason for refusing access to files in my profession, I could not have used it in the case of any of my patients. It would help if the Government could produce further guidance on what the definition of serious harm entails.

Social work records are complex and voluminous. They are full of opinions, often from third parties. That creates problems with the 40-day rule, which says that a social work department has to give a reply within 40 days. Certain difficulties will arise if a department has to consult third parties. Suppose that it consulted the health board and found that the consultant was away on holiday yet again. It would then take a considerable length of time to obtain his opinion. But under the regulations, if no reply

[Mr. Galbraith]

is given within 40 days, it is accepted that the information can be made available. Information may therefore be made available that the consultant would not have wished to be made available. The 40-day period may produce problems—although perhaps not insurmountable problems—and we should be considering it.

Let us consider the complexity of the process and the number of people who have to be involved. Let us take what is considered a simple social work case—a case of child abuse.

Mrs. Margaret Ewing (Moray): Simple?

Mr. Galbraith: The diagnosis is simple, but from a social work point of view a child abuse case is probably the most complex type of case there is. Numerous third parties are involved, including the police force, a general practitioner, a community nurse, the procurator fiscal, a community health specialist, a health visitor, a district nurse and a voluntary organisation. All of them will have to be consulted and a review of all documents and registers will have to be carried out by the senior manager. A decision will have to be made on the basis of the serious harm criterion in the light of all that information. There will have to be counselling for the individual, to assist him in coming to terms with the information. There will have to be support for the staff, legal advice and the consideration of the possibility of appeal. That shows the complexity of what is involved.

That very complexity bears with it certain financial burdens, which will be thrown on social work departments —expenditure not just on training but on preparing the reports. When the Data Protection Act was introduced, there were very few requests, whereas in a three-month pilot scheme involving 11,000 records in Strathclyde social work department there were 22 requests. If we round that figure up over the year for complex cases, it means a cost to Strathclyde social work department of about £1·5 million—a considerable financial resource.

We do not know exactly what financial resource will be involved, because we do not know how many requests there will be; there may be far fewer than in the pilot scheme, or there may be far more. The social work departments will monitor the costs. Will the Minister look favourably on any requests if it is found that the financial burdens are considerable?

I have raised some important points about the regulations, and I know that some of my hon. Friends will wish to consider them further. Nevertheless, we welcome the regulations—in the spirit of opening up information and giving individuals greater responsibility, and for the good of society as a whole.

11.44 pm

Mr. Bill Walker (Tayside, North): The hon. Member for Strathkelvin and Bearsden (Mr. Galbraith) illustrated the complexity of this matter. I compliment my hon. Friend the Under-Secretary on again showing how good he is at consultation, discussion and negotiation before presenting regulations. He and I will agree that anyone who thinks that simply bringing in regulations will be a solution to this complex problem has made no attempt to study what is involved.

The hon. Member gave an honest and frank account of the position as he sees it. I do not disagree with anything he said. We all welcome the theory, but we have reservations about the practice. In the more complex cases, it will be very difficult to give the individual what he wants because of all the third parties who will be involved.

By its very nature, social work involves many people. I have never been a champion of social workers. I have always felt that there are some things with which they should not be dealing. It is not their fault, but it has arisen because of the powers which Parliament has given to local authorities. We have created vast empires which are not always to the advantage of those in need.

I am not condemning social workers. Many of them are highly motivated, and we should understand the problems that they face at the sharp end. I have grave reservations about whether we are achieving what the hon. Member for Roxburgh and Berwickshire (Mr. Kirkwood) initially wanted, but I welcome the fact that we are moving forward and that individuals may get access to more information which affects them personally. Hopefully, it will help people to come to terms with their problems. On that basis, I welcome the regulations.

11.47 pm

Dr. Norman A. Godman (Greenock and Port Glasgow): In response to the hon. Member for Tayside, North (Mr. Walker), I would say that I have great trust in and respect for the overwhelming majority of social workers. They have to take on the burdens that others leave on their doorsteps. I say that not because I am married to a senior social worker who has on occasion had to take into care young children who have been subject to physical and/or sexual abuse. Social workers take their duties very seriously.

I welcome the regulations, but they are an appalling piece of work. The English is dreadful. Many of the paragraphs have to be read and re-read. Fortunately, a fairly useful explanatory note is attached. I should like definitive answers to problems that I have encountered.

Under the heading "Exemptions from access to other information", regulation 10(3) refers to some information being withheld and the need in some cases to withhold information. I ask the Minister who is to be the censor where this information is concerned. Is it to be the social worker who has dealt with the applicant in the past or the manager of the department in which the social workers work? This one paragraph presents formidable problems for social workers.

Another question concerns whether the information is always to be given to the applicant in documentary form. Can a social worker refuse to give information to a client who is well known to him or her and seeks information over the telephone or in a face-to-face interview in an office?

With regard to regulation 5, where another individual is concerned, I ask the Minister where a young person stands who makes an application at the local Department of Social Security office for income support because he or she has been driven from the family home by the violence inflicted on him or her, by parents or the partner of a parent, and the official requires evidence of the domestic state of affairs? What happens to that young person, who is presumably known to a social worker, when he or she seeks information to strengthen or substantiate a claim for

income support? In such a case, will the social worker have to approach the person who has inflicted or threatened to inflict violence upon that person seeking help?

Another example is that of the estranged couple where, say, the wife leaves the family home, again perhaps because of incidents involving domestic violence, and seeks help from the local housing department and the DSS office and is told that she needs evidence to support her application for assistance from these officials. In this case, will a social worker be allowed to approach the partner who has threatened violence? What will happen if, in a case like this, the violent partner refuses to co-operate with the social worker? What sanctions can a social worker impose on a third party who refuses to co-operate in cases of this kind?

I do not need to remind the Minister that such cases are not altogether rare in Scotland, I regret to say. These are important questions, particularly concerning the refusal of a named individual to consent to information being given to an applicant. I look forward to hearing the Minister's replies to these questions.

11.55 pm

Mr. Allan Stewart (Eastwood): I had intended to ask the Minister a question similar to that put by the hon. Member for Greenock and Port Glasgow (Dr. Godman). I congratulate the Under-Secretary on the clarity of his explanation of these complex regulations. Without complicating the question that the hon. Member for Greenock and Port Glasgow asked, may I ask my hon. Friend to comment on the position of estranged couples where one is in Scotland and one is in England? I raise the matter because of a constituency case, and clarification of the point would be appreciated.

My hon. Friend explained the progress that the Government had made on access, particularly in relation to education. If my hon. Friend referred to housing regulations, I may have missed his remarks. I understand that consultation on access in that area is taking place.

Do the regulations affect hon. Members? I gather that we have no rights of access to information under the regulations, although we sometimes get confidential information when those in charge of it feel it appropriate because they can regard us as people who will respect their trust and confidence. Presumably we could get information if we acted, in effect, as an appointed agent for somebody under the regulations. Hon. Members often become closely involved with social workers in individual cases, so if the Under-Secretary would comment on the way in which, if at all, the regulations affect us, that would be helpful.

11.57 pm

Mr. Archy Kirkwood (Roxburgh and Berwickshire): It is a pleasure to take part in the debate. These are the first regulations to reach the Floor of the House since the passage of the Access to Personal Files Act 1987. I agree with what has been said about the complexity of some of the language that is now used; the original concept was simple and crystal clear in setting out what we were trying to achieve.

While I appreciate the difficulties involved in getting the checks and balances right, I have some misgivings about the detail of the regulations, apart from the complexity of the language. The Government seem to have made the mistake of trying to maintain common provisions between the regulations that govern access to manual records, with which we are dealing tonight, and the access provisions that relate to computer-stored information under the data Protection Act 1984.

I have always maintained that the two types of records are entirely different. Individuals have had access since 1984 to the sort of information that will be stored typically on computer and electronic files. But the type of information that we are discussing—manually stored information—will still, even looking into the fairly far future, be stored manually, even as we become a more electronically geared society. In social work departments there will always be a need for hard copy, manilla files which, as the Under-Secretary said, will be voluminous and of a quite different character from the electronically stored information that is covered by the Data Protection Act. Of course there is a need to keep common provisions, because we want to keep life as simple as we can, but I think that the Government were wrong to insist that the same provisions that governed the Data Protection Act should be used in governing access to manually stored files.

I entirely agree with the hon. Member for Strathkelvin and Bearsden (Mr. Galbraith) that there is a suspicion that the medical profession is backsliding—some would say it is no coincidence—on access to medical files and people's individual medical records.

I think that the BMA was right to ask for extra time. At its conference two years ago it was on the point of agreeing to adopt access to medical reports as a matter of course. However, it has moved back from that point, and I am extremely worried about that. I do not think that the Government can hide behind the need to get a voluntary scheme up and running if that scheme is going to take too long to achieve.

Has the Minister in mind a timetable within which he thinks it would be reasonable to try to achieve a voluntary scheme? If he can achieve it I should certainly be prepared to let it run and see how it operated, and if it operated reasonably well I should be prepared to countenance leaving it on a voluntary basis. However, if the medical profession really digs in its heels and makes life difficult, the Government may have to resort to statutory legislation and regulations such as we are discussing. The Minister should have a clear idea not to take five, three or even two years to make up his mind about that.

Section 2(4) of the Access to Personal Files Act explicitly rules out retrospection. That is right and proper because, as the House will know, after 1 April, and only then, individuals will have a new right of access. The social work profession has that much time to change its practice —many areas have already done so—to make sure that files created after that date are made readily and easily accessible. An absolute bar on retrospection and a rigid enforcement of the provision in section 2(4) would make access of limited use to some very specific categories of people. I am thinking, for example, of children who were formerly in care, and I think that a local authority faced with an application from someone who was formerly in care, should go beyond the minimum requirements laid down in the parent Act and these regulations and should be allowed flexibility. I hope that any guidance practice notes from the Scottish Office dealing with that aspect of the regulations will reflect my view.

[Mr. Archy Kirkwood]

The House should be aware that there is no bar on retrospection and access to social work records under the Data Protection Act 1984 and that is something of an anomaly, although I understand the need to give a certain amount of protection, and a line has to be drawn somewhere. At that point the regulations come into force, because otherwise there would be havoc, leading to some of the expenses that the hon. Member for Strathkelvin and Bearsden referred to. There is a need for flexibility in applying retrospection under the regulations.

I endorse what the hon. Member for Strathkelvin and Bearsden said about fees, because the £10 maximum charge, which is of course again a reflection of the charges made under the Data Protection Act, will put many people off if it is charged in full. I hope that the Scottish Office will give guidance to local authorities on that matter. I remind the House that the Department of Social Security, that well-known enlightened institution, makes no charge to people who want access to computerised social security records. If the DSS can do that under the Data Protection Act, I hope that Scottish local authorities will do the same.

If local authorities make full use of maximum charges, they will not only be able to charge £10 for access to manually stored records but £10 for computer-stored records. In many cases one file will straddle manually and electronically stored files, and access may cost £20, which would be a bad thing.

Access should be of mutual benefit to the practitioners in the profession and the clients, and I hope that the regulations will be implemented in that spirit. I know from my experience in drawing up the parent Act that many local authorites, particularly in England and Wales, are far ahead of the regulations, with successful schemes up and running which allow access free of charge. I hope that that will be borne in mind.

I understand that future cases must be extremely sensitively handled but the House should know that the provision on opinions being disclosable but intentions being withheld was forced on us by the Government and the wording reflects that of the Data Protection Act. It is regrettable that it is here, but it is, and I hope that it will be applied sensitively.

I fear that there may be some problems about the stipulated compliance period for local authorities. I do not disagree with anything that the hon. Member for Strathkelvin and Bearsden said, but I take a slightly different perspective—that of the applicant. Local authorities will have substantial problems. In my part of the world they are much smaller than some of the social work departments in the west of Scotland. But 40 days within which to comply with the regulations is a long delay.

If I read the regulations correctly—I am sure that the Minister will put me right if I have not—that 40-day period starts only after the application has been made, and identification and all the other requests have been completed by the applicant to the satisfaction of the local authority. Then the local authority has 10 days in which to identify third parties whose consent may have to be solicited before the information is divulged.

If the third party delays or refuses to provide that information, at worst there may be a delay of two, three or four months. I think that the Minister said explicitly that, if a third party refuses to comply or delays, the local authority has an obligation to publish the information minus whatever information would be in the gift of—or related to—the other identifiable person. I assume that his or her rights will be protected if there is no response to the local authority request—the information will be disclosed, but the third party information will be withheld. If I have understood that properly, it at least makes the matter clear. The regulations should state explicitly that access is afforded after the third party identifiable in the files has refused a request or has delayed.

Dr. Godman: The hon. Gentleman is the expert in these matters, although not a self-proclaimed expert. Is he suggesting that if another individual refuses to grant consent to the disclosure of information, his refusal should be ignored? How do the English regulations, which the hon. Gentleman lauded earlier, deal with such refusals?

Mr. Kirkwood: I am not sure that I understand the question. My interpretation of the regulations is that if there are any references to identifiable persons, who have rights over disclosures made to another party, they are entitled to be consulted about whether they wish the information that relates to then—no more and no less—to be divulged. They have a choice. Requests come from the local authority asking whether the people identified mind the authority divulging the information. They can say yes, do nothing or say no. If they say no, the local authority divulges the information without reference to them. It blanks it out, or removes the relevant page, report or section and the file is then made available. Third parties should be given the option to remove, excise or amend the information as they please. They can make representations to the local authority to preserve their own rights.

I was concerned about what would happen if a person did nothing, and the Minister cleared up that point. Initially I thought that the regulations would enable the local authority to say that it had not had a response from the identified third person, so it would not divulge any information. The Minister has clarified that by saying that, in such circumstances, the local authority would divulge the information except for anything that related to the identified third party.

Mr. Michael Forsyth: I shall clarify the position. To put it simply, the third person can object only to his identity being disclosed. He cannot object to the information being disclosed. It would be open to the authority, when there was a refusal by a third party, to make the information anonymous and to provide it on that basis.

Mr. Kirkwood: I hope that that information is helpful. That is what I was trying to say, in a convoluted way.

The regulations on exemptions are an improvement on the original suggestion from the Government that harm, rather than serious harm, should be the test for exemption. The idea of a test of serious harm is based on the Data Protection Act 1984 and is a considerable advantage on the simple test of harm, which would have provided far too big a loophole. The Bill that I presented to the House originally allowed for information to be withheld where serious harm would be caused to someone other than the applicant.

To deal with situations such as child abuse and wife battering, the original Bill did not allow complete withholding of information on any harm grounds. It had

a better solution. In the case of distress or harm, it allowed for inspection in the presence of a professional. In such cases the professional would be a social worker. In the case of serious harm potentially being inflicted on a person, we suggested that there should be a referral for six months so that counselling and other matters could be examined. I still think that that was a better way to proceed, but although the regulations do not allow for it I recognise that they are something of an advance.

The regulations do not seem to lay any duty on local authorities to notify people when parts of the record are withheld. That worries me. As in the Data Protection Act 1984, there is no provision for applicants to be told whether the records that they have received in response to their applications are complete. Last year I brought forward a Bill on access to medical reports, which is now an Act. It requires doctors to tell patients when they are withholding information from reports supplied to insurance companies and potential employers, either because it might cause serious harm or because it involves the privacy of others. I regret the omission from the regulations, because I think that the value of such reports is much greater if those who receive them can be sure that what they have is all that there is—or are told explicitly if that is not the case.

The provision for an appeal procedure involving three members of the local authority would lead, in my view, to a bare, sparse and minimal system. I think that there should be an ultimate right of appeal to the courts. Hon. Members may consider that that would be taking a sledgehammer to crack a nut, but if we do not get it right people may start having recourse to judicial reviews over unreasonable refusal of access. That remedy would, of course, be technically available, but it would also be expensive and time-consuming.

Under the Data Protection Act there is a right of appeal, initially to the registrar and thereafter to the courts. Neither of those independent routes is available under the regulations. Presumably people have a theoretical right to go to the ombudsman if they can show that injustice has been caused by maladministration, but that is a strict test compared with the provision of an explicit right to go to the sheriff court.

I am disappointed by a number of aspects of the regulations. If they are implemented inflexibly, they may lead to unnecessary delays and diminish the new rights conveyed by the parent Act by being too costly for many people to exercise. They deny the spirit of the Access to Personal Files Act 1987, which sought to provide cheap and ready access to files held on individuals by local authorities. I fear that such over-rigorous implementation of the regulations may erect substantial barriers on the road to achieving the ends sought by the original Act.

12.18 am

Mr. Frank Doran (Aberdeen, South): When I left university in 1975 I went to work for a local authority. I specialised in social work, particularly child care. It was an exciting time to go into that sort of work, because the Children Act 1975 had just been passed, giving social workers involved with children a strong indication that at last some attention was being paid to their profession.

As I became more involved in the subject, however, I realised that a number of fundamental problems had not been dealt with, two of which are exemplified in the regulations. One was the protective attitude that social workers, like most professionals, felt towards information that they held on behalf of their clients; the other was the complexity of the law relating to children particularly, and to social work in general.

I made a quick check in the Library tonight. When I was practising in adoption, there were 18 or 19 statutes covering adoption law in Scotland. I am pleased to see that there has been an improvement—there are now only seven —but that gives hon. Members some idea of the complexity facing social workers when considering the law of adoption. I counted 24 statutes which infringe on the subject of child care. The complexity of the issues that we have discussed tonight is reflected in these regulations. The parliamentary draftsman has failed miserably. The prolixity will make the job of the social worker even more difficult.

The regulations also show the problems of protecting the interests of the professionals before we even consider the principle and spirit of the Act promoted by the hon. Member for Roxburgh and Berwickshire (Mr. Kirkwood), which concerns the interests of the person who is the subject of all the social work attention and who should have access to that information. As a practising solicitor, both in local authority work and in our courts in Scotland, I have seen the difficulties of presenting a reasonable case.

I intend to pick out some of the problems created by the regulations and relate them to the protection of the professionals and the complexity of the regulations. A number of issues cause me concern. For example, paragraph 10(2), to which my hon. Friend the Member for Greenock and Port Glasgow (Dr. Godman) referred, states:

"the carrying out of the social work functions of the social work authority would be likely to be prejudiced by reason of the fact that serious harm to the physical or mental health or emotional condition of the individual who is the subject of the information would be likely to be caused"

and is thus a reason for refusing access to information. That is a very loose test. Who will determine the criteria? A reporter, medical practitioner or health board can certify as, under these regulations, can the social worker who may be carrying the day-to-day responsibility for a case. The phrase "emotional condition" concerns me greatly.

I know from experience that clients who have seen the information held on their social work files have been bloody angry about what has been said about them. Will a social worker be able to say that that is a condition, because revealing that information will affect the management of his case? I discussed this matter with the Scottish representative of the British Association of Social Workers and he thought the definition very loose. The provision should be used only on rare occasions. In the time available to me, I can pick out only examples of the abuse that might be open to a difficult person who does not want the information to be released. Anyone who has had access to social work case records—I have had access to hundreds—will be aware that, in many cases, they contain more opinion than fact and sometimes the opinion is very subjective. It is only when these things are tested, particularly before a court, that we can separate opinion from fact and realise how loosely those records are compiled.

Let me deal now with the position of reporters to the children's panels. I have had a great deal of experience in

[Mr. Frank Doran]

dealing with children's panels and I am concerned about the operation of the regulations in this respect, particularly about the problems that confronted me as a lawyer, and other lawyers in Scotland, after the case of Kennedy *v.* A, which was reported in page 358 of the 1986 *Scots Law Times*. In that case, the person appearing before the children's panel had no right of access to the reports which were before the panel. As I understand it, subject to all the exemptions in the regulations, the parent will now be allowed access to those reports.

I am concerned about how that will operate in the day-to-day operation of children's hearings. For example, when a parent appears before a children's hearing, the chairman will be instructed by the regulations that govern the procedure at hearings that a summary of the content of the reports available to the hearing will be made available to the parent. Will that change now that the parent has access to the reports through these regulations? The practical operation of the regulations will make it impossible for the parent to have the information if the local authority decides to use the time limits available here. That information is of most use to the parent at the time when he appears before the children's hearing, or when his representative addresses it. Will the children's hearing procedure be changed?

One of the major effects of the Kennedy *v.* A case with which I had to deal on a number of occasions was the ridiculous problem of lawyers being expected to act on behalf of their clients in presenting appeals to the court, and, because of the decision of the Court of Session, they were not allowed access to the information upon which the decision of the children's hearing was based. Will the decision in that case be changed as a result of the regulations? It is important for practising solicitors who have to appear before the courts to know how the regulations will operate in practice. I am well aware of the handicap of having to present a case to the sheriff court —initially—on appeal without adequate information, or the ability to question the information that the children's hearing or the reports' compilers have had access to.

I have been away from practice since I was elected to the House, so I do not know, and have not been able to check, whether there has been a change in the Kennedy *v.* A position, but I should be surprised if there had been. I would be delighted to hear the Minister's views on that.

I am also worried about prison records. Social workers operate in prisons as representatives of local authorities. Of course, most prison records are covered by the Official Secrets Act 1911, but they are in the possession of the local authorities. Can the Minister clarify that? Are prison social work records also subject to these regulations, and would the subjects of the records be allowed access to them?

I am gravely concerned, too, about the review procedure. With all due respect to local authority councillors, a review body composed of them would be inappropriate. I have practical experience of this, and shall mention one example in a moment. Before someone can make a decision on case records, he must have access to them. Local councillors have access to certain local authority records, by statutory right. But they have never had access to the case records of social work clients. I hope that that system will continue, and that they will not be given such access. I mean no criticism of local councillors; it is just inappropriate for them to have access to the records of people who may be their constituents or neighbours.

As I understand it, decisions on social work cases are made as follows. Reports are prepared by social workers in the case of, say, assumption of parental rights. Full case records are not submitted to the council sub-committee dealing with the cases—abstracts and summaries of cases are produced. Social workers may discuss particular details, but the idea of case records is alien.

When I was employed by the local authority, the chairman of a committee discovered that the social work department had information relating to a member of the family of a councillor of an opposing party. That chairman insisted on access to that file. The social worker involved had the guts to stand up to the councillor and refused to allow him access. The case was fought hard and, thankfully, the director of social work, with the backing of the social workers' professional body, refused to release the file to the councillor. The councillor pleaded his statutory right—in which he had the backing of the chief executive of the local authority—but the director of social work stood up to him. That is an example of the inappropriate use of social work records. I am unhappy about these regulations, because they would legalise access by councillors to social work records. The only proper way to review the decision of a local authority officer—which is effectively what we are doing—is through the courts, not through a committee of the council.

The Minister has recently established a review committee to study child care legislation. One of the areas being examined is the assumption of parental rights. I have always been opposed to the idea of a local authority being judge and jury in its own case. It does not matter that it is a local authority: it could be any individual or body. In cases of assumption of parental rights, it effectively will be judge and jury under these regulations. I implore the Minister to review that position and to seriously consider involving the courts, so that we can have some objectivity and maintain the principle of the confidentiality of social work case records.

The point has already been made forcibly that costs will act as a barrier. I appreciate that local authorities are not obliged to charge £10, but I cannot understand why a person who is an ordinary run-of-the-mill social work client should have to pay £10 to gain access to his records, whereas an adopted person who has statutory rights under the Adoption (Scotland) Act 1978 to ask the local authority for information concerning his natural parents and the details of his adoption, does not have to pay a fee. I do not understand why a distinction is being made. Why is there a barrier to those people, who are not adoptees, having access to their records? I would appreciate some information about that.

Another important omission in these regulations is counselling. I shall again use the adoption legislation as an example. An adult who was adopted as a child, who wants access to his record, is counselled. The local authority is statutorily required to provide a counselling record. Under these regulations, vulnerable people may have access to their records, but there is no obligation or right to counselling. I should like the Minister to explain the distinction between the person who has been adopted and the ordinary social work client.

The regulations, of course, recognise that we are dealing with a complex situation concerning vulnerable people, who have had cause to call on the social work services. Some of those people may have spent their lives under the umbrella of social workers. I have acted for people who have known nothing else but contact with the social work department from early childhood right through to adulthood, because of a variety of circumstances—perhaps because of mental illness or handicap or because they were children in care. They have come through the system, and now their children are going into care. Counselling would be valuable to such people. Why is it not their statutory right?

Despite my critical comments, I am not intending to force a vote on these regulations. I feel, however, that they have the serious defects relating to costs and the review body. I hope that the Minister will be able to give me the satisfaction which I am seeking and that he will take on board what has been said and reconsider these crucial issues.

It is important to pay some tribute to the practice which has now developed in social work. In many respects—the hon. Member for Roxburgh and Berwickshire alluded to this—the regulations lie behind what is now good social work practice. When records are compiled they are now the subject of discussion with the client, so he knows what is being placed on the record and he can assess what is said about him.

It is important that we recognise the good practices that now exist and pay tribute to social workers who work under the present difficult circumstances in Scotland.

12.35 am

Mrs. Margaret Ewing (Moray): In common with other hon. Members who have spoken I give a broad welcome to the regulations because I believe that access should be given to information held in personal files.

I want to pick up two matters that have not been touched upon by other hon. Members, and I hope that the Minister will comment on them. First, I want to know the implications of the regulations for the voluntary agencies that work within the social work sector. Paragraph 1 of the regulations refers to the Access to Personal Files Act 1987 and the definitions in that paragraph appear to relate to local authority social work departments. I am sure, however, that all hon. Members will recognise the valuable role of the voluntary agencies that operate in the Scottish social work sector.

The hon. Member for Strathkelvin and Bearsden (Mr. Galbraith) referred to the cost implications for Strathclyde regional council and its social work department. Obviously there will also be cost implications for the voluntary agencies if the regulations apply to them. Many of such agencies operate on a shoestring budget and have limited facilities, nevertheless they perform a vital function. Many work closely with local authorities, which we welcome, and it is important to know the implications of the regulations to those agencies.

What are the implications of the regulations to files that are compiled during the training of professional social workers? Before coming to the House I was a co-ordinator for the certificate in social service and my responsibilities covered the west of Scotland, which included Strathclyde regional council, Dumfries and Galloway regional council, the two education departments of those local authorities and various voluntary organisations.

During training, those students who were already employed had to compile a great deal of work that related to the type of case load that they would have on a day-to-day basis. There was always a difficulty in defining whether those case files were the property of the college that was responsible for the academic qualification, the social work department that employed the student or the individual student. I stress that throughout the work undertaken on that course we emphasised confidentiality to our students and we never accepted any clear identification of an individual involved in those case files.

We must consider the implications of the regulations on those files that are used by students in the process of their professional training. We need highly skilled, professionally trained social workers if we are to face up to the many problems in our society.

Have the implications of the regulations been discussed with the Central Council for Education and Training in Social Work, which is the validating body? If not, will such an opportunity arise because, in the past, different interpretations have been given to the various schemes that operate the certificate in social service? It would be helpful to have clear guidance.

12.39 am

Mr. Michael Forsyth: We have had a wide-ranging debate in which hon. Members have quoted some interesting legal cases, to which I do not propose to give an instant response tonight. One of the interesting aspects of the debate was the emphasis placed on medical records, which are not immediately covered by the regulations. The hon. Members for Strathkelvin and Bearsden (Mr. Galbraith) and for Roxburgh and Berwickshire (Mr. Kirkwood) pressed me on the progress with the medical profession on that matter. As I said in my opening remarks, negotiations are continuing. The hon. Member for Roxburgh and Berwickshire suggested that, if we were unable to reach agreement on a voluntary basis, we should take the necessary statutory measures. I can assure him tonight, without too much equivocation, that if we are unable to reach agreement on a voluntary code, I shall respond vigorously to the pressure that the hon. Gentleman and others are putting on the Government in that respect.

The hon. Member for Strathkelvin and Bearsden, and a number of other hon. Members, placed some emphasis on the question of charging. The £10 fee is a maximum charge and local authorities have the discretion to charge nothing at all if they feel that a charge would result in the information not being made available to the applicant. Our guidance will recommend that the applicant's ability to pay should be taken into account. That should satisfy the hon. Member for Strathkelvin and Bearsden and a number of others, including the hon. Member for Roxburgh and Berwickshire.

I was asked about the lead time being given to local authorities. At the beginning of this month local authorities were told that the regulations would come into force on 1 April. As the hon. Member for Aberdeen, South (Mr. Doran) pointed out, many local authorities have already established good practices in that respect and therefore have a head start. I appreciate that it imposes a

[Mr. Michael Forsyth]

certain discipline on the authorities to ensure that they have the necessary mechanisms in place to operate the regulations in time, but I do not believe that there will be any particular problem.

I was a little confused about the messages on the 40-day rule. If I understood him correctly, the hon. Member for Strathkelvin and Bearsden argued that that was not enough time to respond. However, the hon. Member for Roxburgh and Berwickshire argued that it was far too long, so I suppose that we have probably got it just about right.

Mr. Galbraith: I do not think that the 40-day rule is too long or too short. I agree that the Minister has got it just about right. I was trying to make the point that there may be exceptional circumstances in which for some reason it is impossible to get third-party permission within the 40-day rule. I wonder whether the guidance to local authorities might contain some exceptional exemptions that would allow for that. For example if a consultant was away for a considerable time, and if information was released without the permission of that person, that could lead to distrust with the authority from which the information was obtained and could cause further problems in future. Will the Minister consider making some special exceptional exemptions?

Mr. Forsyth: I think that I can help the hon. Gentleman. If he reads *Hansard* tomorrow, he will see that the hon. Member for Roxburgh and Berwickshire made the point that the 40-day clock starts ticking once the necessary information is available, so there is provision for that. I do not want to dissuade the hon. Gentleman from the view that we have got it right by pursuing that issue too far.

As to his point about consultants going on holiday, there is provision in the regulations for another health professional to give the necessary consent, in the absence of the appropriate person.

The other main theme which the hon. Member for Strathkelvin and Bearsden raised at the beginning of the debate was the definition of serious harm. The point has been made in consultation as to why the regulations do not specify "harm" instead of "serious harm". A balance is involved. It is a difficult subject, but by definition such matters can be decided only on a case-by-case basis. We all recognise that the desire which we share to ensure that information is available where appropriate must be balanced by the odd, very exceptional case where this test would be met. I can perhaps reassure those hon. Members who were concerned about the definition by saying that it is our view that it should be exceptional for information to be withheld, rather than the kind of circumstance which the hon. Member for Aberdeen, South was concerned about.

My hon. Friend the Member for Eastwood (Mr. Stewart) asked me about the housing regulations. Yes, we are at present consulting about those matters and we have had about 30 responses to date. We will proceed with the same vigour but care which we have shown in the regulations themselves.

My hon. Friend also asked me about the position of Members of Parliament. The position of hon. Members will, as usual, be the same as that of any other citizen: they will have no special rights under these regulations. But, as my hon. Friend himself pointed out, if they are acting as agent they will be able to operate on that basis.

The hon. Member for Greenock and Port Glasgow (Dr. Godman) asked who would act as censor, who would be responsible for deciding whether information should be withheld. I can assure him that such a decision will be taken by senior management.

The hon. Member for Strathkelvin and Bearsden asked me about the resource implications. It is perhaps appropriate at this point to highlight the splendid record of this Government in providing support for social work services in local government. I am bound to say that when I looked at these figures I was so astonished by the increases that we have made available that I had them checked, and I am assured that since 1979, when we came into office, the planning figure for such services has increased by no less than two thirds, in real terms. Next year the planned provision exceeds that for the current year by 13 per cent. and local authorities' own budgets by 6 per cent. for that year, so I do not anticipate that these regulations will make much of a dent on the very substantial resources which we have provided. However, it is open to the local authorities, in the light of experience, in the negotiations which take place on the rate support grant, to make a case if they feel it appropriate.

I was asked about the regulations not providing for a person to be told of information being withheld. This is an important point made, I think, by the hon. Member for Roxburgh and Berwickshire. I must say that in some circumstances it would be almost as damaging to make it known that information was being withheld as to provide the information in the first place. But the hon. Gentleman is right to emphasise that the imperative should be to make information available where appropriate—and that includes the information that the information is being withheld. I can assure the hon. Gentleman that the guidance will invite local authorities to judge whether a person should be told, in keeping with that good practice.

The hon. Member for Aberdeen, South referred to the complexity of the child care law. I completely agree with him. He himself pointed out that a child care review is operating currently. It will report to my hon. Friend and will, I think, cover some of the points which concern the hon. Gentleman.

The hon. Member for Aberdeen, South also asked me about prison records. Although social work records in prison would not be covered by the regulations, we will try to ensure that the same kind of code is operated on social work records in the prison system, although not on a statutory basis. I think that that will meet his point.

The hon. Member for Aberdeen, South also asked about the provision of counselling for people who have obtained access to their records. The guidance will certainly suggest that local authorities should offer counselling where appropriate consistent with good practice. He also made an important point about the children's hearings rules, and asked whether they would need to be changed as a result of the regulations. Chairmen of children's hearings are still required to discuss the substance of reports with families. If the regulations are approved, we shall reconsider the terms of the children's hearing rules in that respect. The rules are laid down by statutory instrument, and I am happy to undertake to look at—and, if necessary, amend—the instrument before the regulations come into force on 1 April.

The hon. Member for Moray (Mrs. Ewing) asked me about voluntary organisations. The 1987 Act extends only to the manual records of local authorities for their social work functions, and the regulations could not, therefore, extend to the records of voluntary organisations, although the hon. Lady has made a point of substance. It is open to the voluntary organisations to institute procedures based on the regulations, as I have confirmed we shall do in the prison service. Some voluntary bodies are already developing access arrangements but we are not requiring them to do so.

There has been some criticism of the complexity of the regulations. That is often a consequence of private Members' legislation. I have discovered in recent months that it is never as simple as it might appear at first sight. Nevertheless, I hope that the House will accept the regulations as a genuine and sincere attempt to bring to people in Scotland the opportunity of access to information to which they are entitled, and the first in a long line of such attempts.

Question put and agreed to.

Resolved,

That the draft Access to Personal Files (Social Work) (Scotland) Regulations 1989, which were laid before this House on 16th January, be approved.

Gravel Extraction (Burnham Beeches)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Maclean.]*

12.52 am

Mr. Tim Smith (Beaconsfield): On 14 July last year, the Summerleaze Gravel Company Limited applied to Buckinghamshire county council for planning permission in relation to land in East Burnham park, Lees farm and Hunts Wood farm, all of which are in East Burnham in my constituency. The application is for the winning and working of sand and gravel and matters ancillary thereto, including the erection of processing plant, the crossing of public highways, the importation of infilling material and restoration to agriculture. Part of the land is at present used as farmland, part is a nursery and part is woodland.

The total site area is 52 hectares and the development will take 13 years to complete. It will involve the removal of 1·65 million tonnes of gravel at the rate of 150,000 tonnes a year. The site will then be filled with 1·1 million cu m of waste material. According to the planning application, the development will involve maximum daily lorry movements of 365.

The application site lies within a preferred area in the Buckinghamshire county council's minerals local plan, which was adopted nearly seven years ago, in April 1982. The preferred area is known as area 17. Preferred areas are areas where applications to work sand and gravel for general market needs will be favourably considered. There is therefore a presumption in favour of the application. I want to explain to my hon. Friend why that presumption should be rebutted—at any rate, why we should call in the application, even though there is a presumption in its favour.

There are two principal reasons—one of substance and the other of procedure. The substantive reason relates to the proximity to the site of Burnham beeches, which is nationally recognised as one of the largest remaining blocks of woodland in England—undisturbed since the ice age—and is highly valued for the ecological system to be found within its borders. It is listed as a site of special scientific interest under the Wildlife and Countryside Act 1981. The beeches have been owned by the Corporation of London since 1880. The Corporation of London (Open Spaces) Act requires it to keep the land unenclosed and unbuilt on for the recreation and enjoyment of the public and to observe its natural aspect. Burnham beeches attract up to 500,000 visitors from the surrounding area, London and overseas every year.

The application site is about 200 m from the southern boundary of the beeches. The corporation of London is therefore concerned that, should planning permission be granted, damage would be caused to the environment and amenity of Burnham beeches. The ground water table system could be unbalanced by the draw-down effects of the excavation of the natural water table. The corporation has therefore commissioned a report from the Institute of Hydrology on the hydrological implications. To date it has received only an interim report, prepared in under six weeks. The Institute of Hydrology has concluded that the underlying parts of the beeches are in hydraulic connection with the gravel it is proposed to extract. The exact nature of the connection is not known at this stage, and its establishment will require further boreholes and associated study.

[Mr. Tim Smith]

The pollution effects of dust discharge over the beeches could be severe. The corporation has therefore also commissioned a report on the potential effects of dust discharge and in particular the effect of such pollution under the lichen and algae within the beeches. The bedrock strata immediately adjoining sections of the proposed site are fractured and fissured in such a way that the methane by-product of the infill material could find its way through the substrata into the beeches. The corporation has therefore commissioned another report on the potential effects of pollution as a consequence of the proposed landfill with industrial and domestic waste.

My hon. Friend may, not unreasonably, say that all these matters must have been thoroughly investigated when the Buckinghamshire minerals local plan was drawn up at the beginning of the decade. The Nature Conservancy Council has addressed this point in its assessment of the potential effects of the proposal on Burnham beeches. The council says:

"The plan dates back to the early 1980s and the NCC would have had an opportunity to comment at the draft stage. That they did not raise any objections to extraction in this area reflects the state of knowledge relating to hydrological matters, and likely implications for sites of nature conservation interest, at that time. Since then a number of sites have suffered badly, particularly in East Anglia, through the effects of changing the groundwater table. In response to these problems our understanding has increased, through the implementation of directed research, and we would almost certainly have questioned the designation of this sie as a preferred area had the plan been presented today."

There are two additional matters of relevance to the minerals local plan. The first is that the description of the buffer zone in the plan is out of date following residential development of the land. The second is that the plan envisages a maximum production rate of 100,000 tonnes per annum, whereas the application proposes 150,000 tonnes per annum. To summarise this substantive reason, Burnham beeches could be irreparably damaged by the proposal. The Summerleage Gravel Company Limited has written to me today to say:

"We pose no threat to Burnham Beeches."

That is a disputed issue of such importance that it should be considered by an independent public inquiry.

The procedural reason why the planning application should be called in arises from the need for an overall environmental assessment. As my hon. Friend knows, the Town and Country Planning (Assessment of Environmental Effects) Regulations 1988 came into effect on 15 July. It is, of course, no coincidence that this planning application was submitted on 14 July, because the chief planning officer advised Summerleage to get its planning application in quickly to avoid the effect of the regulations. This suggests that the planning officer took the view that, had the regulations been in force, an environmental assessment might have been necessary.

My hon. Friend wrote to me on 9 January to explain the position in relation to planning applications made in the period from 3 to 14 July. The directive ought to have come into effect in the United Kingdom on 3 July. My hon. Friend told me that it would be open to the Secretary of State to call in such an application for his own decision, if it appeared to him to relate to a project that might fall within the terms of the directive. In that event, my hon. Friend told me, the Secretary of State would be likely to arrange an inquiry, the procedure for which would achieve the principal objective of the directive. In this way, the spirit of the directive would be respected in the case of applications lodged during this period.

The Department's circular on environmental assessment, which was issued last year, explains that it is a technique for drawing together in a systematic way expert quantitative analysis and qualitative assessment of a project's environmental effects, and presenting the results in a way which enables the importance of the predicted effects and the scope for modifying or mitigating them, to be properly evaluated by the relevant decision-making body before a decision is given.

In my view, that is precisely what is required in this case: a drawing together in a systematic way of all the evidence and the presentation of the results in a way that facilitates a proper evaluation. In the absence of an environmental assessment, which the applicant has contrived to avoid, this can be achieved only by a public inquiry.

My hon. Friend might say that such an inquiry would place a heavy burden on all the parties involved. My answer to that is that, when it comes to the preservation of something as special as Burnham beeches, there is a heavy responsibility on all of us to ensure that its future is secure.

I am sure that my hon. Friend will agree that many of the environmental matters that have to be considered in a case such as this are highly technical. There is, no doubt, no shortage of technical expertise at county hall, but for the reasons I have given, it is vital that there should be an independent inquiry into all these matters.

I understand that the county planning committee proposes to consider this matter in April. I doubt very much whether it will have all the information it needs to be able to make an informed decision by then. A public inquiry would be able to consider all the important issues in a sensible timescale.

Some 200 of my constituents have written to me on this matter. A rather larger number attended a public meeting recently. Many organisations support the calling in of this application. They are the British Lichen Society, Britwell parish council, the Bucks, Berks and Oxon Naturalists Trust, Burnham parish council, the corporation of London, the Council for the Protection of Rural England, English Heritage, Farnham Royal parish council, Friends of the Earth, the Nature Conservancy Council and the Ramblers Association. There is widespread local concern about the impact that this development would have on the whole surrounding area, and I urge my hon. Friend to call the application in.

1.4 am

The Parliamentary Under-Secretary of State for the Environment (Mr. Christopher Chope): I begin by congratulating my hon. Friend the Member for Beaconsfield (Mr. Smith) on the lucid way in which he has raised this important matter. He has addressed a matter of considerable worry to many of his constituents and to others who enjoy the beauty and tranquility of Burnham beeches.

Outside Greater London and the metropolitan areas, day-to-day planning responsibility for minerals planning and development control is vested in the county councils. Although my right hon. Friend the Secretary of State does have discretion under section 35 of the Town and Country Planning Act 1971, to require a planning application to be

referred to him for decision, it is a long-established policy for the Secretary of State not to interfere with the jurisdiction of planning authorities unless it is absolutely necessary to do so.

Reference to the Secretary of State is required only when matters of more than local importance are raised by the application. This is an important principle. Parliament has given clear duties and responsibilities to the mineral planning authorities. They are frequently faced with difficult and contentious proposals for mineral development and they have to balance the need for mineral supplies to be maintained against the need to preserve the countryside and the environment. Mineral planning authorities generally face up to their responsibilities well, and it would be wrong for my right hon. Friend to intervene unnecessarily in the development control process.

A significant feature of this case is that the application relates to a site designated a preferred area for sand and gravel extraction in the Buckinghamshire minerals subject local plan, as my hon. Friend said. This plan aimed to provide for sand and gravel production in the county at about 16 million tonnes over the period 1981-91. The plan identified a number of preferred areas in the south of the county, together with some areas of search elsewhere in the county, where this target could be met with the least environmental damage. Within these preferred areas, favourable consideration would be given to applications for sand and gravel extraction, although each application would have to be judged on its own merits.

This minerals subject plan was the subject of a long and detailed public inquiry, and the possibility of designating this area east of Burnham, the so-called area 17, was thoroughly debated. The inspector who conducted the inquiry concluded that the area was suitable as a preferred area for sand and gravel extraction, subject to conditions concerned with access and with the safeguarding of three listed buildings in the area. In his view, sand and gravel extraction could take place without unacceptable visual intrusion if suitable earth bunds were erected.

Buckinghamshire county council adopted this plan in April 1982. In July of that year it granted planning permission to the Summerleaze Gravel Company Limited to extract gravel from a 10 hectare site within this preferred area. As my hon. Friend said, the company has now submitted a new application to extract gravel from almost the whole of the preferred area, and it is this application which has generated the current controversy.

It has been argued by some of those who have made representations opposing the application that this minerals local plan is out of date, and my hon. Friend spoke to that point. That is an aspect which the Secretary of State will have to consider, notwithstanding the fact that the plan was designed to cover the period up to 1991. It is the statutory development plan for mineral development in the county and, as such, the county council is obliged to take it into account as a material consideration when determining planning applications.

My hon. Friend expressed particular worries about a threat to Burnham beeches, which is a site of special scientific interest. I wish to reassure him that I am in no doubt about the national importance of the beeches. Their history, habitats and flora are all well documented and they must be protected. I am sure that this view is shared by Buckinghamshire county council.

The possibility of an adverse effect on the hydrology of the Burnham beeches area appears to be a particular concern, not least to the Nature Conservancy Council. My hon. Friend pointed out, fairly, that this is to a large extent a new issue which was not canvassed when the minerals local plan was debated. This is clearly a matter which needs to be investigated. It will need to be established whether there is a hydraulic connection between the water in the glacial sands and gravels which underlie the beeches and water in the Boyn Hill terrace gravels which the applicants propose to work.

I understand that the county council has asked the applicants to provide a report on the likely effects of their proposals on the area's hydrology and that the council has retained an independent hydrological expert to examine that report when it is produced. I am sure that the applicants realise that they must satisfy the planning authority that the working of the application site will not affect the water regime at Burnham beeches.

I understand that the City of London corporation has also commissioned some hydrological studies into this matter and has written to the county council saying that its preliminary studies indicate that there is a link between the groundwater underlying Burnham beeches and the site which is the subject of the planning application. It would be extremely helpful if the corporation could make any evidence it has available to the county council, and to the applicants' hydrological consultants to help them resolve the matter.

My hon. Friend raised the question whether the applicants should be required to provide an environmental assessment of their proposals. The Town and Country Planning (Assessment of Environmental Effects) Regulations 1988 require developers to provide an environmental assessment to accompany planning applications for certain developments if they are likely to have significant effects by virtue of factors such as size, nature or location.

As my hon. Friend said, these regulations apply to applications submitted on or after 15 July last year but implement an EC directive on environmental assessment which came into force on 3 July. The Summerleaze Gravel Company Limited submitted its planning application on 14 July.

Two questions therefore arise. First, there is the general question whether planning applications made before the United Kingdom regulations came into force on 15 July 1988, but after the EC directive came into force on 3 July 1988, should be subject to the requirement to provide an environmental assessment. Second, there is the question whether this particular planning application would have needed to have been accompanied by an environmental assessment if it had been submitted on or after 15 July.

On the first point, under normal circumstances United Kingdom legislation is not applied retrospectively, and in the planning system it has been considered generally to be both against the principles of natural justice and impractical to alter provisions affecting a particular application after it has been made. The 1988 regulations do not apply, therefore, to planning applications made before 15 July 1988, when the United Kingdom regulations came into force.

Nevertheless, I can assure the House that the spirit of the directive will be respected in the case of applications lodged in the relatively short period between the entry into force of the EC directive and the starting date for the

[Mr. Christopher Chope]

United Kingdom regulations. If any relevant planning application made between the two dates is drawn to my right hon. Friend's attention, he will consider whether it would have required assessment under the regulations if they had applied to it. It would then be open to my right hon. Friend to call in the applications for his decision if it appears to him to be such a case apart from any other grounds he might have for calling the application in. In that event he would be likely to arrange an inquiry, the procedure for which would achieve the directive's aims of supplying environmental information and consultation with bodies with relevant responsibilities.

It has been pointed out in representations that the site area of this application is 2 hectares greater than the indicative 50-hectare threshold for sand and gravel operations which is mentioned in the Departmental circular which accompanied the regulations. However, the size thresholds for mineral operations referred to in the circular are only indicative, and projects which exceed the thresholds will not in every case require assessment. The main criterion is whether the proposal raises the likelihood of significant environmental effects. On the information available to me, it would appear that the hydrological studies which have been set in train will cover the issue which would assume greatest importance in any environmental assessment of this application.

My right hon. Friend is considering this matter in the light of the representations he has received. Clearly, an important consideration will be the possible impact of the proposed sand and gravel extraction on the hydrology of the area. As I have already mentioned, the mineral planning authority is acting quite properly and responsibly in looking into this, and my right hon. Friend will wish to take account of its investigations, and the other points raised so eloquently this evening by my hon. Friend, before reaching a decision on whether or not to call in this particular sand and gravel extraction proposal for his own determination.

My hon. Friend mentioned that, if there were to be a public inquiry, it would be a burden. That would not be a constraint on the Department's consideration whether it was necessary to call in the application. I can assure my hon. Friend that would not be a relevant consideration; we would judge the issue on the other criteria to which I have referred. I and my right hon. Friend are well aware of the importance of Burnham beeches, and before reaching a decision we shall very carefully consider all the issues.

Question put and agreed to.

Adjourned accordingly at twelve minutes past One o'clock.

House of Commons

Wednesday 25 January 1989

The House met at half-past Two o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

Oral Answers to Questions

ENVIRONMENT

Public Sector Housing

1. **Mr. Flannery:** To ask the Secretary of State for the Environment how many houses were built to be rented in the public sector in each successive year since 1975.

The Parliamentary Under-Secretary of State for the Environment (Mr. David Trippier): I refer the hon. Gentleman to the reply that I gave yesterday to my hon. Friend the Member for Sheffield, Hallam (Mr. Patnick).

Mr. Flannery: Is it not clear that the Government's continuing attack on public sector housing is resulting in increasing homelessness, which is getting worse and worse, in increasingly long waiting lists for repairs because the public sector does not have the necessary money due to the cuts, and massive unemployment in the building industry? [Hon. Members: "What?"] Yes, there is. Never mind what the Government say. *[Interruption.]* Instead of referring me to yesterday's answer, the Minister should have answered today's question, but he is afraid to give the answer. Are we to assume that the sustained attack on public sector housing will continue, so that the poor, the sick, the homeless and the old will continue to be endangered under this Government as they have been for so long?

Mr. Trippier: If the hon. Gentleman will check the facts, he will find that there is a massive skills mismatch and a shortage of workers in the construction industry. In the twilight years of the Labour Government—some would call them dark years—there was a 60 per cent. decrease in investment in public sector housing development.

Mr. Flannery: We did not have North sea oil.

Mr. Trippier: I expected that sort of question from the hon. Gentleman. He is concerned only about public sector housing whereas we are concerned about all housing, in which there has been a substantial increase since 1979.

Mr. Neil Hamilton: While sympathising with my hon. Friend the Minister for having to endure that embarrassing outburst, does he agree that the prime reason for homelessness, where it exists, is the Rent Acts which have prevented private landlords from letting their properties profitably? Does he further agree that once the reforms in the law that we have introduced are brought into full effect any shortfall is bound to be remedied?

Mr. Trippier: My hon. Friend is absolutely right. Labour Governments concentrated only on the expansion of public sector housing, which resulted in a dramatic decline—to just 8 per cent.—in the private rented sector. We are trying to remedy that with the Housing Act 1988. It is interesting to note that the 8 per cent. for the private rented sector contrasts starkly with a level of 30 per cent. in France and 40 per cent. in Germany.

Mr. Soley: The Minister has just added to his already bad reputation as a Minister who gives misleading information, and creative statistics will not get him out of the trap. There are 1·2 million fewer homes available for rent, of which more than half have gone from the private rented sector and the rest from the public sector. The Minister's recent answer to his hon. Friend showed the catastrophic decline in the public rented sector. What does he intend to do to ensure a decent supply of good quality, low-cost accommodation for rent or sale? Will Torbay council be compensated for the £250,000 wasted on the rigged vote, and will the Government abandon their attempt to get councils such as Torbay to hand over their council housing to the private sector now that that system has fallen flat on its face?

Mr. Trippier: The hon. Gentleman completely missed the point of my answer to my hon. Friend the Member for Tatton (Mr. Hamilton). There has been a substantial increase in house building—1·8 million since 1979. The hon. Gentleman is well aware that as a result of the 1988 Act we are providing through the Housing Corporation —and through it to housing associations—low-cost homes which will be affordable to people on low wages. As for repairs, on which the hon. Member for Sheffield, Hillsborough (Mr. Flannery) touched, the dramatic increase in housing improvement grants since the Government came to power—a 60 per cent. increase since 1979—is in stark contrast with the Labour Government's deplorable record.

Mr. David Shaw: Does my hon. Friend agree that the real problem is not how many public sector houses are being built—there is an overall housing boom at present —but how many public sector houses, whether being built or already in existence, are rented by councils? Do not a large number of Labour councils have many empty houses?

Mr. Trippier: My hon. Friend is absolutely right. There is a considerable number of voids in many authorities controlled by the Labour party. The Audit Commission has said time and again that if empty homes are turned around within three weeks about 20,000 empty properties will be brought back on to the market, which would immediately help the homeless.

Several Hon. Members *rose*——

Mr. Speaker: Order. The first question has taken more than five minutes. I appeal for short supplementary questions and shorter answers.

Waste Disposal

2. **Mrs. Clwyd:** To ask the Secretary of State for the Environment what representations his Department has received on the waste disposal law amendments follow-up consultation paper.

The Parliamentary Under-Secretary of State for the Environment (Mrs. Virginia Bottomley): We received 20 representations by the end of the consultation period, from local authorities and from the waste industry.

Mrs. Clywd: Why have the Government allowed a massive increase in imported hazardous waste, from 5,000 tonnes in 1984 to an estimated 80,000 tonnes in 1987? If the Government are serious about protecting the environment, why do they allow this country to be used by other countries as a massive rubbish dump? Why do they not ban the import of hazardous waste?

Mrs. Bottomley: Why do Labour Members always resort to such hypocrisy? What kind of befriending of the environment is it to ban imported toxic waste when we have facilities and technology to deal with difficult and dangerous waste? Imports have risen, but they represent a modest 5 per cent. of the special wastes that we treat. We must ensure that that treatment is carried out effectively and safely.

Mr. Key: I thank my hon. Friend and the Government for the care that they have taken in waste disposal consultations over the past two years. Does my hon. Friend agree that there is now a growing chorus to the effect that existing penalties are inadequate to cope with infringements, both of planning regulations and of waste disposal regulations? Does she further agree that any proposals for criminalisation ought to include consideration of compensation relating to the value of the projects and developments in question?

Mrs. Bottomley: It is important that waste disposal regulations are properly enforced and regulated. Recently there was a case in my hon. Friend's constituency, which he raised and which caused a great outcry. When we introduce a duty of care on waste producers we shall ensure that it is possible to take action against those who irresponsibly dump their waste in inappropriate places.

Mr. Campbell-Savours: Is it not true that the Government have given in to the waste disposal industry, recognising that if they take away business the industry may lose profits? The people who suffer are those living in the areas where waste is dumped. Why do not the Government tell the countries that are exporting their waste here to keep their own filth? We do not want it in Britain.

Mrs. Bottomley: Only a modest amount—5 per cent. —of waste is imported. We have announced plans to ensure that only waste to be specially treated or incinerated will be imported. We are ensuring the highest standards of control over waste disposal. Waste is an inevitable product of modern life. It will not go away, so we must deal with it properly and responsibly.

Mr. Squire: Is my hon. Friend aware that those who have studied the issues will broadly welcome the Government's approach, and in particular the current Green Paper? Provided that legislation is in place to prevent the import of domestic refuse, with all the implications that that would have, the Government's line is broadly correct.

Mrs. Bottomley: I thank my hon. Friend for what he has said. A good deal of thought and care has gone into the proposals and we hope to legislate at the earliest opportunity.

Mr. Allan Roberts: Will the Minister confirm the implication of the statement by the Secretary of State for the Environment yesterday, in which he announced that competitive tendering procedures would be introduced into the waste disposal activities of local authorities and other organisations—something that the right hon. Gentleman flatly rejected, as being dangerous to the environment, when the Local Government Bill was going through its stages in the last Parliament?

Is not the key to safe and successful disposal of toxins and hazardous waste the adequate funding of waste disposal authorities—many of which are local authorities whose budgets are being cut by the Government—and a change in policy to end the imports of toxic waste which are encouraged by the Government, at great danger to the environment, to mask our balance of payments deficit in manufactured goods? Once again the Minister is supporting policies for the poisoning of our environment.

Mrs. Bottomley: What matters is that waste disposal is regulated and monitored properly and that the powers are properly enforced. We believe that there are strong arguments in favour of separating regulatory and operational functions. We believe that introducing the possibility of charging for licensing would help those in charge to do their job. We believe in trying to separate the gamekeeper and the poacher. Opposition Members seem to think that we can control only what we own, but that is not the Government's belief.

Rating Reform

3. **Mr. Carrington:** To ask the Secretary of State for the Environment what a typical ward sister would pay *(a)* in rates, *(b)* in community charge and *(c)* in a system of capital value rates plus local income tax paid in the proportions of 80-20, respectively, if she lived in a typical one-bedroom flat in Fulham.

14. **Mr. Fishburn:** To ask the Secretary of State for the Environment what a typical ward sister would pay *(a)* in rates, *(b)* in community charge and *(c)* in a system of capital value rates plus local income tax paid in the proportions of 80-20, respectively, if she lived in a typical one-bedroom flat in Kensington.

The Secretary of State for the Environment (Mr. Nicholas Ridley): A ward sister earning £15,000, living in a flat in Fulham worth £70,000 with a rateable value of £300, would pay a rates bill of £684, a community charge of £473—disregarding the transitional safety net—and £1,470 under a system of capital value rates plus local income tax. A ward sister living in Kensington in similar circumstances would pay a rates bill of £297, a community charge of £340 and £1,060 under a system of capital value rates plus local income tax.

Mr. Carrington: Does my right hon. Friend agree that those figures show the unfairness of the capital value rating system and the hardship that it would cause to people with average or below average earnings in Fulham —particularly if we take into account that it would apply

to those in rented homes as well as to owner-occupiers? Does he agree that the community charge provides by far the best hope for inner-city regenerating and is a much fairer system?

Mr. Ridley: I agree with my hon. Friend. I should be delighted to exemplify for every right hon. and hon. Member the figures under a system of capital value rates plus local income tax that would apply in any local authority in their constituencies. I offer that as a free service for the information of the public at large.

Mr. Fishburn: Does my right hon. Friend agree that the figures that he has given really show the huge overspending by ILEA, and that once my borough of Kensington has its own educational fate in its hands we shall have not only better education but dramatic savings in that overspend which will quickly show up in a lower community charge?

Mr. Ridley: I agree. The figures for both boroughs about which I was asked show far too high a community charge because of the effects of heavy overspending by ILEA. There is, however, a difference between them. Hammersmith and Fulham is a high-spending, high rate, high community charge borough while Kensington is not. I leave hon. Members to guess why that might be so.

Mr. Harry Barnes: Why has the Secretary of State provided a detailed answer to the question asked by the hon. Member for Fulham (Mr. Carrington) when other hon. Members who have asked him questions about potential poll tax levels in their areas—I asked him about the charge in Derbyshire, for instance—have received no answer but have been told that the charge will be worked out by councils in due course?

Mr. Ridley: I shall be delighted to give the hon. Gentleman detailed figures for any authorities, including his own district and county councils. I will write to him with the figures for the community charge and for local income tax plus capital value rates payable in his constituency. I shall be happy to send the figures to any

Mr. Wilson: Leaving aside the nonsensical statistics that the Minister quoted, will nursing sisters in Kensington and Chelsea be interested in the welfare, under the poll tax, of sick people in those areas? Does he intend to follow the lead of his right hon. and learned Friend the Secretary of State for Scotland by imposing the poll tax on people suffering from Alzheimer's disease and other forms of degenerative dementia who are cared for in their own homes?

Mr. Ridley: I confirm that my right hon. and learned Friend the Secretary of State for Scotland and I have made careful provision to ensure that generous rebates are available for up to 9 million people who are not in a financial position to pay the community charge.

Mr. Wilson: On a point of order, Mr. Speaker. In view of the unsatisfactory nature of that answer, I shall seek to raise the matter on the Adjournment of the House.

Mr. Speaker: Order. Such applications should come from the Member who asked the question.

Mr. McLoughlin: Bearing in mind what my right hon. Friend the Secretary of State said to the hon. Member for Derbyshire, North-East (Mr. Barnes), will he point out in his letter that Derbyshire has gone from being the 30th highest rated council to being the highest rated council? Most people in Derbyshire cannot wait for the new system to come in so that there can be local accountability. Will my right hon. Friend ensure that the information that he sends to the hon. Member for Derbyshire, North-East is also supplied to all other Derbyshire Members?

Mr. Ridley: With pleasure. I suggest that the hon. Member for Derbyshire, North-East (Mr. Barnes) should urge those on the Opposition Front Bench to choose this subject for a Supply day debate. That may be helpful to the hon. Gentleman's constituents.

Dr. Cunningham *rose*——

Hon. Members: Now we shall get the truth.

Dr. Cunningham: For a change. *[Interruption.]*

Mr. Speaker: Order. We are making very slow progress.

Dr. Cunningham: If the Secretary of State is so confident about public support for the poll tax, why has he postponed his poll tax propaganda campaign until after the county council elections? Is he not aware that his deliberately rigged and exaggerated figures have no basis in fact and no credibility? They are dishonest and a deliberate distortion. How could a typical ward sister in Fulham, who would earn £12,000 on average and not £15,000 as the Secretary of State suggested, afford a £100,000 house, which is nearer the average? How could she afford a mortgage for that amount? Is he aware that the Opposition are not prepared to take any lessons about local government finance from a Secretary of State who appoints as Minister for Local Government the right hon. Member for Suffolk, Coastal (Mr. Gummer) whose own local council has the worst record on rates increases of any Tory authority in England? There have been rates increases of 218 per cent. under the Tories.

Mr. Ridley: I must say that that is very unjust. I wrote to the hon. Gentleman on 28 October asking him for details of the scheme for capital value rates and local income tax and the assumptions upon which to base the figures. I have not yet had an answer. If the hon. Gentleman had written to me and I had not replied for such a long time I would be in real trouble. The hon. Gentleman does not even answer his letters because he knows that he does not want these matters exposed. We shall expose his little wheeze on capital value rates and local income tax. I invite my hon. Friends to put down questions on those matters because there is much good material there. The hon. Gentleman made two small mistakes. First, he does not seem to realise that we put up nurses' pay by a large amount. Secondly, I did not say £100,000—I said £70,000.

Local Authority Representatives

4. **Mr. Heffer:** To ask the Secretary of State for the Environment on how many categories of statutory authorities local authority representatives normally are deputed to sit.

Mrs. Virginia Bottomley: Between seven and 19, under public general Acts, depending on the definitions used.

Mr. Heffer: As we have now heard, through all the leaks about the future of the NHS, that it is suggested that people from local authorities who are on district health

authorities may be removed to take politics out of the NHS, would the Minister ask her right hon. Friend to resist such a suggestion—although I doubt whether he will—if it were made by the Department of Health? This is a vital matter. As local authorities have representatives on district health authorities, there is a real input from ordinary people in—[HON. MEMBERS: "Social services."] Exactly. It is vital that that should continue. Will the Minister give that assurance, or has she in mind the case of Anne Mallison, the new chair of Tower Hamlets health authority, who is also a Conservative city councillor in Westminster? We can give example after example. The Government want politics taken out only when it is Labour politics, not Conservative politics.

Mrs. Bottomley: These are matters for my right hon. and learned Friend the Secretary of State for Health.

Mr. Robert G. Hughes: Does my hon. Friend agree that the supplementary question that we have just heard shows once again that the Labour party does not understand the difference between being a member of an authority and being an officer of that authority? Does she agree that that is not surprising when so many Labour councillors are also officers of other nearby authorities?

Mrs. Bottomley: My hon. Friend is quite right. In our forthcoming legislation on housing and local government we hope to clarify some of those matters, which will make life much better and raise standards both among local government officers and among members.

Mr. Blunkett: When the hon. Lady talks to her right hon. and learned Friend the Secretary of State for Health, perhaps she will draw his attention to the cost benefits of having elected members rather than appointed members running things—for example, in water authorities with chairs—[HON. MEMBERS: "Chairmen".] Yes, they are men, who are paid between £31,000 and £39,000 a year for an average three-day week, or the residuary body chairs whose salaries vary between £17,000 and £50,000 for replacing elected members, or the chairmen of health authorities who are paid £11,709 a year for an average three-day week. On the basis of those statistics, will the Minister recommend to her right hon. and learned Friend that elected members accountable to their public and paid a daily attendance allowance are damned good value for money?

Mrs. Bottomley: When I speak to my right hon. and learned Friend the Secretary of State for Health I will tell him that I, like others, appreciate the 39 per cent. increase in health spending during the period of this Government and that we want effective and efficient provision of services at the lowest possible cost to the chargepayer and the taxpayer.

Telford Development Corporation

5. **Mr. Grocott:** To ask the Secretary of State for the Environment whether he has any plans to meet the chairman of the Telford development corporation to discuss the board's housing policy.

Mr. Trippier: I last met the chairman of the Telford development corporation during the course of a visit to Telford on Thursday 19 January.

Mr. Grocott: Is the Minister aware that hundreds of Telford development corporation tenants are deeply anxious about the future of their homes because of constant U-turns in Government policy and the Government's constant failure to honour commitments to hold ballots? Will he end the uncertainty by instructing Telford development corporation to hold a ballot of tenants now, or is he afraid that a ballot would result in an overwhelming majority in favour of the transfer of those houses to Wrekin district council?

Mr. Trippier: If anyone has caused anxiety in the minds of tenants in Telford, it has been Wrekin district council and the support that it has been given by the hon. Gentleman, particularly with regard to the court proceedings taken by the council which have sabotaged the likelihood of a housing management agreement with the housing association. The hon. Gentleman has supported Wrekin district council throughout. I strongly suggest that he gets a little more in touch with the tenants—they are, after all, his constituents in a hypermarginal seat—and remember that only 10 per cent. of those tenants opposed the management agreement.

Mr. Conway: When my hon. Friend has the time to do so, will he congratulate the chairman of the Telford development corporation on its success in providing manufacturing and service jobs in Telford new town and on providing the amount of land that is necessary to stimulate the growth of private home ownership, which will probably result in this Parliament being the last one for the hon. Member for The Wrekin (Mr. Grocott)?

Mr. Trippier: I certainly agree with my hon. Friend's last comment. I am happy to join him in congratulating the chairman and board of the Telford development corporation. I had an opportunity to see for myself the enormous success that has been achieved and I was fortunate enough to open the new chamber of commerce premises. I also had an opportunity to see the successful development of the local enterprise agency. The area is now strong and vigorous once again as a result of the corporation's activities—certainly not as a result of the district council's activities.

Ozone Layer

6. **Mr. Yeo:** To ask the Secretary of State for the Environment if he will report on progress in steps he is taking to encourage effective international action to protect the ozone layer.

20. **Mr. Janner:** To ask the Secretary of State for the Environment whether he will make a further statement on the Government's response to international efforts to ban the use of chlorofluorocarbons in aerosol containers.

Mr. Ridley: As the House is aware, we have called for worldwide emissions of chlorofluorocarbons to be reduced by at least 85 per cent. by the turn of the century, and for the Montreal protocol to be strengthened accordingly. To underline the importance of further worldwide reductions and to show how they can be achieved, my right hon. Friend the Prime Minister and I are calling a major international conference in early March to bring together Governments of all countries as well as world industry. We

shall also host the second meeting of the Montreal protocol parties in 1990, at which we hope the reductions for which we are calling will be agreed.

Mr. Yeo: Can my right hon. Friend confirm that the United Kingdom aerosol industry intends to ban the non-essential use of CFCs in aerosols before the end of this year? Will he tell the House what impact that will have on demand in this country?

Mr. Ridley: The United Kingdom aerosol industry has agreed to ban or to phase out the use of CFCs in British aerosols by the end of this year. As those aerosols currently constitute 60 per cent. of the CFCs used in the United Kingdom, by that means alone we shall have achieved our Montreal protocol objectives by the end of this year. However, we hope to do very much better than that in the longer term.

Mr. Janner: What do the Government propose to do to dispose of the 10,000 tonnes of CFC-containing refrigerant under their control and at their disposal in places such as hospital blood banks, mortuaries and munition stores? In the meantime, will the Minister at least give an instruction to his own Department that the aerosols used there must be ozone-friendly?

Mr. Ridley: On the first part of the hon. and learned Gentleman's question, it is absolutely vital that those who have CFCs trapped into materials and machines should release the minimum amount of those materials. One of the biggest problems is CFCs in fire-fighting equipment, which certainly should not be used for practice. However, until a substitute is found it is difficult to deny the use of that equipment in fire fighting. Certain technical problems are involved. As for the Government's consumption of aerosols, we take care over their use, but I think that our use of aerosols is minimal and I assure the hon. and learned Gentleman that they will be phased out by the end of this year.

Mr. Mans: Does my right hon. Friend agree that in reducing the use of CFCs that are harmful to the ozone layer it is important to make certain that we have replacements for them, because otherwise all that we shall be doing effectively is transferring the production of those harmful CFCs to other countries that do not impose the same restrictions as we do?

Mr. Ridley: That is absolutely correct. I am satisfied that substitutes are now available or that they will soon be available for the vast majority of the curent usage of CFC 11 and 12. The great need is to persuade the rest of the world that those substitutes can be just as effective and that they can be procured. That is the main purpose of the conference.

Mr. Malcolm Bruce: Will the Government raise their sights and follow Sweden's example of undertaking to phase out the use of all CFCs by 1994? Does the Secretary of State agree that the priority in this country is to replace CFCs in refrigerators and to find mechanisms for the safe disposal of those CFCs? Do the Government intend to find time to allow the passage of the Bill on the control of CFCs that I am to introduce today?

Mr. Ridley: We will do very much better than the Swedes. I have no doubt about that. I must not commit myself about the hon. Gentleman's Bill because I believe that the right approach is to persuade the major nations with large populations that they should go along at the same pace as us. We are only 1 per cent. of the world's population. It would not help much if we phased CFCs out and nobody else did. This is an international problem.

Mr. Tredinnick: Will my right hon. Friend acknowledge that it was British scientists who discovered the gap in the ozone layer? Besides discouraging the use of CFCs in aerosols, what other measures is my right hon. Friend taking to persuade high street stores and supermarkets to stock environmentally safe products?

Mr. Ridley: It is true that, as my hon. Friend said, the British Antarctic scientific expedition was the first to identify the hole in the ozone layer. I have already said that we will see the end of the use of CFCs in aerosols by the end of the year; that is by far the biggest contribution we could make. Any other action would be insignificant compared to a declaration of that importance.

Ms. Walley: Has not the Secretary of State just shown us in his replies, particularly to the question by my hon. and learned Friend the Member for Leicester, West (Mr. Janner), that, despite what the Prime Minister says, he is completely ignorant of the real issues? Will he take time to read the report prepared by the Heating and Ventilating Contractors' Association? Will he not agree with the association that if the Governemnt wish genuinely to encourage effective international action to protect the ozone layer, they must be prepared to match their words with deeds? Will the Minister say why he will not ban the use of CFCs in aerosol sprays as soon as practically possible? Does he agree that the Government should be setting an example by taking responsibility for the safe disposal—*[Interruption]*—of CFC refrigerant when the cooling systems in Government establishments are serviced and replaced?

Mr. Ridley: What I heard of that—*[Interruption]*—I did not agree with.

Mr. Speaker: Order. I repeat that we are making very slow progress today.

Mr. Ridley: I do not believe that the right way forward is to ban the use of CFCs in one product or another. The right way is to restrict the total production of CFCs by very severe amounts. We have already gone to 85 per cent. We will leave the market to discover how best to deliver that reduction rather than banning the use of CFCs. When the use of CFCs was banned in America, production increased because the CFCs went into other uses. The other point is that many of the CFCs in a refrigerator are not in the motor but in the plastic foam insulation in the case of the refrigerator and it is almost impossible to extract them. I do not believe that banning would be the right policy to pursue.

Mr Andy Stewart: Will my right hon. Friend give a practical demonstration to the world by designating Sherwood forest as the new enhanced national forest in this country?

Mr. Ridley: I am not sure that I have had an application to do such a thing. I do not know whether that would contribute to a reduction in CFCs.

East Thames-side (Housing)

7. **Mr. Leadbitter:** To ask the Secretary of State for the Environment what steps he intends to take to ensure an adequate supply of affordable housing for those on low and medium incomes on the sites included in the east Thames-side study.

Mr. Ridley: I am still considering the findings of the east Thames-side housing study, including how best to facilitate the provision of subsidised housing in the study areas.

Mr. Leadbitter: Does the Secretary of State realise the significance of the press release from his Department last Monday, indicating a house build achieving 25 per cent. of houses available for rent and 75 per cent. for sale—a complete reversal of what was planned a few years ago? Does he recognise the need, therefore, for a subsidy on land costs and on housebuilding costs on sites in the east Thames-side study areas so that affordable houses may be made available to meet the housing needs of the people in those areas, particularly as two thirds of those affected cannot even afford fair rents?

Mr. Ridley: I have always said of the London Docklands development corporation and in the case of the five east London sites, which are not part of the LDDC area, that the Government would like to see a fair proportion of low-cost housing. In many cases, that can be provided from the profits than can be made on market-price housing, but it is open to local authorities, of course, to negotiate section 52 agreements, and the Housing Corporation is equipped with resources with which to subsidise housing associations that might be involved in these developments and to provide low-cost housing.

Mr. Adley: As affordable housing will often mean one or two-bedroomed flats and terraced houses, will my right hon. Friend look into the present position, under which planning authorities cannot give enforceable planning permission for a minimum number of houses per acre, which would be one way of tackling the problem? Will my right hon. Friend see whether he can find a way of introducing suitable legislation, which would have a significant effect in dealing with the problem?

Mr. Ridley: Local authorities are entitled to draw up development plan density strategies and, of course, they can decide whether planning permission is given according to the extent to which applications comply with their strategies. I do not accept that they have no power over such matters.

Privatisation (Middlesbrough)

9. **Mr. Holt:** To ask the Secretary of State for the Environment what information he has on the implementation of the Goyernment's privatisation policy by Middlesbrough council.

Mrs. Virginia Bottomley: My hon. Friend has written to us about the subject. We are investigating the question and I shall write to him as soon as possible.

Mr. Holt: I am grateful for that answer, but I hope for a longer answer when my hon Friend writes to me. Will she bear in mind when she replies the generous attitude of the Government towards Middlesbrough council in the grants that they hand out, particularly compared with the grants to neighbouring Langbaurgh, and will she look at the tendering processes in the two authorities? Middlesbrough refuses to carry out Government policy and is entering into long-term contracts, thereby making it almost impossible, as identified by the Northern Federation of Master Builders, to tender against the direct labour organisation. Langbaurgh has followed the spirit of Government policy and has made mammoth savings as a result. Is it not time that the Government rewarded such Conservative-controlled authorities which implement Government policy and did not reward authorities such as Middlesbrough?

Mrs. Bottomley: My hon. Friend is right in saying that we have treated Middlesbrough generously, with an increase of more than 8 per cent. in block grant this year. The Local Government Act 1988 provides the powers for the Secretary of State to take when local authorities have been involved in anti-competitive practices. Contracting out can result in major savings for ratepayers and, in future, charge payers. It is up to local authorities to take full advantage of that legislation. In cases where local authorities have abused their position and have behaved in an anti-competitive fashion, my right hon. Friend the Secretary of State will not hesitate to take the powers at his disposal.

Ms. Mowlam: Does the Minister agree that what is important for the people of Middlesbrough is that the roads are clean, the bins are emptied and the gulleys are cleared? By integrating its services, Middlesbrough city council offers an efficient service and it is working within the Local Government Act 1988. Will the Minister now clarify that that is the case, rather than implying through slurs that Middlesbrough city council is working outside that Act?

Mrs. Bottomley: I hope that the hon. Lady will advise Middlesbrough council to read the recent Audit Commission report, which made it clear that savings of almost 20 per cent. can be achieved by competitive tendering. What is important is that a high standard of services is achieved efficiently and effectively. Once I have looked into the situation in Middlesbrough, I shall ensure that the hon. Lady has a copy of the reply that I shall give to my hon. Friend the Member for Langbaurgh (Mr. Holt).

Mr. John Marshall: Does my hon. Friend agree that the savings from competitive tendering give local authorities an opportunity to provide a higher quality service without any extra cost to the ratepayer?

Mrs. Bottomley: I agree. It will not only be at no greater cost to the ratepayer but, as the Audit Commission report made clear only last week, it will be at considerable savings for the ratepayer.

Dr. Cunningham: Is the Minister not aware that Middlesbrough council has acted properly, within the law and with the support of the minority Conservative group to produce a tender specification in respect of street cleaning and related functions? As it has acted perfectly properly, why should it be criticised other than for reasons of political spite? Having checked the matter today, which the Minister clearly has not, with the leader of the council,

councillor Carr, I am advised that he has received no complaint or opposition from Tory councillors about the procedures followed by the council.

Mrs. Bottomley: What matters is that the council carries out its contracting-out processes fairly, and not in an anti-competitive fashion. That will result in not only a high standard of services, but savings to the ratepayer. Once we have completed our inquiries, which were started by my hon. Friend the Member for Langbaurgh, we shall be able to comment more fully. At this moment it would be quite improper for me to make any further comments.

River Pollution (Yorkshire)

10. **Mr. Cran:** To ask the Secretary of State for the Environment when he next intends to meet the chairman of the Yorkshire water authority to discuss river pollution.

The Minister for Water and Planning (Mr. Michael Howard): I regularly meet the chairman of the Yorkshire water authority, both in that capacity and as chairman of the Water Authorities Association, to discuss a wide range of issues, including river pollution.

Mr. Cran: Despite considerable improvements in water quality in the Humber in recent years, I am sure that my hon. and learned Friend will understand that my constituents would like further improvements. Is he satisfied with the reduction in industrial effluents, especially arsenic and aluminium, that are coming into the upper reaches of the Humber? Is he also satisfied that the £70 million that was committed for capital works to improve sewage works will allow the Humber estuary committee to meet its targets for water policy?

Mr. Howard: As my hon. Friend rightly says, considerable progress has been made in achieving reductions in industrial discharges in recent years, including arsenic. We have asked the water authorities concerned to prepare plans for achieving further reductions as part of our response to the second North sea conference and we expect to receive them shortly.

Mr. Madden: When the Minister next meets the chairman of the Yorkshire water authority, will he seek an assurance from him that the authority has abandoned the procedure of deliberately sending huge demand notices to people for water debts for which it knows that they are not liable? Is the Minister aware that one of my constituents, a 76-year-old widow, was recently greatly distressed when she received a bill for more than £500, which had been deliberately sent to her by the Yorkshire water authority, which knew that the debt was that of the Bradford Tory council which, for one reason or another, had been unwilling or unable to pay the debt? Does the Minister agree that that is a monstrous action for any public authority to take? I hope that he will call an end to it.

Mr. Howard: I hope that the hon. Gentleman has drawn that matter to the attention of the Yorkshire water authority and that he has received or will receive a full reply to the point that he has raised.

Mr. Ian Bruce: Does my hon. and learned Friend agree that the scandal of many water authorities polluting riverways will be altered by the privatisation of the water supply industry because at long last the National Rivers Authority will police the worst polluted rivers, which tend to be those of the water authorities?

Mr. Howard: My hon. Friend is absolutely right. We are determined to achieve higher standards for the water environment, as was made clear in a document that the hon. Member for Copeland (Dr. Cunningham) leaked as last week's stunt, although it was not a secret document.

Mrs. Ann Taylor: When the Minister meets the chairman of Yorkshire Water will he discuss why the City or the small investor should buy shares in Yorkshire Water on privatisation, as it is currently breaking the law with 63 illegal sewage treatment works that are polluting Yorkshire rivers and causing an overall reduction in river quality in Yorkshire? Or will the Minister persist in relaxing the legal standards on sewage treatment works simply to remove another barrier to privatisation?

Mr. Howard: We are exploring with the Yorkshire water authority an accelerated investment plan, beyond even the £120 million programme which was in its corporate plan for 1988, to bring its sewage works into compliance by March 1992. That is the safeguard for higher standards for the water environment for water consumers in Yorkshire.

Rent Assessment Officers

11. **Mr. Cox:** To ask the Secretary of State for the Environment what plans he has to review the powers of rent assessment officers.

Mr. Trippier: From 1 April 1989, rent officers will have the additional power to assess the rents paid by, and the accommodation occupied by, tenants with deregulated tenancies who claim housing benefit. Those assessments will be used in calculating housing benefit subsidy payments to local authorities.

Mr. Cox: It is interesting to hear those comments from the Minister. Nevertheless, is he aware of the growing dissatisfaction over the action of rent officers and the increases that they allow to take place? Many landlords do virtually no repairs and show little interest in their property but when they seek a rent increase they not only receive it but it is a substantial one. Is the Minister further aware that the people who listen to the cases on rent assessment appeal committees are totally unrepresentative of the people who go there to complain about their rent assessments? When will this issue be realistically examined so that people have confidence in the actions of rent officers and rent assessment appeal committees?

Mr. Trippier: I have certainly not received a mailbag on this issue. I have received representations about the deregulated rent policy as outlined in the 1988 Act. If the hon. Gentleman would care to give me some examples —or better still, see me at the Department of Environment —I should be delighted to discuss the matter further.

Mr. Dickens: Would it not be sensible to widen the powers of rent assessment officers to include rent arrears which are a vexing, national and scandalous problem? It is particularly prevalent in Labour-controlled councils, including the Rochdale and Oldham borough councils. Does the Minister agree that if an estate agent fell behind

in collecting his rents—like some local councils—he would go out of business in a fortnight? Some local council officers ought to be out of business.

Mr. Trippier: I agree with much of what my hon. Friend said. I am reluctant to suggest to the House that we should give that power to rent officers, who already carry an incredible responsibility. The responsibility should be placed fairly and squarely on the shoulders of the local authority. I agree with my hon. Friend that Rochdale borough council has a deplorable record in that respect, and, dare I say it, that is in stark contrast to the time when I was fortunate enough to lead the council.

Mr. George Howarth: Will the Minister accept that, to some extent, rent arrears have risen as a result of DSS changes? Will he confirm that the early signs are that, as a result of the Housing Act 1988, rents will rise by about 20 per cent? It looks as if rents will become distinctly more unaffordable rather than affordable, as they were supposed to do.

Mr. Trippier: I know that the hon. Gentleman was a member of the Standing Committee that considered the Housing Bill. He may accept the principal point that the housing benefit system, which is the responsibility of the DSS, means that the poorest tenants will have all their rent paid. Every person receiving housing benefit receives 100 per cent. protection against rent increases, provided that the rent remains at, or below, the market rent level.

Mr. O'Brien: Will the Minister take serious note of the point made by my hon. Friend the Member for Tooting (Mr. Cox), because it is a problem? Under the 1988 Act, there are to be changes in the duty of rent assessment officers who, in the future, will not assess fair rents but market rents. Rents will rise sky-high and landlords will have the right to determine tenancy agreements—usually six months—which means that people will be prevented from applying to the rent officer. Is the Minister saying that the interests of tenants, as regards rent levels, is of no interest to him or his Department? Or will he act to secure the rights of tenants to ensure that they are charged rents that they can afford and are not pressganged into accepting tenancies with sky-high rents?

Mr. Trippier: I completely reject the hon. Gentleman's allegation that rents will go sky-high. Nothing could be further from the truth. It was enshrined in the 1988 legislation and we have given reassurances time and again on the Floor of the House that the principal purpose of the 1988 legislation was not only to encourage the private rented sector but to make homes available within it at affordable rents. I have the utmost confidence in the rent officers and it is absolutely right that, although we are responsible for appointing them, we have no direct influence over their assessments. It is right that they should come to their decisions on what market rents should be wholly independently.

Peak Park

12. **Mr. McLoughlin:** To ask the Secretary of State for the Environment if he has any plans to visit the area covered by the Peak park planning board.

Mrs. Virginia Bottomley; I shall be visiting the Peak district national park on 12 April.

Mr. McLoughlin: We look forward to my hon. Friend's visit to the area covered by the national park. May I draw her attention to the way in which people are appointed to the national parks? Is she satisfied that, of the county council representatives appointed to the national park, the vast majority have no connection with it? Derbyshire county council appoints eight people, seven of whom live outside the national park. People are beginning to say that is is time that was changed. Would it not be better to give greater representation to the district councils?

Mrs. Bottomley: I am not satisfied with that state of affairs. We have said on several occasions that, whenever possible, authorities should draw their national park appointments from the electoral wards within the national parks' boundaries. I hope that my hon. Friend will find some gratification in the fact that of the 11 appointments made by my right hon. Friend the Secretary of State, eight live within the national park area.

Mr. Haynes: Is the Minister aware that many Nottinghamshire people including myself visit the beautiful county of Derbyshire? I want to be there to welcome her when she comes, but may I suggest that she keeps the Secretary of State for the Environment away from Derbyshire, because whatever he gets his grubby hands on, something goes wrong.

Mrs. Bottomley: I am surprised to hear the hon. Gentleman's remarks. I am very much looking forward to visiting the national park. I am not entirely sure how his comments tie in with the fact that the national parks had a large increase in their supplementary grant last year. They will be celebrating their 40th birthday this year and to mark it, after 10 years of this Government, their grant will have increased by about 20 per cent. in real terms. I regard that as a testimony of confidence in the parks.

Football Clubs (Membership Scheme)

15. **Mr. Andrew Smith:** To ask the Secretary of State for the Environment if he has any proposals to compensate Football League clubs experiencing financial difficulties following the introduction of the proposed identity card scheme.

The Parliamentary Under-Secretary of State for the Environment (Mr. Colin Moynihan): No, Sir. With appropriate technology and proper marketing, the national membership scheme can provide an income stream, not a cost to football.

Mr. Smith: Will the Minister understand that his refusal to provide or offer assistance in the unfortunate event of his scheme coming into practice will be greeted with dismay by all who truly care for football in this country? Many clubs are struggling on the bread line—including some, like my club, Oxford United, which are higher up—so how does the Minister imagine that they will sustain the anticipated 20 per cent. loss in gates? Why does he not put back into football some of the £293 million that the Government take out in tax on ticket receipts and football pools?

Mr. Moynihan: The hon. Gentleman would do well to listen to some of the companies with experience of partial memberships schemes. Such companies have come forward and said that the whole operation could be

installed free of charge to clubs and supporters because of the substantial commercial opportunities that exist for the implementation of such a scheme.

Mr. Michael Brown: Has my hon. Friend had an opportunity of seeing the check-in scheme that has been sent to a number of us from the constituency of my hon. Friend the Member for Crawley (Mr. Soames)? The company, Check Technology, says that it is possible for it to do exactly what my hon. Friend's Bill is intended to do but much more cheaply. Could he discuss its ideas with the company?

Mr. Moynihan: I have received representations on behalf of that firm. I have looked carefully at the proposition. It would be for the Football Membership Authority to determine the technology that it wishes to use and I shall make sure that the company's representations are put before the FMA in due course.

Mr. Menzies Campbell: Why does the Minister persist in his support for the scheme in the teeth of opposition from the Police Federation? Why does he rely on bogus statistics which do not distinguish between those arrested inside and those arrested outside football grounds and, in particular, do not distinguish between the number of arrests and the number of convictions that follow?

Mr. Moynihan: The hon. and learned Member will be aware that the chief superintendents have written a supporting letter, that the Association of Chief Police Officers welcomed the scheme last summer and that the Police Federation, following a meeting with me, has recognised that a number of its concerns have been allayed and, quite rightly, wants to wait and see the details of the scheme that the football authorities will bring forward in order to assist in its implementation and make it as effective as possible.

Mr. Marlow: Would my hon. Friend confirm that this is enabling legislation which need not be enforced and that, if it is enforced, it need not be enforced on every single team in the Football League?

Mr. Moynihan: It is the Government's intention that this legislation, when passed, will enable the FMA to have a scheme in place at all league grounds on the same day.

Mr. Denis Howell: Will the Minister tell us what consultations he is having and what conclusions he has drawn from two deplorable difficulties, one this week at Manchester United's ground when 18,000 supporters had not been admitted to the ground at the time of kick-off and one last November at Highbury when 6,000 people could not get in at all? Has he consulted the chief officers of police and the club officials, all of whom say that if his membership scheme had been in operation it would have seriously aggravated an already difficult situation? Should not the Minister consult the people dealing with these problems on the ground when large numbers of spectators are arriving, and will he listen to the police officers concerning those cases rather than carry on with his scheme which is nothing more than a piece of crass stupidity?

Mr. Moynihan: The right hon. Member knows that I have looked into that incident. I can inform the House that the difficulties arose once the fans had entered the ground. I quote the secretary, Ken Merrett:

> "The late arrival of many spectators, together with severe traffic congestion, caused the initial problems. The vast numbers who gained entry from 7 pm onwards caused gangways to become blocked."

That has nothing whatever to do with the national membership scheme but rather with good management practice and effective stewarding.

Mr. Flannery: On a point of order, Mr. Speaker.

Mr. Speaker: I will take it after the statement.

Mr. Flannery: It has to do with Question Time, Mr. Speaker.

Mr. Speaker: No.

Agriculture Council

3.33 pm

The Parliamentary Secretary to the Ministry of Agriculture, Fisheries and Food (Mr. Donald Thompson): With permission, I will make a statement about the meeting of the Council of Agricultural Ministers of the European Community on 23 and 24 January, which I attended along with my right hon. Friend the Minister.

The main decision was the adoption by the Council, subject to the opinion of the European Parliament, of a package of six measures, most of which had been under discussion for some considerable time. These measures were: first, further changes in the beef support arrangements, building on the temporary measures agreed in December 1986; secondly, a scheme to give effect to the judgment of the European Court that certain farmers who had gone out of milk production under Community incentive schemes before milk quotas were introduced in 1984 were entitled to a quota; thirdly, a scheme permitting member states to grant direct income aids to less prosperous farmers, with partial financing from the Community; fourthly, a degree of financial assistance to producers of nuts, mainly of interest to the southern member states; fifthly, a change in the arrangements for compensating small cereals producers for the effects of the co-responsibility levy; sixthly, changes to green rates for certain member states, mainly in the beef sector.

This package of measures was adopted by majority vote. The United Kingdom was one of three member states voting against, mainly because of reservations about certain aspects of the outcome on beef. There are nevertheless a number of attractive features of the package and a number of improvements were made in the course of negotiation. For example, we had serious doubts as to whether it was appropriate for the Community to finance direct aids to low income farmers; but the scheme finally adopted by the Council was considerably more restricted in its scope than that originally proposed by the Commission.

The most important aim on the milk quota part of the package was that the extra quota now to be made available should not be at the expense of existing producers' quotas. This was fully achieved.

The aim of the new beef arrangements is to restrict intervention buying further, and to harmonise the premium payments to producers. The intention is that the new system should come into force on 3 April.

We have always believed that heavy intervention buying is an expensive and inefficient way of supporting beef producers. Although somewhat less constrained than the Commission originally proposed, intervention will in future be much more restricted than at present.

For the reasons explained by my right hon. Friend in last week's debate, it was not realistic to negotiate any further extension of the United Kingdom's variable premium. It will be replaced by the so-called "special premium" on male animals, already operated by most other Community states since 1987.

The rate of special premium will be 40 ecu per animal compared with 25 ecu at present. It will be limited to 90 animals per producer per year compared with 50 at present and 75 proposed by the Commission. Although we did not secure the complete removal of the limit, the increase to 90 is obviously a considerable improvement.

There will also be an increase from 25 to 40 ecu in the Community-funded element of the suckler cow premium, and part-time farmers will in future be eligible for the premium

I thought it right to vote against the package because of our strong objections to the concessions on beef intervention and to the continued provision of a headage limit on the special premium. Even so, the outcome represents a considerable improvement in existing arrangements. There should be no difficulty in absorbing the costs of the package within the provision for agricultural market support in the 1989 Community budget and within the financial guideline limits set by the European Council for future years. Community consumers will benefit from reduced intervention for beef; United Kingdom producers will compete on level terms with producers in other member states in terms of intervention support and the premium regimes; and the budgetary cost of the regime will be under much better control.

Dr. David Clark (South Shields): I thank the Minister for his statement, although in a sense it raises as many questions as it answers. We are bitterly disappointed at his news on the beef support system. In last week's debate, the Minister had the unanimous support of the House to resist a new discriminatory beef regime because the exclusion of the special premium of heifers will hit United Kingdom farmers particularly hard. Having carried the House with him, it is regrettable that he was not able to carry the Community with him as well.

Was there any discussion of extensification? If not, why did he not press that issue, as the package is a serious setback for the specialist beef sector in the United Kingdom and is important to the marginal and hill areas?

As the financial support of the new beef regime switches from the national Governments to the EC, presumably there will be some savings to the budget of the Ministry of Agriculture, Fisheries and Food. Has the Minister made an estimate of the sum by which the Ministry will benefit, and has he any intention of diverting that money towards essential research and development work on meat health and safety, which would be a positive move?

On the SLOM milk matter, will the Minister assure the House, which he has not been able to do previously, that he now has the necessary machinery and information to ensure that those British farmers entitled to the new benefit will receive it? That is important.

The Ministry, and especially the Minister, have made no secret in the past of their opposition to income aids. Indeed, I gleaned from his statement today that the Minister was not especially enthusiastic about the new scheme. I understood, too, that the new scheme was likely to be permissive. If that is the case, do the Government intend to adopt the scheme? If they do, when will they adopt it, and will they seriously consider Opposition support for some direct income aid to those farmers in upland areas who are especially hard hit?

Will the Minister give us some idea of the effect that the new beef regime will have on the consumer, because it is difficult to ascertain whether beef prices will go up or down?

I noticed that agri-money was on the agenda for discussion. During that discussion, did the Minister raise the serious issue of fraud in European agriculture? Did he draw to his colleagues' attention the remarks of the

director of the Government's serious fraud squad, John Wood, who revealed yesterday that he was close to completing inquiries into two significant cases of agriculture fraud in Britain, involving EC moneys amounting to millions of pounds? He said on that occasion:

"Our own domestic experience is that the money obtained by fraud is being used to finance the traffic in narcotics and is also being used to finance trade in arms and terrorism."

What was the reaction of the other European Ministers to those serious allegations by a senior British Government official?

Mr. Thompson: I thank the hon. Gentleman for his questions. The headage limits system is not more discriminatory. It is less discriminatory across Europe than were the four different schemes which various countries had for paying support to their farmers.

There was no discussion of extensification, but that comes into the income aids question. We believe in extensification, set-aside and measures that will reduce production. We would rely on the social security system throughout the Community rather than on special income aids, however rigged by the Community.

As the SLOM package emerged, it appeared that British farmers, who were entitled under this narrow band, would receive their entitlements along with other European farmers.

The hon. Gentleman asked how the beef regime would help the consumer. Of course, the variable premium did not help the consumer when prices were high. The special premium enables beef farmers and farmers with a 90 head limit on dairy herds who want to raise beef as well to be certain about the amount of money that they will collect. Therefore, there will be a firmer beef regime and a steadier amount of beef available to the housewife, which eventually should knock on into consumer prices.

The agri-monetary debate was short and concerned two small points. Fraud was not mentioned. I know that fraud is always at the forefront of my Minister's mind when he is in Agriculture Councils, as it is in mine when I am in Fisheries Councils. The United Kingdom has a good record on this matter and it enjoys the support of the entire House.

Mr. Robert Hicks (Cornwall, South-East): Is my hon. Friend aware that there will be a general welcome for a scheme which allows those milk producers who went out of milk prior to the introduction of milk quotas now to be eligible for a quota over and above the existing national level? There will be certain anxieties about beef, although we shall welcome the increase in the number to 90.

Can my hon. Friend say more about the suckler premium, which we hope will in some way compensate for the new beef arrangements which will apply only to male animals? As more than 75 per cent. of our beef production comes from the dairy herd, the question of heifers will cause concern.

Mr. Thompson: Both those questions are related to the dairy sector. I agree with my hon. Friend that those people who will now receive a quota will find it restricted. They will have to produce 80 per cent. of the quota within two years, and they will be entitled to only 60 per cent. of the quota initially, so it will be restricted. Those who are worried about it need not do anything immediately. The application process will start and will run for three months once the regulations have been laid. The cow suckler premium has increased from 25 to 40 ecu and there is scope for national Governments to increase it. We shall consider the rate to apply in 1989-90 and make a further announcement in due course.

Mr. Richard Livsey (Brecon and Radnor): Will the Parliamentary Secretary wish his colleague the Minister well and a rapid recovery? Does he agree that we should regret the passing of variable premiums, although I recognise the circumstances under which they have been lost? What can we do as Members of Parliament to assist the Minister in persuading the Europeans that heifers should be eligible for special premiums? There is a considerable loss to British beef farmers. How many farmers in the United Kingdom will qualify for low income support? If the Under-Secretary of State can give us the figures, does he think that perhaps that method should be considered as a possible way of assisting farmers in the poorer parts of the United Kingdom?

Mr. Thompson: I thank the hon. Gentleman for his kind remarks about my right hon. Friend the Minister; and I thank the hon. Member for South Shields (Dr. Clark), who made similar remarks privately to me before the statement. The Minister is improving. He is in hospital in Brussels, being well looked after, and he hopes to be back in business soon.

The heifer question is difficult for British farmers. As the hon. Member for Ynys Môn (Mr. Jones) expressed it so well the other night, 34 per cent. of our beef comes from heifers. It would be horrendous to monitor the heifer system by on-farm inspections throughout Europe to see that none got into the dairy system, and it would be impossible to receive a derogation just for the United Kingdom.

The low income scheme is tentative, although some guidelines were set down, such as the 300 million ecu total, the period of five years and the maximum of 2,500 ecu. It is not appropriate for the United Kingdom. We have other better ways of preserving our farming community.

Mr. Alick Buchanan-Smith (Kincardine and Deeside): May we on this side of the House join in sending good wishes to our right hon. Friend the Minister? We respect the efforts of my hon. Friend the Parliamentary Secretary of State at what must have been a difficult meeting, which he joined late. We are grateful to him for standing up for British interests as he has done.

Will my hon. Friend acknowledge that the beef matter will be discouraging for many farmers where our structure for beef production is different from the rest of Europe, particularly in Scotland? Many farmers have diversified into other areas, such as from milk or cereals into beef, and they will find themselves restricted. Can my hon. Friend say whether consideration has been or could be given to relating the restrictions on headage numbers and steers only to labour units per farm rather than to the farm itself? That would recognise the different structure in Britain, particularly in Scotland, compared with the rest of Europe.

Mr. Thompson: I thank my right hon. Friend for his good wishes to my right hon. Friend, which will be conveyed.

The United Kingdom structure is different, which is why we voted against the package. We tried hard to do

[Mr. Thompson]

away with a headage limit altogether, believing that the package will not restrain Europe's total beef production but only that in units. Ultimately, that will make no difference to the total restriction of beef production throughout Europe. We did not discuss farm labour units. Obviously it is a continuing debate, and we must wait to see how the 90 headage limit affects British farmers. At present, it seems that it will include the majority of specialist breeders and those to whom my right hon. Friend referred who have diversified into beef, and to those who have a milk unit. We shall bear in mind the farm unit labour system of counting.

Mr. Peter L. Pike (Burnley): Recognising the problems that this development will cause for the specialist beef sector, and particularly for small producers in difficult farming lands, and the fact that the Minister does not believe that direct income aid is the course to take, what is the Minister's message to farmers? Is it that Labour will give the farmer a better deal than he gets from the present Government?

Mr. Thompson: When the hon. Gentleman believes that, he will start saying it. We intend that the small farmer of any sort will not fall to the level where income aid is necessary, which is why we believe that the cow suckler premium and its increase will help. Although the headage limit is not high enough at 90 animals, it will also help.

Mr. David Curry (Skipton and Ripon): There is no use pretending that this is an ideal package, and my hon. Friend was right to vote against it. What proportion of British beef herds will have all their animals covered by the premium? Does he agree that we must be particularly careful in discussions on sheepmeat about limitations on headage payments? Will he take to heart the message of my hon. Friend the Member for Daventry (Mr. Boswell) in last week's debate—in which, as I recall, no Labour Back Bencher participated—that the United Kingdom must use its discretion to include a suckler premium, because that is most important for the uplands?

Mr. Thompson: My hon. Friend makes several good points. We went to great lengths to emphasise to the Commission, and to the commissioners, that the beef variable premium scheme is coming to an end but that the variable premium for sheep is continuing, and that there is no connection between the two.

Mr. William Ross (Londonderry, East): I express on behalf of the Official Unionist party and of other right hon. and hon. Members the good wishes of the House to the Minister of Agriculture, Fisheries and Food, in the hope that he will speedily be back on his feet and able to resume his good work—especially as he is evidently much needed.

Can the hon. Gentleman tell the House how much extra milk quota there is, what the proportion of that will be for the United Kingdom, and how much of the United Kingdom's quota will go to Northern Ireland? What is the precise machinery for deciding which farmers will receive the quota? People need to know that information quickly. How will the farmers be selected?

Can the Minister explain to the House, and to the farming community, how one is to define less prosperous farmers? Various definitions could be used. What will be the net effect of the various changes in the beef regime on that sector's profitability?

Will the hon. Gentleman confirm that this is the first time that United Kingdom farming interests have been overruled by a majority vote, that that is a sign of things to come, and that, more and more, United Kingdom interests will be overruled?

Mr. Thompson: As the hon. Gentleman and my hon. Friend the Member for Skipton and Ripon (Mr. Curry) have said, this was not an ideal package or an ideal negotiation. Although I was there for the whole time, in the end we could only vote against the package as a whole.

As for the milk farmers who are coming back into the scheme, we have no idea yet how many will apply. The Community has set a limit of 600,000 tonnes and thinks that that will be adequate. It is new milk, and therefore will not impinge on those who are already producing milk. The instructions, when they arrive, will be clearly set out, and people will have three months in which to apply and our assistance and that of others to do so.

Each national Government will define their less prosperous farmers within guidelines set out by the Community's incomes aid scheme. We hope not to define our less prosperous farmers in that way. Profitability and costs for both the Community and the farming industry have not yet been worked out, which is another reason why we voted against the package. Part of the cost will be due to implementation of the various schemes, and we could get no clear indication of that.

I do not know whether this is the first time that we have voted in accordance with our interests—*[Interruption.]* I am told that it is the second time. Whether that is a sign of things to come I cannot say, but I know that my right hon. Friend the Minister and I fight hard for British interests in the Community, and that we fought long and hard on this occasion.

Dame Elaine Kellet-Bowman (Lancaster): May I say how pleased I am that my right hon. Friend the Minister's condition is improving.

I greatly regret the passing of the beef variable premium, and I am very glad that my hon. Friend was tough enough to vote against it. I also do not like the limit on beef headage, and I do not see why it cannot be paid on clean heifers at the time of slaughter. I appreciate that my hon. Friend managed to get the limit up to 90 animals, but will he please press ahead with improvements in the beef suckler premium, which is vital to my marginal farmers, and continue the fight against fraud which brings the Community into disrepute?

Mr. Thompson: Reading the reports of our debate the other night just before coming into the Chamber, I noticed my hon. Friend's telling intervention on both variable premiums and headage limits. The difficulty with paying on clean heifers at slaughter is that not all Community Governments will use that system of payment, which leads us directly to the fraud question that my hon. Friend mentioned.

Ms. Joyce Quin (Gateshead, East): Is the Parliamentary Secretary in favour of any extension of direct income aid beyond the rather narrow range already agreed? In view of the concern expressed in the House yesterday about agriculture and its effects on the

environment, was any consideration give in the EEC towards helping small farmers who practise in an environmentally friendly fashion?

Mr. Thompson: The environment that people see from their cars and love so much is the environment created by farmers. We have other ways of helping farmers and of restraining production. We have the less-favoured areas scheme, which sustains farmers throughout the United Kingdom, especially in Wales, the spine of England and Scotland. We have set-aside, environmentally sensitive areas and various grants for environmental measures. I do not think that the direct income aid proposed by the Europeans is relevant to the United Kingdom.

Mr. Christopher Gill (Ludlow): In considering the level of national top-up on the suckler cow premium, will my hon. Friend bear in mind its importance in encouraging the economies in the upland areas? Will he also bear in mind that that support goes directly to the primary producer, and that any encouragement to suckler beef producers is a direct encouragement of quality beef, which is important to the consumer?

Mr. Thompson: I agree entirely that quality is of direct importance to the consumer. I know that, before he became a Member, my hon. Friend was directly involved with these matters. I have heard what he and the whole House have said about the level of top-up. As I have said, a statement will be made at another time.

Mr. Alex Salmond (Banff and Buchan): Did the Minister say that as yet there has been no estimate of the net effect on farm income of the changes to the beef regime? If so, and if an estimate is prepared that shows a severe effect on specialist beef producers, will the Government consider giving assistance to people who are hard hit by these changes? Is it not ironic that the changes in the beef regime have been pursued to restrict intervention buying which at present is not a major factor in the Scottish beef market?

Mr. Thompson: Did the hon. Gentleman say that it was not a significant factor?

Mr. Salmond *indicated assent.*

Mr. Thompson: Intervention buying has not been a significant factor throughout the United Kingdom. We wanted to make sure that intervention buying became a safety net rather than just another too-ready market for the producers or end users of beef. We think that these regulations which have been brought up to date and altered and have an intervention ceiling of 220,000 tonnes and a safety net at 80 per cent. together with other measures, will help.

Mr. Colin Shepherd: (Hereford): Is my hon. Friend aware of the appreciation in the farming industry, and especially in the beef sector, that he and his right hon. Friend were playing with a weak hand? Can he confirm that the cessation of the variable premium scheme should eliminate distortion in the market caused by the Irish element of beef production? Does he agree that the industry will be looking for a sum at least equal to the funds that come free from the Treasury input to the beef variable premium scheme to be put to the suckler cow premium as a national top-up so as to sustain their confidence and the vital industry of the upland areas?

Mr. Thompson: Again, my hon. Friend asks about the suckler cow premium and again I say that there will be a further statement in due course. I am sure that my hon. Friends in the Treasury will read *Hansard* tomorrow as keenly as my hon. Friend and I will read what we have said. The beef sector debate was hard and long and we did not finish it until 5 o'clock in the morning. The variable premium scheme has always had clawback factors and money always had to be paid back when beef went into intervention. Given the surges and recessions in payment, it is difficult to work out its exact cost. We shall lose clawback when we lose the variable premium, and that will help in many ways and will especially help our exports. We also hope to lose many of the Irish difficulties with variable premium across the border. That should simplify the system. Much will depend on how efficiently Ireland, Northern Ireland and ourselves can introduce and maintain the new headage limits.

Mr. Alan W. Williams (Carmarthen): Is there nothing in this package about intensification? In view of the problems about pollution and food quality associated with intensive farming, why are not the Government pursuing a vigorous policy of extensification that will lead to healthier food and cleaner environment?

Mr. Thompson: The Government are pursuing an environmentally sensitive areas policy. That is being examined throughout Europe as a way of looking after the countryside in the manner that the hon. Gentleman recommends. He shakes his head. Extensification would do much of what he said, but so will set-aside, because less land will be farmed and need not be fertilised.

Mr. Teddy Taylor (Southend, East): How does it make sense to adopt a package that will force up prices for the housewife in the United Kingdom but not for the housewife on the continent? That will be the result of abolishing the variable premium. The consumption of beef in Britain is already below the amount consumed on the continent. Is this not a grim warning to the United Kingdom of what happens with the extensification of majority voting? Could the Minister say whether he was successful on behalf of the United Kingdom in eliminating the exceptional circumstances clause which has wrecked previous cost controls and which will wreck this one if it is still in place?

Mr. Thompson: My hon. Friend alludes to fraud. That is always in the forefront of our minds when we introduce any system. Whatever disadvantages the demise of the variable premium will have, I cannot see any disadvantage in having a common system throughout Europe, nor can I see how that advantages or disadvantages consumers in the United Kingdom or in the rest of Europe. I think that, for the first time for many years, the consumption of beef has increased this year. Perhaps we can get the consumption of good British beef back to what it was in the past.

Mr. D. N. Campbell-Savours (Workington): I should like to join in the expressions of good wishes to the Minister of Agriculture, Fisheries and Food. I have two simple questions. Are there savings in the package that has been announced? If the Minister had secured what he set out to secure, would there have been greater savings?

Mr. Thompson: If we had secured what we intended to secure, there would have been greater savings on intervention. If there were no headage limit, it would make little difference to the amount of money going into the beef regime because, as I said, I do not think that this will curtail the total amount of beef being consumed. Generally, it will be possible to absorb the package in the budgetary limits that have been set down for the future.

The hon. Gentleman knows a fair bit about being ill, and I thank him for his good wishes to my right hon. Friend.

Sir Peter Hordern (Horsham): What is the position of tenant dairy farmers? Am I right in thinking that the Government are not to take advantage of income support that has been voted by the European Community? What are the other methods of assisting farmers on low incomes? If there is evidence of fraud and malpractice, will my hon. Friend send the papers to the Comptroller and Auditor General so that we may all know about it?

Mr. Thompson: I fully understand the House's concern about fraud. I said specifically in answer to a question that fraud was not discussed at this Council meeting. We are pursuing the question of fraud in every possible way because we do not want to bring the Government or the EC into disrepute by any further extension of fraud. I understand the present difficulties of tenant farmers, especially with regard to milk quotas. I do not think that the income support envisaged in the package would be of assistance to the people that my hon. Friend has in mind.

Mr. Ted Leadbitter (Hartlepool): The Minister must agree that many hours of discussion and debate in the Common Market that cause a Minister to fall ill are hardly the best way to deal with problems about the production and marketing of food. The Minister has been good enough to tell the House that the six parts of the package are unsatisfactory. I assume from that that the components of each part do not add up to much in terms of advantage for the United Kingdom. That will be evident from the impact that this will have on prices. I understand why the Minister was not able to discuss with his colleagues in the Department how best to come back to the House to explain the nature, extent and cost of the dissatisfactions and what the housewife will pay, because once again the Common Market would not listen to the United Kingdom.

Mr. Thompson: The hon. Gentleman knows that this statement hangs together with the debate that we had last week and those people who participated in the debate knew exactly our hopes and expectations for this package when we set off and our disappointment when we returned. That is why we voted against the package.

We all regret the fact that these negotiations go through the night, but I am sure that the hon. Gentleman, as a distinguished Committee Chairman in this House, well understands the complexities and difficulties of pushing through legislation. He has sat for many more hours than he would like to number listening to debates in Committee when he would rather have been elsewhere. It is the same in Europe, where we have 11 other colleagues to deal with individually. We did not like this package as a whole, but, like the curate's egg—if I dare mention that—it is good in parts.

Mr. Nicholas Bennett (Pembroke): Milk producers in west Wales will be particularly pleased to discover that the outgoers scheme will not mean a reduction in their own quotas but an additional quota. Can my hon. Friend give any estimate of the total number of producers who might be eligible for that scheme and can he say whether the Commission will be prepared to increase the level from 600,000 tonnes if that proves to be inadequate?

Mr. Thompson: The answer to the first question is no, I cannot, and the answer to the second question is yes.

Mr. Archy Kirkwood (Roxburgh and Berwickshire): Will the Minister give an assurance that he fully understands the retrograde and damaging impact of the loss of the variable beef premium in upland areas? Does he agree that that makes it even more crucial that he fights to the last ditch for the sheepmeat regime to maintain that source of income? Will he also make clear his view of the discretionary increase that is available to him as a national aid in terms of the suckler cow headage premium? Will he give us an assurance that he will fight the Treasury to make that necessary increase? Will he also tell us what proportion of our less-favoured dairy farmers will qualify for income support under the low-income scheme?

Mr. Thompson: I do not think that that aid is suitable for the United Kingdom, and it would be unfair to offer that as a help. I fully understand that the variable premium will be missed, not only in the upland areas, but throughout the United Kingdom. We cannot, and should not, as we emphasised to the Commissioners, connect this package on beef with any future discussions on the changing of the sheepmeat regime, which is not yet due for change. I fully understand the importance of the suckler cow scheme. There will be a further statement in due course.

Mr. John Greenway (Ryedale): My hon. Friend's toughness in the negotiations is, thankfully, not reflected in the quality of British beef which, if properly cooked, is extremely tender. As we have now lost the variable beef premium, farmers will feel that the future is very uncertain. May I add my voice to those emphasising the need for the national optional top-up to the suckler cow premium to be incorporated in full because, without that, we will not have the level playing field to which my hon. Friend referred.

With regard to income aid for less-favoured areas, will my hon. Friend take note of the scheme adopted by the North Yorkshire national park committee and discuss with his colleagues in the Department of the Environment how such a scheme could be adopted in other national parks?

Mr. Thompson: As that scheme has been adopted in the North Yorkshire national park, the adoption of this European scheme is unnecessary. Tender beef and the suckler cow herd go together because, to have tender beef on a suckler herd, we need steers and not bulls, which would run wild in the fields. It is important that we have a throughput of steers into the shops and supermarkets. There will be a further statement on the suckler cow premium in due course and I shall add my views to those that have already been expressed.

Mr. Tony Banks (Newham, North-West): I am delighted to hear that the Minister of Agriculture,

Fisheries and Food is well on his way to recovery because he has many curates' eggs as well as boiled eggs yet to eat on our behalf.

What implications will there be as a result of this announcement for the size of the intervention stores? Will he deal particularly with the ever-deepening wine lake? Are there any proposals to turn that wine into fuel, or will my pensioners in Newham have the opportunity of getting the odd bottle?

Mr. Thompson: I thank the hon. Gentleman for his kind words about my right hon. Friend.

The intervention store to which he referred is now at a limit of 220,000 tonnes and the amount of beef taken into intervention last year was almost twice that amount. Provided there is no collapse in the price of beef, as there was in pigmeat last year, that intervention limit should help.

We did not discuss wine at this meeting, but wine, cereals and the use of agricultural surpluses for other purposes are important matters and are being pursued by the Government and the European Commission at all times. I should not wish to take a drop from the hon. Gentleman's constituents, but, if we can find another use for the wine, it might make that drop cheaper.

Mr. Michael Jack (Fylde): Does my hon. Friend agree that the enhanced suckler cow premium will make a significant contribution to the maintenance of quality beef production in the United Kingdom and that that maintenance of high quality is important in boosting the consumption of beef from home resources?

Mr. Thompson: Yes. We now have scope to increase the suckler cow premium and will be considering the rate to apply for the 1989-90 scheme. As I have said, there will be a full and further statement in due course. Of course, the animals from the suckler herds are the most tender and of the best quality. In addition, suckler cow herds help to keep the country as green, pleasant and environmentally sweet as we all like to see. We therefore place great emphasis on suckler cow herds.

Mr. Ian Bruce (Dorset, South): How will milk quotas be allocated? I am thinking particularly of a case in my constituency where a farmer, because of disease in the herd, was advised to slaughter the herd, keep cows away from the farm for about five years and then come back. Of course, quotas were introduced during that time, so the farmer has not had a quota since. Will such a farmer be able to apply under this scheme and have a chance of obtaining a quota?

Mr. Thompson: No. We regret that many people who are genuine hardship cases, like my hon. Friend's constituent, will still be left out of the quota scheme while, on the other hand, through the implementation of the European Court ruling, other people will be let back into the scheme. However, it would be wrong of me to give my hon. Friend any encouragement for his constituent.

Unemployment Benefit Office, Ossett

4.18 pm

Mr. William O'Brien (Normanton): I beg to ask leave to move the Adjournment of the House, under Standing Order No. 20, for the purpose of discussing a specific and important matter that should have urgent consideration, namely,

"the sudden announcement by the Department of Employment of the closure of the unemployment benefit office at Ossett in west Yorkshire and the hardship and trouble that that will cause to the unemployed in the Ossett area, particularly the disabled."

This is a specific issue dealing with the unemployment benefit office in the Ossett area, which has a population of over 20,000. The office is a significant facility that must be retained. It is an important issue because I received a notice last night advising me that the office will be closed with some haste.

Ossett township was a former borough and there are a number of young families and elderly people there. People in that area were recently directed to the Dewsbury office because a computer service had been installed there. When I challenged the Department of Employment on that matter, I was assured that the office would be retained, and I am most disappointed that that assurance is now being withdrawn. My constituents have no affinity with the Dewsbury area. It is not in the constituency. It is not even in the district council area of which Ossett is a part.

Public transport is also a problem. I am discussing the matter with the transport authorities. It is a cruel blow, particularly to the disabled and the chronically sick in my area. There is no jobcentre. I ask that leave be given to adjourn the House so that we can discuss fully the problems in my constituency.

Mr. Speaker: The hon. Member for Normanton (Mr. O'Brien) asks leave to move the Adjournment of the House for the purpose of discussing a specific and important matter that he believes should have urgent consideration, namely,

"the sudden announcement by the Department of Employment of the closure of the unemployment benefit office at Ossett in west Yorkshire and the hardship and trouble that that will cause to the unemployed in the Ossett area, particularly the disabled."

As the House knows, under Standing Order No. 20, I have to take into account the requirements of the order and announce my decision without giving reasons to the House. I have listened with care to what the hon. Member has said, but he knows that my sole duty in considering this application is to decide whether it should be given priority over the business set down for this evening or for tomorrow. I regret that the matter he has raised does not meet the requirements of the Standing Order. I cannot therefore submit his application to the House.

Points of Order

4.21 pm

Mr. Martin Flannery (Sheffield, Hillsborough): On a point of order, Mr. Speaker, which arises from Question Time. It is strange that we have to raise points of order about Question Time when Ministers about whom points of order are raised have left the Chamber. My point of order deals with much wider issues than my question No.1 on the Order Paper:

"To ask the Secretary of State for the Environment how many houses were built to be rented in the public sector in each successive year since 1975."

The Minister referred me to the answer that was given yesterday to the hon. Member for Sheffield, Hallam (Mr. Patnick), who was not here at Question Time. Having complained about that to the Minister and to you, I left the Chamber, obtained a copy of *Hansard* and went through it to find the answer to the question.

Hon. Members put down oral questions for specific reasons. They are quite different from written questions. The answers to written questions are not necessarily seen by all hon. Members. When we ask oral questions, the journalists, as well as hon. Members, hear the answers. My question depends to an extent on the answer that we should have been given and that therefore we should have heard. I found that there was no answer to the question in *Hansard*. I did not know what to do about it.

That leaves a great gap, and a serious question of principle is involved. If a Minister does not want to give an answer to a question because the answer would stimulate many other questions—as, in my opinion, the oral answer to my question would have done—he can easily ask one of his hon. Friends to ask a question and then refer to the answer to that question, which we should then have to find. We do not have the opportunity to put down the question again because we have not seen the answer to the other question.

The question to the hon. Member for Hallam has all the signs of having been prompted, because it has not yet been answered. Therefore, the answer to which the Minister referred me and on which my supplementary question depended, according to the Minister, has not yet been given because it has not yet been printed. That, together with the fact that the Minister has now left the Chamber and has not taken it into account, leads me to think that there has been sharp practice in order to avoid answering the question.

Mr. Speaker: I have allowed the hon. Member for Sheffield, Hillsborough (Mr. Flannery) to raise this point of order because it is a matter of considerable interest to the House, but it is not a point of order for me; it is a matter for the Minister. However, I sympathise with the hon. Gentleman, particularly as I understood the Minister to say that he had answered that question yesterday. I anticipated, therefore, that it would have been printed in *Hansard*. If it has not been printed, I think that the hon. Gentleman should take up the matter with the Minister.

Mr. Alan Williams (Swansea, West): Further to that point of order, Mr. Speaker. I am grateful for what you have said, but it is a matter for you in another sense. The form of reply that was given by the Minister constitutes a block on further questions, in that he has nothing to add to the reply that he has already given. The Minister has done two things, the first of which, I accept, is not your responsibility. He has denied my hon. Friend the Member for Sheffield, Hillsborough (Mr. Flannery) the opportunity to ask an informed supplementary question. He has also possibly prevented any hon. Member from tabling further follow-up questions if the Table Office treats the "nothing to add" as a blocking reply. How do we deal with that?

Mr. Speaker: The answer that was given to the hon. Member for Hillsborough did not prevent a supplementary question from being asked. That kind of answer to a question does not mean that a block is imposed. Refusal to answer a question might constitute a block, but an answer referring to a previous reply does not constitute a block.

Mr. Andrew F. Bennett (Denton and Reddish): Further to that point of order, Mr. Speaker. I understand that, if hon. Members hand in questions to the Table Office and an identical question has been answered, we cannot pursue the matter. This is not quite like that. On 10 January, the hon. Member for Sheffield, Hillsborough (Mr. Flannery) put his question into the raffle and was fortunate to come top of the list. The Table Office accepted on either Thursday or Monday—I have been unable to ascertain which day it was—a question for written answer which was in identical terms, and that was not treated as having priority for answer yesterday. It could have been answered on any day this week. However, the Department chose to answer it yesterday, but unfortunately the answer has not appeared in *Hansard*.

It seems to me to be an abuse of the House that an hon. Member can pick out another hon. Member's question, table it for a written answer and receive a written answer before the hon. Member who tabled an oral question receives a reply. The Minister did not check that my hon Friend the Member for Hillsborough had received an answer. He referred him simply to a written answer that can be found in the Library but not in *Hansard*. That seems to me to be sharp practice. Will you look into the matter and report back to the House, and certainly make it clear that this should not become common practice?

Mr. Flannery: Further to that point of order, Mr. Speaker. It is not sufficient to say to me that I should write to the Minister concerned. It is as clear as daylight that the Minister concerned did something that was totally wrong. He gave the impression that an answer to the question was available to me. He knew that I needed that answer in order to rephrase my question. He prevented every other hon. Member from asking supplementary questions about it. It has all the hallmarks of being very wrong. If it can be done to me, it can be done to any hon. Member.

Mr Speaker: I say again that I sympathise with the hon. Member for Hillsborough, but he must understand that I have no responsibility—sometimes I wish I did—for the answers that are given. I shall certainly look into the matter and satisfy myself, in so far as my responsibilities in the Table Office are concerned, that nothing untoward has happened. As I say, I have sympathy for the hon. Member and I shall do what I can.

Mr. D. N. Campbell-Savours (Workington): On a point of order, Mr. Speaker. I raise it, having established that it is a matter for you after consulting widely among my colleagues. Yesterday, I asked the Prime Minister a

question about a statement that had been made by the hon. Member for Thanet, South (Mr. Aitken) in which he said that the Security Service had fingered six Conservative Members of Parliament and questioned their reliability and suitability for office. When the Security Service took the decision to examine the backgrounds of those Conservative Members, they were taking into consideration questions of national security and they must have reached the conclusion that they should not see classified documents, or documents supplied to Ministers marked "Secret".

Those hon. Members may have applied for selection as members of Select Committees of the House of Commons. The Public Accounts Committee and the Select Committee on Defence receive, periodically, classified documents, as I have done as a member of the Public Accounts Committee. Occasionally we have had to return them to the Clerk at the end of the meeting. If those Conservative Members are not to be allowed to gain ministerial office because they may be classified as a security risk, I put it to you that, equally—if it were to be true—they should not be given access to classified documents as members of Select Committees.

I wonder, Mr. Speaker, whether you would take on board my suggestion that the material which the Prime Minister saw in relation to the six Members of Parliament be given to the members of the Committee of Selection so that they can establish whether they believe that those Members are fit to see classified documents as members of the Public Accounts Committee or the Select Committee on Defence.

This is not a light request. It is an important matter. We cannot have an inconsistency. If a Member of the House of Commons is not fit to be a Minister because he should not have access to classified material, I put it to you, Mr. Speaker, that he is not fit to be a member of a Select Committee which sees classified material. The only Committee which can decide upon that is the Committee of Selection. Perhaps you will consider the matter.

Mr. Speaker: The hon. Gentleman should raise that matter with the Leader of the House. It is not a matter for me what answer the Prime Minister gives to questions. Like the hon. Gentleman, I have consulted widely and have come up with absolutely nothing. It is a legitimate question for the hon. Gentleman to put to the Leader of the House tomorrow.

London Government

4.30 pm

Mr. Tony Banks (Newham, North-West): I beg to move——

Mr. Speaker: Order. I am very sorry, but because of the points of order I failed to call for the presentation of Bills. The hon. Members responsible for them are waiting. Will the hon. Member for Newham, North-West (Mr. Banks) forgive me?

BILLS PRESENTED

CHLOROFLUOROCARBONS (CONTROL)

Mr. Malcolm Bruce, supported by Mr. James Wallace, Mr. Archy Kirkwood, Mr. Matthew Taylor, Mr. Simon Hughes, Mr. A. J. Beith, Mr. Richard Livsey and Mrs. Ray Michie, presented a Bill to protect the environment through greater control on the use of chlorofluorocarbons and to require Her Majesty's Government to carry out an audit of the use of chlorofluorocarbons; and for connected purposes: And the same was read the First time; and ordered to be read a Second time upon Friday 3 March and to be printed. [Bill 48.]

TROPICAL HARDWOODS (CONTROL)

Mr. James Wallace, supported by Mr. Malcolm Bruce, Mr. Archy Kirkwood, Mr. Matthew Taylor, Mr. Simon Hughes, Mr. A. J. Beith, Mr. Richard Livsey and Mrs. Ray Michie, presented a Bill to promote the preservation of tropical rainforests by controlling the importation of hardwoods, reducing the use of hardwoods by Her Majesty's Government; and for connected purposes: And the same was read the First time; and ordered to be read a Second time upon Friday 3 March and to be printed. [Bill 49.]

SCARCE RESOURCES (CONSERVATION)

Mr. Archy Kirkwood, supported by Mr. Malcolm Bruce, Mr. James Wallace, Mr. Matthew Taylor, Mr. Simon Hughes, Mr. A. J. Beith, Mr. Richard Livsey and Mrs. Ray Michie, presented a Bill to reduce consumption of scarce resources by encouraging the practice of recycling, reducing the packaging on goods and introducing deposits on certain containers; and for related purposes: And the same was read the First time; and ordered to be read a Second time upon Friday 3 March and to be printed. [Bill 50.]

PLANNING PERMISSION (DEMOLITION OF HOUSES)

Mr. Hugh Dykes, supported by Mr. John Wilkinson, Mr. Dafydd Wigley, Mr. Robert Adley, Sir Rhodes Boyson, Mr. Cyril D. Townsend, Mr. Jeremy Hanley, Mr. John Gorst and Mr. Robert G. Hughes, presented a Bill to make it obligatory to apply for planning permission before demolishing a dwelling house: And the same was read the First time; and ordered to be read a Second time upon Friday 17 February and to be printed. [Bill 46.]

EUROPEAN COMMUNITY DOCUMENTS

Ordered,

That the draft proposals by the Commission of the European Communities on machine safety described in the unnumbered Explanatory Memorandum submitted by the Department of Trade and Industry on 30th November 1988

and the Supplementary Explanatory Memorandum of 11th January 1989 be referred to a Standing Committee on European Community Documents.—[*Mr. Kenneth Carlisle.*]

London Government

Mr. Speaker: May I tell the hon. Member for Newham, North-West (Mr. Banks) that he has had an extra minute free.

4.32 pm

Mr. Tony Banks (Newham, North-West): I am deeply grateful, Mr. Speaker. What we have just witnessed is the lazy person's approach to legislation. This is the more difficult approach.

I beg to move,

That leave be given to bring in a Bill to restore to the people of London the legal right and duty to elect a London Council so that the needs of London may be met and its administration secured on a basis that is fully accountable to the people, through the ballot box; and for purposes connected therewith.

Nineteen eighty-nine will mark two significant anniversaries in the history of London local government. The first is the 100th anniversary of London county council; the second is the 800th anniversary of the City of London. While the city, that most anachronistic of all local government institutions, is busily celebrating its anniversary with a surfeit of food and wine, the great mass of Londoners will only be able to pay tribute to the past work of the LCC on behalf of millions of capital citizens, past and present.

The work of the LCC from 1889 until it was absorbed into the newly created Greater London council in 1964 would take far too long for me to record today. Suffice it to say that the monuments to the LCC are all around us to this day. On London's streets and below London's streets the good works of the LCC and the GLC exist in superabundance. Thanks to the LCC, millions of Londoners were able to escape from the slums into decent homes for the first time. Millions were educated in LCC schools and colleges and attended LCC evening classes. LCC parks and open spaces, together with hospitals and specialised medical services, provided for the health of London's citizens. LCC transport services on road, rail and water served the capital's transport needs. LCC fire, ambulance and other emergency services guarded London in peace and war. LCC arts and crafts schools produced the musicians, painters, dancers and sculptors who subsequently graced the LCC's Royal Festival hall and its museums, art galleries and concert halls.

The LCC built for the future and protected the past. London's needs were met with skill and dedication by generations of professional council officers, many of whom were acknowledged throughout the world as the finest in their disciplines. Many LCC politicians subsequently achieved high political office in Government, and in both Houses today there are many who owe an enormous debt of gratitude to London county council.

The LCC was created as an acknowledgement that London was more than simply the sum of all its parishes and boroughs. London as the capital city needs a citywide government able to plan and co-ordinate the capital's strategic services. That was the judgment of 100 years ago, as it is today.

Political arguments about the structure of London government have raged around this place for more than 150 years, but always the underlying process has been a movement towards a single strategic authority. It was true when the Metropolitan Board of Works gave way to the

LCC, which in turn gave way to the GLC. That was the historic development of London government which will inevitably be resumed at some later date. However, for the moment we are in a period of hiatus. There is no strategic authority for London and the disastrous consequences are there for all who choose to see.

London is the only capital city in Europe without citywide government. The abolition of the GLC in 1986 remains the single most destructive legislative decision of the Government. It was based on the politically malign and vindictive motives of the Prime Minister, who is far more influenced by the example of Attila the Hun than St. Francis of Assisi. Abolition is now history and my Bill looks to the future. There is no doubt in my mind that the welcome departure of the Prime Minister will presage the welcome renaissance of citywide government in London.

If leave is given to introduce my Bill, the new London council, operating from county hall, will be charged with the responsibility for providing, safeguarding, maintaining, developing and improving employment and training, housing, transport, planning, information services, fire services, police, ambulance services, arts and recreation, pollution control, waste disposal, flood prevention, support for groups of Londoners, and such other goods and services as the council wishes to provide for the people.

In most of those service areas today London is descending into a chaos created by a lack of coherent and co-ordinated planning. Numerous Government Departments, local authorities, public bodies and quangos are struggling to make sense of a Heath Robinson system of administration in London which defies history, good sense, efficiency and public interest.

My Bill, if enacted, would not only restore administrative sanity and civic pride to London but would also address the historically outstanding task of democratising the ancient city of London. The Royal Commission report on London government in 1960 stated:

> "If we were to be strictly logical we should recommend the amalgamation of the City and Westminster. But logic has its limits and the position of the City lies outside them."

Such sentiments are wholly unacceptable today. My Bill would deal with the City by making it the basis of a new London council, firmly established upon Londonwide democracy and accountability. The lord mayor of London would truly become the lord mayor of all our citizens and not, as at present, lord mayor of the mere handful within the square mile.

I have but one modest wish in respect of the city: to succeed where Mr. Gladstone failed. With those sentiments, and with the support in spirit, I believe, of Mr. W. E. Gladstone, I beg leave of the House to introduce the Bill.

Question put and agreed to.

Bill ordered to be brought in by Mr. Tony Banks, Mr. Tony Benn, Ms. Joan Ruddock, Mr. Jeremy Corbyn, Ms. Dianne Abbott, Mr. Harry Cohen, Ms. Mildred Gordon, Mr. Paul Boateng, Mr. Ken Livingstone, Ms. Harriet Harman, Mr. Bernie Grant and Mr. Tom Cox.

London Government

Mr. Tony Banks accordingly presented a Bill to restore to the people of London the legal right and duty to elect a London Council so that the needs of London may be met and its administration secured on a basis that is fully accountable to the people, through the ballot box; and for purposes connected therewith: And the same was read the First time; and ordered to be read a Second time upon Friday 24 February and to be printed. [Bill 51.]

Orders of the Day

Official Secrets Bill

Considered in Committee.

[Mr. Harold Walker *in the Chair*]

4.40 pm

Mr. Robin Corbett (Birmingham, Erdington): On a point of order, Mr. Walker. When Bills are considered in Standing Committee, we expect—and normally receive—a *Hansard* of the proceedings the following day. There are times when, because of the pressures of many Committees, that does not happen, but it is important especially when Ministers give undertakings at the end of a sitting which will follow on into the next sitting. You will know, Mr. Walker, that *Hansard* normally switches off—if I may put it like that—at about 10 pm or 10.30 pm. Are there any special arrangements that might be made with *Hansard* to publish the proceedings of the Committee on this Bill the next day, so that we can keep abreast of the undertakings that will, I hope, be given by Ministers? There is no immediate rush about this because this is the only day on which we are considering the Bill this week. However, we do not know whether, in coming weeks, the Committee will meet on one day a week or on consecutive days. That is where the problem arises. Is there anything that you can do, Mr. Walker, to seek to make arrangements with the *Official Report* to help us in this matter?

Mr. Patrick McLoughlin (Derbyshire, West): Further to that point of order, Mr. Walker. Is not the point of order that the hon. Gentleman has raised fairly bogus? Anything that takes place in the Chamber after *Hansard* stops is available in the Library for hon. Members to inspect.

The Chairman of Ways and Means (Mr. Harold Walker): I shall deal with the point of order first. I cannot anticipate what may happen at 10 pm this evening or on any other evening, nor can I anticipate or seek to pre-empt what may happen next week. No doubt the hon. Gentleman's words have been listened to.

Clause 1

SECURITY AND INTELLIGENCE

Mr. Roy Hattersley (Birmingham, Sparkbrook): I beg to move amendment No. 71, in page 1, line 5, leave out 'or has been'.

The Chairman: With this we may take the following amendments: No. 14, in page 1, line 9, leave out 'discloses' and insert

'makes a damaging disclosure of'.

No. 69, in page 1, line 19, leave out 'or has been'.

No. 70, in page 1, line 22, leave out 'or has been'.

No. 16, in page 1, line 25, leave out 'subsection (3) above' and insert 'this section'.

No. 67, in clause 7, page 7, line 7, at end insert

'or it has been authorised by the Publications Review Board set up under this Act'.

New clause 6—*Publications Review Board*—

'(1) There shall be a body, called the Publications Review Body, which shall authorise the public disclosure of information by former members of the security and intelligence services.

(2) No information shall be disclosed, whether in books, articles or other media, by former members of the security and intelligence services without the approval of the Board.

(3) The Board shall consist of a Chairman and three members appointed by the Secretary of State.

(4) The Board shall notify its decision as to the granting of permission for disclosure to applicants within six months of application being made to it.'

Mr. Hattersley: No doubt the first debate in Committee of the Official Secrets Bill will demonstrate the way in which the Committee intends to do its work. I hope that it will demonstrate that although the Committee is divided on the need to change the Bill's contents, it is unanimous in its belief that the Bill must be debated in great detail and, therefore, at great length. It is not the Opposition's intention to be either fractious or obstructive, but I hope that the Government will understand that we expect sufficient time for every clause to be given the scrutiny it deserves. There are many long days and nights ahead of us and we had better acknowledge that at the start.

This first debate concerns the absolute obligation to secrecy that the Bill places on members of the security and intelligence services and on other persons associated with those services and nominated by the Secretary of State about every aspect and detail of their work for their entire lifetime. Amendment No. 71 was intended to probe that concept and to provide an opportunity for the Secretary of State to justify the notion that total and permanent secrecy—save only for those occasions when he lifts the interdict—is a reasonable obligation to place on members of the Security Service and those associated with them. We do not propose to press the amendment to a vote, but I suspect that the hon. Member for Aldridge-Brownhills (Mr. Shepherd), whose amendments are grouped with amendment No. 71 will wish the Committee to divide and we shall support him in that case.

The amendments that the hon. Member has tabled, to which he will, no doubt, speak, limit action under clause 1 to disclosures that do damage, and the principle inherent in the limitation of prosecutions—or successful prosecutions—to the publication of items that do damage to the interests of the country lies at the heart of most of our objections to the Bill. We believe that information should be suppressed only when suppression is necessary. That is clearly not the intention of clause 1 in the particulars that relate to the security services, those who work in them and those associated with them because they make the ban on publication absolute and for ever.

4.45 pm

Amendment No. 67 and new clause 6 deal with the concept of absolute and permanent secrecy in a rather different way. They propose a publications review board, which will decide whether information that an ex-member of the security services wishes to publish is appropriate for publication. At this stage, I shall say no more on those amendments except that they are an improvement. However, as such a review board would consist of Government nominees, it would not be much of an improvement.

Before we debate the principle that I have described, it is important to recall some of the background to the Bill. Some cynics suggest that one reason why the Prime Minister allowed the Bill to be introduced at all was her

obsessive determination to vindicate her paranoid behaviour in the case of Mr. Peter Wright and "Spycatcher". It is important to remember specifically in the context of the "Spycatcher" case that other relevations that in any normal and reasonable judgment were at least as damaging to the interests of the state appeared in a book by Mr. Chapman Pincher, which the Government either approved or took no steps to prohibit.

To avoid future misinterpretation—or at least, as it is the Minister of State, the hon. Member for Oxford, West and Abingdon (Mr. Patten) who is to reply later to the debate, to ensure that he has to misinterpret me intentionally rather than by mistake—let me say again that I have no time at all for Mr. Peter Wright. What is more, if one considers the way in which he was prepared to profane the dead, I do not have much time for Mr. Chapman Pincher either, but personal opinions of those two gentlemen are neither here nor there. The question to which the amendments relate is whether it is reasonable for all memoirs of the secret service to be prohibited unless —the word "unless" is important—they are published with Government approval—that is, with the lawful authority of the Government, as stipulated in clause 1.

If clause 1 is agreed unamended, the Government will have the right to prohibit any secret service revelations of which they disapprove, no matter how ancient, trivial or important to democratic debate. On the other hand, the Government will have the right to authorise any revelations that they find convenient. In future, as in the past, a group of Ministers will be able to agree that one memoir may be published because its contents support their interests but suppress another that they find politically embarrassing. That seems an arbitrary power that should not be allowed to the Government of a democracy.

As the debate continues, it will revolve increasingly around two concepts. One is the belief that it should be possible to mount a defence against the disclosure of classified information with a claim that its publication was justified in the public interest. We shall debate that concept specifically in the third group of amendments.

The second argument around which all the other propositions will be built is the contention that before a prosecution can succeed, it must be demonstrated that publication harmed the interests of the state. On Second Reading, the Home Secretary made great play of the test of damage that would be inserted into prosecutions, and the right of juries to decide whether damage had been done. Indeed, a Home Office press release referred to "a public interest defence" although neither the concept nor the words appear in the Bill.

In the terms of this, our first debate, it is essential to remember that none of the protections of which the Home Secretary made such play on Second Reading—irrespective of whether they are regarded as adequate or inadequate—apply to the clause that we are debating or to the revelations by members of the security services or those designated by the Government as being associated with the security services.

Clause 1 is comprehensive and arbitrary in the area that it covers. There is no need to demonstrate damage to the national interest. In fact, the fact of disclosure—and the fact alone—is all that is necessary for conviction, no matter how inconsequential the published information.

The White Paper, with which this exercise began, demonstrates in paragraph 42 exactly how arbitrary and unreasonable such a ban would be, boldly stating that it

> "should not be necessary for the prosecution to adduce evidence of the likely damage to the operation of the security or intelligence service when information relating to security or intelligence has been disclosed by a member or former member of one of the services."

That is the simple assertion that the Government and Home Secretary seem to believe is enough to carry the argument.

On the other hand, the Franks committee recommendations of 1972, which the Home Secretary is always saying have been improved upon by the Bill were absolutely explicit on that point. The Franks committee recommended that the harm test should be applied to the security service as to any other category of official secrets.

It cannot be necessary or right to make every item connected with security—no matter how loosely connected, no matter how unimportant—subject to that restriction. It is intolerable in a free society that the Government alone should be the sole arbiter of what is covered by this ban and of the occasions when the ban should be lifted.

Amendments Nos. 14 and 60 do no more than limit the ban to the publication of information which would be positively damaging. By resisting the amendments, if the Government do so—I have no doubt—that they will—the Minister of State will be asserting that he wishes the ban to apply to information that can be published without damage. That is the only logical conclusion that could be drawn from the recommendation to vote against the two amendments.

On Second Reading, the Home Secretary made no attempt to justify a blanket prohibition. He merely asserted its necessity. He then went on to list examples of secret service activities which nobody in their right minds would want to see revealed. When cornered, the Home Secretary always argues in that way—taking absurd examples of what might be revealed and implying that those who want a more acceptable system want to reveal everything.

The question that must be addressed in this amendment is not whether or not everything the secret service does should be made public, it is whether nothing that the secret service does should ever become public but should remain secret—important or trivial, damaging to the national interest or of help to the national interest, legal or illegal.

I shall conclude on that point about illegality. The fact that the ban on secret service information covers illegal as well as legal activities is perhaps the most disturbing aspect of the blanket prohibition. On Monday, the Home Secretary told us once again that he had brought the security services into a legal framework. If it operates outside the boundaries which the Home Secretary is so proud to have drawn, it will still be an offence under this Bill for a member of the service to reveal the illegality, and it will still be an offence for a newspaper to print the revelation.

When we debated the Security Service Bill—which cannot be separated from what we now debate—the Home Secretary conceded, after some wriggling, that under the provisions of this Bill were I to be told by a member of the Security Service that my telephone was being tapped or that my premises had been burgled, it would be an offence for me to make that information public. I hope that the

[Mr. Hattersley]

Minister of State will confirm today that, were I to be told by a member of the security services that my telephone had been tapped or my property burgled without proper warrant—that is to say, illegally—it would still be illegal for me to make that information public.

The Minister of State, Home Office (Mr. John Patten): Under those circumstances, the right hon. Gentleman should take his complaint directly to the tribunal that is to be set up under the Security Service Bill.

Mr. Hattersley: I am always grateful for the Minister of State's advice, but having given it me, perhaps he will now answer my question. I shall put it to him again. If a member of the security services tells me that my telephone is being tapped without warrant and therefore illegally, or that my house has been burgled without warrant and therefore illegally, is it or is it not a criminal offence for me to make that information public?

Mr. Patten: It would be a criminal offence for the right hon. Gentleman to make that public, and quite rightly so because he has an avenue of redress. He can go to the tribunal set up under the Security Service Bill.

Mr. Hattersley: I do not want to begin the Committee stage on an acrimonious note, but that reply reveals something not only about the Government, but about the Minister of State. He can apparently say with conviction that if I have been told that I have been the subject of illegal Government action, it is a criminal offence for me to reveal that and that he approves of it being a criminal offence for me to reveal it.

Sir Ian Gilmour (Cheshunt and Amersham): Surely, in those circumstances, it would be the right hon. Gentleman's positive duty to reveal such information?

Mr. Hattersley: I certainly believe that, but as I also believe that it is my positive duty to remain within the rules of order, the case that the right hon. Gentleman tempts me to develop is one which I propose to develop in the discussions on the third group of amendments when the public interest criteria is the crucial issue.

The idea that the Government might suggest—the Minister of State did suggest—that it is supportable to argue that a man or woman who has been subject to an illegal act by the Government should be sent to prison for making that public, is a view that is inconsistent with the traditions of this country. As I do not want to overstate the case, I shall not tell the Committee those countries in eastern Europe and south America with which it is consistent.

Mr. Andrew F. Bennett (Denton and Reddish): My right hon. Friend obviously knows the legislation, but what about the ordinary citizen who does not know the legislation and who needs to seek advice, as my hon. Friend did on this point from the Minister of State? What is the position if such a person goes around saying that he has discovered that that has happened and asking what he should do about it? Presumably every time that he asks for advice he is committing an offence. That means that every citizen must know that the way to proceed if he hears such information is to go to the tribunal, and surely that is an utter farce.

Mr. Hattersley: Yes, and the case gets worse. I shall pursue my hon. Friend's example of an ordinary citizen being told by a member of the security services that his house has been burgled illegally. As I understand it, the Minister of State who has not been tardy in confirming my judgments on the Bill, will say that, if that individual goes to the citizens advice bureau saying, "My house has been burgled illegally, what shall I do about it?", he is committing a criminal offence by telling the person in the citizens advice bureau what has happened. If the individual goes to a solicitor there is, as I understand it, no legal protection and no rule that says that the matter is so privileged that he may discuss it with a solicitor. So if a person goes to his solicitor and says, "I am assured that I have been illegally burgled," or "I have had my telephone tapped illegally, oh solicitor, what am I to do?", that person is committing a criminal offence, and the Minister is defending that proposition.

Mr. Robert Maclennan (Caithness and Sutherland): Does the right hon. Gentleman agree that the Minister of state's extraordinary intervention shows that he has failed to recognise that the commission of an offence is not something between the person who commits the offence and the victim of that offence alone, which may or may not be remedied by appeal to a tribunal, but something that touches society at large, for which the tribunal offers no remedy at all?

Mr. Hattersley: As the debate progresses, not only today but in the future, for the sake of clarity and intellectual accuracy it will be important to comment, not on the Minister, but on the Bill. The Minister's answers have revealed that the Government misunderstand two matters. First, they do not realise the relationship between the state and the citizen, described by the hon. Member for Caithness and Sutherland (Mr. Maclennan). Secondly, the Government believe that the state and the Government cannot be distinguished. What the Government believe is right, is right for the state. What is in the public interest is what the Government think is in the public interest and a test of harm is what the Government think is harmful. I shall repeat—I hope not pompously or pretentiously—that those views are not consistent with a free society.

5 pm

Mr. John Gorst (Hendon, North): As a newcomer to the subject, I wonder whether the right hon. Gentleman will answer a point that has puzzled me about his recent exchange with his hon. Friend the Member for Denton and Reddish (Mr. Bennett). Let us suppose that a member of the Security Service approaches the right hon. Gentleman in his capacity as a Member of Parliament and informs him about a case of telephone tapping. If the right hon. Gentleman revealed the matter on the Floor of the House would he, according to his investigations, be subject to prosecution? What would his position be as a Member of Parliament?

Mr. Hattersley: I am not sure whether I, as a Member of Parliament, revealing the information in the House, would be guilty and subject to criminal prosecution. I know that my constituent, in telling me, in order that I might reveal the information on the Floor of the House, would certainly be subject to criminal prosecution.

Having tried valiantly, but failed, to find anyone other than the Minister who supports the authoritarian

nonsense he is about to defend, I shall conclude. It is not inappropriate for me to repeat the point, even though it has been made time and time again. One has only to describe the circumstances in which an innocent person is prosecuted for revealing that the state has operated unlawfully against him or her, to realise how unacceptable the proposition is.

Mr. Richard Shepherd (Aldridge-Brownhills): Is it not right that if any Security Service officer were to approach a Member of Parliament, that would be a criminal offence under the Bill? That is what many of us find offensive. Has not the right hon. Member for Birmingham, Sparkbrook (Mr. Hattersley) heard that many Conservative Members have maintained that it is possible for former or present members of the Security Service to raise such matters with their Members of Parliament? Can the right hon. Gentleman identify anywhere in the Bill where that possibility arises in law?

Mr. Hattersley: The answer, as the hon. Gentleman knows better than me, is that it does not appear. I look forward to supporting his positive and detailed amendments as one way that this arbitrary absurdity can be overcome. I shall certainly support his amendments as will my right hon. and hon. Friends.

All we ask—and we are grateful that the hon, Gentleman asks for it—is that a system be provided which avoids the arbitrary nature of the prohibition and enables the state and the courts, which represent the national interest, to distinguish between those matters which it is possible and safe to reveal, and those which it is wrong and dangerous to reveal. I have no strong feelings about how that proper division is obtained. It may be—I suspect that we shall hear this time after time in Committee—that the amendments are inadequate in some detail to achieve that purpose. That is not the issue. The issue is the principle and the test of principle. If the Government believe that the principle is right but the application of it is wrong, we shall gladly accept that, in some future debate, the Government will provide a better mechanism of their own. That is the nature of the Committee stage of a Bill.

We seek to establish in this first debate that it is wholly unacceptable for the Government of the day to be the sole arbiter of what security information should or should not be published and what security information should or should not lead to prosecution.

Mr. Rupert Allason (Torbay): I beg to draw the House's attention to new clause 6 and amendment No. 67. The issue of the duty of confidentiality is central to the Bill. I shall take the Committee back to the history of the duty of confidentiality.

An important judgment was given in the House of Lords some time ago which knocked a major hole in the Government's interpretation of the duty of confidentiality. As I understand it, the duty of confidentiality is straightforward in civil law—it is the duty of a servant to an employer to protect trade secrets. An example would be where an employee of the Coca-Cola company moved to Pepsi-Cola and took the magic formula with him or her. Under those circumstances, there is a remedy in law for the employer to protect his secrets. The key word in the duty of confidentiality issue is "confidentiality". It assumes that the magic formula is a secret.

Up to the time of the House of Lords judgment, the Government interpreted the duty of confidentiality as a duty of lifelong secrecy. That was rightly rejected by their Lordships.

Mr. Robin Corbett (Birmingham, Erdington): The hon. Gentleman gave us an analogy involving Coca-Cola and Pepsi-Cola—both of which are best avoided in my experience—but surely in that case the secret formula would be guarded by patent law.

Mr. Allason: Indeed, but that is also civil law. It would not be a criminal offence if somebody tried to trade a secret that they had acquired from a former employer. In the case of Peter Wright, it did not matter whether he worked for the Security Service or for British Rail. The principle over which the Government prosecuted him was whether a breach of confidentiality had occurred. The case was defeated because, to be frank, there were no secrets in the Wright book. In Australia the book was examined line by line and no great disclosures were found, although there was a certain amount of new material. However, the plank on which the defence rested was that there was nothing new in the book and that most of the information had been published elsewhere.

My amendment and new clause seek to introduce yet another check and balance. When the Security Service Bill was in Committee the Government rejected all the checks and balances proposed—including judicial review, Committees of Privy Councillors and parliamentary oversight. I seek to persuade the Committee today that my amendment and new clause would provide a check or balance.

At the heart of this matter is the sanguine attitude of the Secretary of State and the Minister. In the other place, the Benches have edges so that bishops who have enjoyed heavy lunches are prevented from falling off. I nearly fell off my Bench when I heard the Secretary of State wax lyrical about the post-war record of the Security Service. I wonder who advised him on that. Did the advice come from Home Office officials or from the Security Service?

I shall give one or two straightforward facts to illustrate the post-war record of the Security Service. The Committee may be surprised to learn that between 1945 and 1972—the period the Secretary of State was talking about—not one Soviet spy was arrested in this country on the initiative of the Security Service. During that period, all the famous spies—including Fuchs, Nunn May, Vassall, the Portland spy, Harry Houghton, Ethel Gee and Gordon Lonsdale—were identified by defectors who arrived not in this country but in the United States and pinpointed those leaks of security in the British establishment.

There was, however, one case between 1945 and 1972, and it is trotted out by the Security Service as the classic example of its counter-intelligence prowess. It is the case of William Martin Marshall, who was arrested for passing secrets to a Soviet intelligence officer. How was he caught? The Committee will be interested to know that a Security Service watcher got off a bus at Kingston when going home for lunch one day and saw a Soviet intelligence officer lurking in a doorway. Interested to know why this individual, on whom he had been targeted for surveillance six months earlier, was in Kingston, he hung around. He waited and saw Sergei Kuznetsov meet William Martin Marshall, who was a member of the diplomatic wireless

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service and who was subsequently convicted. So between 1945 and 1972, the period about which the Secretary of State waxed so lyrical, the splendid record of the Security Service was that of having caught just one Soviet spy—and that by mistake.

Mr. Gorst: Does my hon. Friend agree that what he has just recounted is presumably the reason why memoirs that reveal that sort of fact would be regarded as harmful to the nation because they would reveal the extent of the inadequacy of our Security Service?

Mr. Allason: That is an interesting route to follow—that if we have a useless Security Service we should keep that a secret because it may well be damaging. I agree entirely, but I want an efficient service.

If the Secretary of State takes advice on this matter, he may like to turn his attention to the undeniable fact——

Mr. Hattersley: May I put to the hon. Gentleman the opposite, or perhaps complementary, argument to that which he has offered us? Some of us believe that if a draught of exposure of information were to blow through the Security Service and it became accountable, it might become more efficient. Instead of wasting its time tapping trade unionists' telephones, it might catch some spies—another argument in favour of what the hon. Gentleman proposes.

Mr. Allason: The record in Australia, Canada and the United States shows that in spite of the worst fears about oversight the intelligence communities there accept and live with the new mechanisms, and in Canada the system has been used to the advantage of the Security Service. The report that I mentioned in Committee during discussion of the Security Service Bill is illuminating and instructive to the public and shows the importance of the work of the security service. Some of the details are deleted from the case histories, but three or four case histories from the various branches of the Canadian security service are there, and the report has done a tremendous public relations job for the organisation. That is one of the reasons why I tabled an amendment to that Bill.

I come now to the idea of greater efficiency on the part of the Security Service. It is not widely known that there are not just one or two establishments in London but that, at any given time, between eight and 11 large buildings are being used by the service. Is it not extraordinary that a counter-espionage and counter-intelligence organisation should locate its establishment in the only geographical region in the United Kingdom that is freely available to Soviet intelligence officers working under diplomatic cover? I am not recommending privatisation of the Security Service, but I certainly recommend moving it out of London—perhaps even to Torbay. If the Security Service remains in London it will be within a couple of miles of Soviet diplomatic missions and therefore a target. Perhaps that aspect of efficiency should also be considered.

5.15 pm

The real substance of my amendment and new clause is to allow Security Service officers and intelligence officers of all sorts to write their memoirs. There is nothing staggering about that—the practice has been going on for years. I shall give a few examples from the Security Service. No fewer than two directors-general of the Security Service have written their memoirs. Sir Percy Sillitoe's memoirs, "Cloak Without Dagger", were written in office time, ghosted by his personal assistant, and published with the consent of the Home Office. Sir Percy Sillitoe retired from the Security Service and went to run a sweet shop in Eastbourne. The book supplemented his income from selling fruit bonbons.

Sir Vernon Kell, the first director-general of the Security Service, left a large memoir which his wife subsequently passed to the author, John Bullock, and which was the basis of a book published in 1963 and entitled "MI5". Since then there have been several other books, two of which were written by the Security Service. In the wake of the Klaus Fuchs, Nunn May and Bruno Pontecorvo cases the Security Service decided that it was time to do a little public relations exercise. One of my constituents was authorised to talk to an author, Alan Moorehead who subsequently wrote a book called "The Traitors". It came directly from the files of the Security Service. Another book, "Handbook for Spies" by Alexander Foote, was ghosted by a Security Service officer, so there is nothing new about the Security Service sponsoring or writing books.

Memoirs are interesting. Two wartime officers, Derek Tangye and Stephen Watts, wrote memoirs of their work in the Security Service. Neither of them, and certainly not Derek Tangye, sought permission to do so and nothing was done about them. In the postwar period three wartime double agents wrote their memoirs. Lily Sergueir wrote her account of being a double agent during the war, as did Dusko Popov. Neither sought permission and the Government took no action against them.

Eddie Chapman, on the other hand, who has had a colourful career as a safe cracker and who parachuted twice into this country, was prosecuted immediately after the war for selling his story to a newspaper. The newspaper, the journalist who received his information and Eddie Chapman himself were prosecuted at the Old Bailey. When the judge had heard the evidence of Eddie Chapman's MI5 case officer, he said that although he had to find Chapman guilty he regarded him as the bravest man that he was ever likely to meet, and fined him a nominal sum.

In more recent years there have been two other major contributions to literature on the Security Service. One was authorised—the memoirs of Lord Rothschild. The other was not, initially, authorised and was an important precedent for my amendment and new clause. It was the case of J. C. Masterman in 1972. He had retained a copy of the wartime history of his XX committee, on which he had served from January 1941 through to the end of the war. At the end of the war, he was commissioned by the director-general of the Security Service to write a detailed account of the work of the XX committee and the double agents that it had run.

J. C. Masterman attempted fairly continuously from the 1950s to 1972 to have the book published. In his dotage, and having taught a large proportion of the Cabinet of that time, including the Prime Minister and the Foreign Secretary, he announced that he was definitely going to publish because he had made an agreement with the Yale University Press and, come hell or high water, he intended to go ahead with it. On that basis, the Government caved in and came to an arrangement with him which is well worth looking at because it is a fascinating precedent in the matter of copyright. Because

of the bust-up between Masterman and the British Government, the Government imposed Crown copyright 1972 on the book and shared the royalties, as they do to this day, with J. C. Masterman.

As for the Peter Wright book, whatever one says about books of this kind, they will continue to be written in future. The only question is whether this country and the security authorities will have any influence over their contents. Peter Wright exempted himself from the strictures of the Official Secrets Acts, not merely by moving abroad but by taking Australian citizenship. So the British taxpayer had to endure the spectacle of the Cabinet Secretary going to Australia—club class—with a team of lawyers and had to watch every day what was or was not in the British national interest being fought out in an Australian court before an Australian judge with an Australian defendant. There were no surprises about the outcome of that particular issue.

I do not seek to defend what Peter Wright did, but I draw the attention of the Committee to the effort that he made in offering to delete any material that the authorities regarded as sensitive. Individuals who have served their country well for many years can be trusted in very large measure not to spill the beans and give away secrets that jeopardise current operations and put people's lives at risk. That really does not happen.

I speak for one or two other Back Benchers when I say that when hon. Members have tried to acquaint themselves with the details of the work of the Security Service—not operational details, but the policy and principles behind the work—to be stopped dead in their tracks when told that a person of enormous experience, having served in the Security Service, should not be allowed to come to the House to explain and to answer questions is profoundly offensive not only to hon. Members but to the former member of the Security Service involved.

I have described some of the precedents relating to the Security Service. I seek the indulgence of the Committee to turn to a few of the precedents set by the secret intelligence service because that, too, has a rich literary history.

Mr. Gorst: Does my hon. Friend agree that another consequence of what is now happening is that the more one restricts the availability of something, whether it be alcohol or information, the more one increases its price? If it is necessary to sell information or alcohol to people abroad because it is impossible to sell it at home, I suspect that in both cases the price will go up rather than down and although the supply is restricted it will remain available.

Mr. Allason: I recognise what my hon. Friend says. This is no new phenomenon—it is steeped in time. Nor is it actually a matter of price. Going back to the principle of the duty of confidentiality and its role in the civil law, my hon. Friend will be aware of the case of Anthony Cavendish, who was threatened with civil proceedings under the duty of confidentiality and who, to circumvent that, decided to give away copies of his book because the Treasury Solicitor could take absolutely no action against that unless there were to be an Official Secrets prosecution —which, as we all know, is somewhat unlikely.

The literary background of the secret intelligence service is worth going into. The first major books written on the secret intelligence service immediately after the first world war were written by Henry Landau. They were published in America, only one volume being published in this country. Henry Landau was a South African living in America and he started the ball rolling. There was very little after his revelations of the Secret Intelligence Service's operations in the first world war until shortly before the second world war, when Sir Compton Mackenzie was prosecuted for revealing various desperately secret details such as the fact that the chief of the secret intelligence service was known by the letter "C".

As was pointed out in Committee when the Security Service Bill was being debated, the judge observed that if it was so deadly secret that the chief of the secret intelligence service was known as "C", why had he not changed it to "D" or "E" and had there not been some 20 years for him to do that?

The key to the Compton Mackenzie prosecution, however, is the little-known fact that the deputy director-general of the Security Service at that time not only authorised publication of the book—he was a great friend of Compton Mackenzie—but was himself a somewhat vain individual and was terribly flattered by the references to himself. This was part of the reason, I suspect, why the prosecution did not press the case very hard and why Compton Mackenzie, although convicted, was given a very small fine.

Mr. Tam Dalyell (Linlithgow): I may have misunderstood the hon. Gentleman but I hope that he was not calling Compton Mackenzie a vain individual. I knew him very well and he was not vain.

Mr. Allason: No, I was not suggesting that. The then deputy director-general of the Security Service was a very vain individual and he was terribly flattered by what Compton Mackenzie had written, hence his motive in authorising this particular disclosure and hence the appalling mess that the Government got themselves into at the time.

Mr. Dalyell: The hon. Gentleman must be a little careful in going into this particular example because Compton Mackenzie used to hold court in his house in Drummond place in Edinburgh and told, at some length, all who would listen that he felt that he was being got at on personal grounds, and that much of the case was connected with issues of personality rather than with the prosecution of the law.

Mr. Allason: That may be so. The fact remains that he was convicted and fined.

Since the second world war there has been a rich history of literary endeavour by former secret intelligence service officers. I mention in passing Hugh Trevor Roper, Professor A. J. Ayer, Graham Greene and Malcolm Muggeridge. I do not believe that any of those people ever sought permission to write about their experience in the secret intelligence service.

Two others wrote about their experiences—Philip Johns and Professor R. V. Jones. Professor Jones was given clearance to write his contribution. Perhaps the most remarkable one—and this has echoes of Peter Wright—is the experience of Leslie Nicholson. He applied to his chief, when he discovered that his wife was dying of cancer, for financial support in order to hospitalise her in America. The chief at that time declined his application and said, in effect, "The best that we can do is to commute your pension"—a remark which will have a familiar ring to hon.

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Members—so his pension was commuted and the book was published under the pseudonym John Whitwell. That book was not prosecuted in 1967 because the Government had advance warning that another senior British secret intelligence service officer—the former head of station in Washington, H. A. R. Philby—was about to put pen to paper with "My Silent War". That is part of MI6's experience. In short, there is nothing new about intelligence officers writing their memoirs, and I believe I am right in saying that at the launch party of "The Ultra-Secret" by Fred Winterbotham, almost the entire membership of the D-Notice committee was there. They may have looked glum, but they were there.

5.30 pm

The issue of intelligence officers writing books will not go away. It will be with us for a long time and if the Secretary of State believes that people can be deterred from writing legitimately about their experiences by threats of prosecution, I do not believe that to be the case. Indeed, my understanding of the vibes in the publishing business is that publishers are anxious to get their authors prosecuted because that seems to be one way to assure a world-wide best seller.

In America, a body known as the publications review board has worked extremely well. Most former directors of the Central Intelligence Agency have written their memoirs. The sky has not fallen in on north America in consequence. Recently, the Comte de Marenches, who was the head of the French secret intelligence service, wrote his book and, so far as I know, the sky has not fallen in on Paris. It is a legitimate exercise.

I would take the argument a step further. Is it not worth while, as we have public servants who develop considerable talents in their subjects and gain great experience, for the taxpayer and the public to gain some of that experience? After all, they have subsidised those people for many years. The best example of that must be the recent book "Lust for Knowledge" written by Mr. Roosevelt, who spent about 30 years in the middle east as a CIA officer, who has gained a great wealth of experience and who has a particular perception of events in the Lebanon. The world is a richer place for his book. There are no damaging disclosures in it. Apart from the integrity of the individual, he had a publications review board to which to submit his manuscript. There are a few minor interesting details, such as the fact that he is the third CIA chief of station in London successfully to write his memoirs. But apart from those details, there is nothing of operational significance and nothing to put lives at risk. In my view, the United States was wise to take advantage of that system.

When my right hon. Friend the Secretary of State discussed the background to the post-war history of the Security Service, there was one case on everybody's lips. We resisted going into that case because of the passage of time. But it is a key to what is before us today because only one document has ever been written officially and placed on the public record by the Security Service. It is a document which can be used as a sort of acid test for the integrity of the Security Service.

I refer to the White Paper on the Burgess and Maclean defections. I will not go into the details of the problems that were involved in that case, but the official version said basically that Burgess and Maclean disappeared and were not noticed missing until a Monday morning. The reality is that Burgess was spotted on a Saturday night leaving this country and that an immigration officer, having seen Burgess get on the SS Falaise, telephoned Leconfield House, the headquarters of the Security Service, where a conference was then under way on the fifth floor at which the case officers involved were discussing how they would develop the interrogation of Maclean on the Monday morning.

When the telephone call was received, a senior officer was dispatched to go home, collect his passport, go to the airport and fly to France, and intercept Burgess as he got off the ship. The ship was not due to dock until midday, so there was every opportunity to stop Burgess in his tracks. The senior officer went home, got his passport went to the airport, realised that his passport was out of date and went back to Security Service headquarters. Frantic telephone calls were made to try to revalidate the passport—and we know what happened to Burgess and Maclean.

I relate that story not to pour scorn on the Security Service. Many of us have had small problems with our passports and with validating documents and so on. The significance of the story is that the Burgess and Maclean White Paper is one of the most disgraceful documents ever to have been put on the public record, and it was penned from start to finish by the Security Service. It contains no fewer than 17 direct errors of fact. Hon. Members will not be surprised to learn that the officer who went home and whose passport was in a mess was subsequently made the head of MI5, went on to head another organisation and later received a knighthood.

Mr. Eric S. Heffer (Liverpool, Walton): The hon. Gentleman has a great deal of information which he could not have come by out of the blue. God did not send a message to him. He obviously spoke to certain people. So detailed is his information that the people with whom he spoke must have been near to or in, or surrounded by people involved in, the Security Service. That is fine. But is he aware that each one of those people—because the information might be considered damaging, certainly to the Security Service—could find themselves under the Bill being prosecuted and then perhaps in prison? Indeed, I am not certain that the hon. Gentleman is not in that position himself. I fear that under the Bill, by disclosing such matters in this Chamber, he could find himself in real difficulty. I am fascinated by his speech. It is marvellous stuff. I have read his books and I have always thought that he had close connections with certain people. I am not saying that there is anything wrong with that.

Mr. Allason: I am grateful that the hon. Gentleman does not think anything is wrong and I do not want to feed his paranoia. An enormous amount of information is available from public sources. I find it somewhat distressing, as an amateur historian who has spent some years researching these matters—much of it from open sources and a lot of it abroad—that the hon. Gentleman should have made that sort of intervention. The fact that one has taken trouble to research a subject should not be interpreted as sinister. I shall not make the argument for ignorance, but——

Mr. Heffer: It is the hon. Gentleman who is suffering from paranoia.

Mr. Allason: I am not paranoid. I believe that there is too much secrecy in this country. Only last week I received a letter from the Ministry of Defence informing me of the fact—as yet undisclosed—that two members of the armed services had defected from this country. The letter said that further details of the cases of Major Richard Squires and Robert Patchett could not be disclosed for reasons of confidentiality, although they are now listed as defectors. I despair of the attitude of secrecy in this country.

There is one acid test of the integrity of a security or intelligence service which I do not believe that my right hon. Friend the Secretary of State has made clear. From 1945 to 1972 the United Kingdom did not receive any defectors. The acid test of the integrity of a security service is that if we do not receive Soviet defectors there is something wrong with the system. Thereafter we received Oleg Lyalin. Members of this Committee, I am sure, will be reassured to know that the ability to run a successful case, such as the defection of Oleg Gordievsky, is an indication that all is well—it could be a lot better—within the security and intelligence community.

My amendment and new clause will end the practice of the D notice committee of restricting the rights of authors, which in my experience is long overdue. For anyone who says that the D notice committee protects security, I will end with the following anecdote. Peter Laurie, who wrote a book entitled "Beneath the City Streets", submitted his book to the D notice committee in the hope that material that jeopardised security would be deleted. The manuscript, however was returned to him without any changes. When he asked why no changes had been recommended, it was explained to him that to point out to a journalist where the breaches of security lay would itself be a breach of security. Peter Laurie is no off-the-wall hack or reptile. He is a distinguished journalist who became an editor of several magazines, including a computer magazine. That surely makes the case for a publications review board. Such a system works everywhere else in the world and it is high time that we had one in this country.

Mr. Michael Foot (Blaenau Gwent): The hon. Member for Torbay (Mr. Allason) has made an important contribution to our discussions. He has generally illustrated how hopeless it is to try to deal with this problem by the Government's proposed methods. My right hon. Friend the Member for Birmingham, Sparkbrook (Mr. Hattersley) at the beginning of the debate posed some direct questions to the Minister about what may happen if this clause goes through in the form presented, to which he received no satisfactory answers. We shall, therefore, be waiting to hear what the Minister says in reply.

I believe, too, that questions going back over the past 10 or 20 years or more and covering the entire question of the publication of information about the Security Service are important ones, which the Government are attempting to deal with by an absolute blanket suppression. The hon. Member for Torbay, if he has done nothing else, has illustrated what a far-reaching departure that would be from the present operations. The Government may say that it is a good thing to depart from the way in which the Government have been dealing with these matters in the past few years. Of course, there is something to be said for that, because no one in their right senses could possibly say that the Government—especially under the direction of the Prime Minister and the Law Officers—have dealt with those questions in a sensible, sane and intelligent way. The Government have cost the taxpayer huge sums. They have reached the end of the proceedings and some eminent judges have come out against them on the main way in which they were operating the security services.

The way in which the Security Service has been operated over recent years has been completely unsatisfactory and, naturally, if the Government intend to introduce a new Official Secrets Act, they should think of some reasonable way of dealing with it. They should carefully consider the recommendation of the Franks committee and others. I know that it is outrageous to suggest this to the Committee, but the Government could even have listened to the debate that we had on the White Paper. If they had incorporated into this Bill some of the major criticisms that came from both sides of the House, they would not be confronting the Committee with such a hopelessly unworkable clause.

5.45 pm

The hon. Member for Torbay has shown that the way in which the Security Services have dealt with this question during the past 10 or 20 years—possibly ever since 1911—is by way of a number of charges and counter-charges. When members of the Security Service have broken their undertaking or done something that the Government did not like, other sections of the Security Service have been incited to answer them in one form or another. During a considerable period, we had, for instance, what was known as the Chapman Pincher method of dealing with those problems. Sections of the secret service were using such journalists as Chapman Pincher, who were prepared to be used in this way, to deal with these problems, which is entirely unsatisfactory. The Government, however, were prepared to do that for a number of years. I believe, so unworkable is this clause, that if the Government attempt to push it through in this form, all they will get is a recrudescence of such attacks and counter-attacks by members, or past members, of the secret service, and the new situation would be no more satisfactory than the previous one.

The hon. Member for Torbay has proved conclusively that the Government are seeking to place a blanket suppression over an entire sector where previously no such suppression was even considered and where, indeed, they had discovered quite different ways of dealing with it. I believe that on that ground, too, this clause is unworkable. Even if it were applied to the present situation, it would soon break down, because different sections of the Security Service would have an interest, as they have in the past 10 or 20 years, in getting their story into the public domain and thereby breaking down the protections.

My right hon. Friend the Member for Birmingham, Sparkbrook put it most forcibly and I do not wish in any way to depart from his direct questions to the Minister. It must be asked, however, what will happen to the Member of Parliament who was approached by someone who, under this provision, would be breaking his confidentiality undertaking. That is an important aspect of the matter. On Second Reading Duncan Sandys was referred to in that regard, because, I suppose, that was the classic case. As I understand it—if I am wrong, no doubt I will be put right—the Government are now making illegal what happened in the Duncan Sandys case—that is to say that somebody in the secret service or associated with it, who gave evidence or information to a Member of Parliament, who

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in turn wrote to the Minister—as Duncan Sandys did—or raised the matter in the House, would be committing a prohibited or illegal act. If that is so, as I believe it is, it is an extremely serious development. It is associated with the idea that there is no public interest defence. If a public interest defence were written into the Bill, there might be the protection for the Member of Parliament, for Duncan Sandys to say, as he did, that the matter was in the public interest.

I remember those days well because I was working in Fleet street. Although the claim did not get to a court of law, in the end the matter subsided after it had gone to the Committee of Privileges and had been generally discussed here. The reason why Duncan Sandys, Winston Churchill and the others associated with them could sustain their case was mainly because overwhelmingly people could see for themselves that it was in the public interest that such a matter should be aired.

All the attempts of Hore-Belisha, the Minister for War at the time, to prevent the matter from being brought into the public domain injured nobody but himself. Undoubtedly one reason why he was excluded from Churchill's Government during the war—there may have been other good reasons—was because Churchill remembered how he behaved in that case.

It is extremely important to discover whether the Government are attempting to intervene with the sort of safety valve which operated in the Duncan Sandys case. I should like an absolutely clear statement from the Minister, who is nodding his head, that just as the Sandys case could be aired in 1938, so it could be under this legislation. That is of great importance to us.

I have been reading the background material to the Duncan Sandys case. Churchill had much to do with it and was extremely interested in whether his sources would be protected and what action might be taken against him. Over the preceding four years Churchill had received a host of information similar to that which Duncan Sandys brought out into the public domain. Some of it was the very information which enabled Churchill to make a more authoritative case about what was happening in Europe than most members of the Government of the day.

If anyone looks at the Martin Gilbert book which discusses this period, they will find the fascinating footnote on page 953 about what Churchill did after the Duncan Sandys case. Churchill did not take the frontal position in fighting the Government of the day because he wanted to preserve his position and have followers among the few Conservatives who were voting against the Chamberlain policy. I have discovered only recently that at the conclusion of the whole Sandys case—people have never noted this before—Churchill wrote on 1 September an anonymous paragraph in the Londoner's Diary of the *Evening Standard*, the paper on which I happened to be working at the time.

What he published is extremely applicable to the whole operation of the Official Secrets Act. No doubt he had it inserted in association with Lord Beaverbrook, the owner of the *Evening Standard*. Despite all their differences on many other matters, Beaverbrook was naturally eager that Churchill should have his say in conclusion on this matter, although he did not want to put his name to it. Churchill wrote:

"Although the report of the Sandys' case is long delayed and the issues are over-clouded by larger matters, it is well to repeat and inculcate the definite principle upon which Parliament, the Press and the Public will unite, namely, that the Official Secrets Act was intended for spies, crooks, traitors and traffickers in official information, and should never be invoked unless there is a prima facie case on these lines against anyone, be he journalist, Member of Parliament, or merely man-in-the-street."

That was Churchill's definition in 1938—a dangerous moment in our history—of how the Official Secrets Act should be properly limited in its operation.

If the Government had any respect for those traditions, they would have incorporated that principle into the Bill which would have separated absolutely what could be done properly under the Act and what was forbidden. If the Government acted on Churchill's recommendation, the Bill would be different. So clear is the contrast between what happened then and what happens today that the Bill might be called the Winston Churchill (Retrospective Criminal Conviction) Bill. In other words, if the Bill is passed, it will prove how shocking, unwise and outrageous the action of Churchill and Sandys was at that critical moment in our history.

It may be said that the Government and circumstances were different in those days. In those days in the House of Commons the Government had a large majority. Churchill was in a tiny minority and could hardly say what he wanted, although he sat on the same Benches as hon. Gentlemen who will move amendments shortly. In those days the Prime Minister would not listen to any representations made from any quarter, and had eased or thrown out of the Cabinet a whole list of his eminent contemporaries. In those days the Prime Minister had a House that was absolutely subordinate to his will, and the House of Commons was prepared to pass any measure he liked to present, even one as absurd as the Bill today. That was the Parliament of 1931-1939—the most wretched, evil, shameful Parliament in British history.

Sir John Stokes (Halesowen and Stourbridge): What did the Labour party do?

Mr. Foot: The Labour party opposed from these Benches. It was from these Benches that Arthur Greenwood spoke for England and that the vote on the Adjournment was put on the Order Paper in the Norway debate which led to the destruction of the Chamberlain Government and placed in power Churchill, who abided by these principles.

I ask the Government to take the Bill away and re-draft it in conformity with the traditions of real civil liberties, not only as they are presented, as they have been so forcefully, by my right hon. Friend the Member for Sparkbrook and others from this side of the Committee, but by the whole Churchillian tradition on the Government side of the Committee. Every true supporter of that tradition will vote with us in the Lobby tonight.

Mr. Richard Shepherd: I propose to speak to amendments Nos. 14 and 16.

In clause 1(1) the Government seek to strike back at the courts, common sense and common law. They are trying to justify and remedy the independent judgments of most of the world. It states clearly that a person who is or has been a security or intelligence services officer

"is guilty of an offence if without lawful authority he discloses any information."

That is not a new proposition to the Committee, because

it was the subject of the "Spycatcher" case. Indeed, we could almost call this the "Spycatcher" clause. It is the principle that the disclosure of any piece of information, no matter what it is, is an absolute offence. My amendment and those of my hon. Friend the Member for Thanet, South (Mr. Aitken) and the right hon. Member for Morly and Leeds, South (Mr. Rees) are an appropriate way for a democratic House to approach the contentions of Government. The Government have made this proposition in almost every court anywhere—in Australia, our High Court, the Court of Appeal and the House of Lords —and no one has accepted it.

It is true that our former colleague, the present European Community Commissioner, Sir Leon Brittan, echoed the view of the courts when he said that the duty of confidentiality is unexceptional and correct. I feel sure that no right hon. or hon. Member dissents from the proposition that confidentiality and the duty to observe it is unexceptionable and correct. Our interest is in how one tests that duty. Are there extraordinary cases or circumstances in which that duty is superseded? I am certain that every one of us, and the courts, by and large, recognise the exception of triviality. Therefore, the Security Service officer who confides to a friend that he has been given a gold watch for 25 years' service commits no great crime. He has revealed information without authorisation, but it is so trivial that prosecution is not justified.

6 pm

In clause 1(1), the Government assert that making such a disclosure is a heinous offence and that the entire edifice of Government confidentiality will collapse if the confidence that a gold watch has been received is revealed. The Government go beyond not wishing to prove in the courts that damage has been done. The very suggestion that a gold watch has been received is deemed an absolute crime, for which there can be no defence—not the defence of triviality.

I do not believe that triviality really concerns the Committee, so I turn to serious matters and to the possibility that a crime of iniquity has been committed. In trying to give relief from the Government's contention, we have tabled the third group of amendments, but in examining clause 1(1) we are scrutinising the Government's proposition that they have trailed and trawled in the past. I call it the "Spycatcher" contention, but perhaps I should name it the Armstrong contention.

Having wrecked Robert Armstrong's career and public esteem in Australia, the Government immediately gave him a peerage and elevated him to the House of Lords. In his maiden speech on the Bill's Second Reading there, Lord Armstrong retrailed the Government's tired, worn and very contentious arguments, saying that no servant within the security services may ever reveal anything. He tried to advance that proposition in Australia, and again in the House of Lords. The Government tried doing so in the High Court, the Court of Appeal and the House of Lords. The High Court said no, the Court of Appeal said no, and the House of Lords also said no.

The Government said that they would listen to any arguments made following publication of the White Paper. Now they say that the House of Commons does not really matter in all of this. For 300 years, we have entrusted to the High Court and to the other courts the duty of weighing up what is right and what is not. We are talking about the common law of England. Can one enjoin anyone to an absolute duty of confidentiality in connection with crime, fraud, or the destruction of parliamentary democracy?

What do the Government say? They say that one can demand such confidentiality. Clause 1(1) uses the words "is guilty of an offence if without lawful authority he discloses any information."

In amendment No. 14, the right hon. Member for Morley and Leeds, South and my hon. Friend the Member for Thanet, South and I introduce the concept that the Government must prove that damage has followed from disclosure. I commend to the Committee an examination of that concept and a rejection of the Government's nonsense that it is not a matter in which right hon. and hon. Members ought to intervene.

Mr. Heffer: Will the hon. Gentleman say what he means by "damage"? Damaging to whom? Does he mean damaging to the Government, or to the security of the nation? I can imagine a Government making out that any statement is damaging to them. However, if one can equate damage with the interests of the nation, the individual has a right to make such a disclosure.

Mr. Shepherd: I am grateful to the hon. Gentleman. What concerns the Committee in evaluating the propositions of the Executive or of the state is to whom such damage is done. Clearly the damage must be to the interests of the nation. The Government have determined, rightly, that it is a jury that must determine that. Therefore, we are considering damage to the interests of the nation. Using my example of the gift of a gold watch, clearly no jury will accept that a former or serving security officer disclosing that he received a gold watch merits a possible two years' imprisonment. Similarly, a jury considering whether divulging certain information is necessary to our functioning as a liberal democracy—one cites the example of Peter Wright—may be of many conclude that there is no merit to the defence.

If officers try to undermine a lawful and legitimate Government, it is clearly in the interests of the nation's citizens to know about it. No judge has said otherwise. Even Lord Griffiths said that, however remarkable or remote they may be, he cannot conceive that, in circumstances in which an employee of the state is in possession of such information, and tries following through all the lines of authority but can find no remedy, that citizen is not relieved of the duty of observing absolute confidentiality and of alerting the general public of the danger confronting society.

In clause 1(1), the Government say, "That is all nonsense. We do not like the Court of Appeal or the House of Lords. We do not like anything—and, anyway, the House of Commons is too dumb to understand our contentions." I would not speak so vehemently if we had not been over this ground before. On 15 January 1988, we were presented with a ridiculous White Paper that is a caricature of decency and liberal democracy. We must tolerate also the arguments of the Home Office, which is informed only by its own press releases. The Home Office no longer reads its own Bills.

The Home Office imagines that right hon. and hon. Members are dumb enough not to read the substance of the legislation that courts interpret. The courts are interested not in the dialogue we may exchange in Committee, but only in the legislation that appears before

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them. The most skilled barristers and articulators of a case will argue over the words contained in legislation enacted by the House. That is the danger. The Government no longer appreciate that there is a distinction to be drawn between Home Office press releases, which caricature the meaning of an amendment, and the words of the Bill.

Clause 1(1) asserts that a public servant may never release any information without authorisation, even if to do so will reveal criminality, fraud, the deception of the House, or the abuse or undermining of our democratic principles—that never in any circumstances may that be done. We have been arguing against that course, not just over the three weeks since the Bill's Second Reading, but for the past year. However, the Home Office asserts that it is nonsense, and the Government—through the Attorney-General and through every other office that appears before the courts—maintain that their arguments are respectable.

The Government also say that, in the last analysis, the courts will judge. But there have been court judgments, and still the Government say, "We do not like the courts' judgments, and we shall legislate accordingly. After all, the judges say that in issues of national security, it is the duty and responsibility of the House of Commons to legislate and to give guidance."

However, when it comes to matters that touch on the common law of the United Kingdom, the duty of confidentiality, while correct and lifelong, cannot be absolute in the particular. In some circumstances, such confidentiality will be against the public interest and the public good. The Committee should be mindful of that, and I hope that it will accept the amendments in the names of the right hon. Member for Morley and Leeds, South and of my hon. Friend the Member for Thanet, South and myself.

Dr. David Owen (Plymouth, Devonport): I presume that I ought to declare an interest, as I suppose that I am covered by the words, in clause 1(1)(b):

"a person notified that he is subject to the provisions of this subsection."

I have not yet been notified, but imagine that I will be, when the Bill becomes law.

The importance of clause 1 is that it deals not just with the Security Service but with the security and intelligence services. That is extremely important. For the first time, we are dealing with a new category of people. The Government have decided not to declare those people in the way that has been done in the past. I believe that that is the right decision. It nevertheless means that we must be mindful that we are legislating for a different group of people. We are also legislating, for the first time ever, in a way that could jeopardise those people's freedoms in a very basic fashion. The clause asks us to accept that those who work in the security and intelligence services should be treated entirely differently from other servants of the Crown, and it deserves, at the very least, careful scrutiny.

I think that it would have been more in keeping with the spirit of the legislation if either the Foreign Secretary or the Home Secretary had attended the debate. I mean no rudeness to the Minister, but the fact is that Ministers of State do not deal with these matters in either the Home Office or the Foreign Office. They are dealt with by the Secretary of State, and rightly so. The Secretary of State should be answerable to the Committee for these extraordinary powers, and should explain to us why he considers them necessary.

I may not carry every hon. Member with me when I say that there is, in my view, a strong case for treating people in the security and intelligence services differently. People who enter those services are indeed in a different category, and I would be prepared to accept clause 1 as drafted if it included four essential safeguards.

The first is, of course, a public interest defence. The right hon. Member for Blaenau Gwent (Mr. Foot), in an important intervention, reminded the Committee of what had been done in the past, referring to the pre-war years. I do not think that passing this measure would make much difference: if people thought that the nation's security was under threat, I believe that they would conduct themselves as they had in the past, regardless of the legislation. It is worth remembering that when Ralph Wigram, head of the central department in the Foreign Office, made the decision—agreed, incidentally, by his superiors in the Foreign Office—to begin the systematic briefing of Churchill, he would have made the same decision even if this ludicrous piece of legislation had been on the statute book, so dire were the circumstances.

The Prime Minister—who, undoubtedly, has personally rejected a public interest defence—should ask herself, believing as she does that that period showed Churchill's greatness, whether it was right to introduce legislation that would have given those public-spirited men no defence in law for their actions. What they gave Churchill was not minor information, but the deepest intelligence known to the Government of the day. Having made their decision on 26 October 1934, they sent Churchill the first significant report, describing how the Nazis were aiming to have 1,000 war planes in two years' time. They went on to give him the transcript of a long conversation between Hitler and Admiral Erich Raeder, dated June of that year, in which the Führer demanded complete secrecy about the construction of U-boats.

Those were not just reports from the ambassador in Berlin—a fat lot of use a report from him would have been at that time. They were intelligence reports, which over the years were systematically diverted towards Churchill. We only really knew about it when another member of the central department, Michael Creswell, revealed—nine years after Churchill's death—the extent of the information. In a wonderful description, he said that, sitting in the Box under the Gallery, he could not understand why the Ministers at the Dispatch Box did not realise the basis on which Churchill had obtained all the information. He concluded that the only reason was that people like Hoare and others simply had not read their own briefs. Every now and again Churchill had to make a deliberate factual mistake to cover up the fact that at that time he was probably the best-informed Member in the House, better informed than any member of the Cabinet.

If the legislation goes through, if those circumstances ever returned people who gave such information would never be able to claim in court that they had acted in the public interest. That is ludicrous and not a single Tory Member should vote for it, but not a single Cabinet Minister is here to listen to the arguments.

What is happening to the House? What is wrong with it? Why are we allowed to pass such legislation with hardly any serious scrutiny? I am delighted to see the hon. Member for Epping Forest (Mr. Norris), whom we

welcome back to the House. I said a few rude things to him during the by-election campaign, but judging by the noises that have come from him it seems that he also objects to the legislation, in which case I must take it all back. It that is so, in the first few weeks of his return to the House he will have exhibited a healthy independence, as befits the Member of Parliament for his constituency.

6.15 pm

The right hon. Member for Blaenau Gwent also mentioned the outrageous conduct of a former Member of Parliament for Plymouth, Devonport. There is some sympathy between the right hon. Gentleman and me in this regard. Hore-Belisha's conduct in the Duncan Sandys case was indeed outrageous, and was undoubtedly the reason why Churchill never forgave him..

If the Government ask us to pass the clause, they must concede the case for a public interest defence. We cannot place a blanket ban on those who work for the security or intelligence services, and provide no redress through the courts when those people believe that they have acted in the public interest. Such a defence is particularly pertinent to that category of people, and to clause 1.

Secondly, as suggested in new clause 6, tabled by the hon. Member for Torbay (Mr. Allason), there is no doubt that the House must be satisfied that an independent mechanism exists to vet the memoirs of members of the security and intelligence services. It is not enough for that to be left to the Government of the day, because they will be making judgments about the disclosure of information that affect other Governments and decisions made by other Ministers. It is possible, for instance, that a Conservative Government would not have wished for a full disclosure of what did or did not happen in the Crabbe affair. If memoirs and biographies, which will undoubtedly continue to be written, are to be properly vetted they must be vetted by a body with a measure of independence, and the House is the only authority that can be satisfied that it has that measure of independence.

That could be done formally, as suggested in new clause 6, or there could be an understanding—which has usually applied in such cases—that the Prime Minister would appoint a group of people, subject to discussions with the Leader of the Opposition. There was a time when that convention was sufficient for most Members of Parliament; I doubt whether that is still the case, and I think that we should know who will sit on such vetting bodies. It should be clear to those who write material of this kind that they are entitled to do so, subject only to an independent vetting procedure. That arrangement governs those who work in the FBI and the CIA, and we have a right to know that it would apply to those who work in our security and intelligence services.

Thirdly, such employees must have a contract of employment, which must make clear the terms on which they undertake the onerous obligation under no circumstances to reveal any information. The contract should assure them that a public interest defence is available to them, and that they have the right to go through a vetting procedure relating to the disclosure of information in memoirs.

Although provision has been made for those in the security services, those in the other category that is not covered by statute or by the Security Service Bill also need an internal procedure to allow them to bring anxieties or apprehensions, perhaps about malpractice, to an independent ombudsman or arbitrator. We have heard nothing about that. A Bill that lays a new statutory obligation on the security and intelligence services must give some satisfaction on those grounds.

In the absence of any such provisions, clause 1 deserves to be rejected.

Mr. Steve Norris (Epping Forest): It is a pleasure to follow the speech by the right hon. Member for Plymouth, Devonport (Dr. Owen). He said some rude things about me during the recent by-election, but entirely redeemed himself tonight if only because he was kind enough to notice that I am here. When I asked the previous occupant of the Chair if I might be permitted to say a few words about my distinguished predecessor, he confessed to me that he did not notice that I had been away.

Happily, my absence from the House ended in December, but it is a matter of some sadness to me that the event which precipitated my return to the House was the death of our old friend Sir John Biggs-Davison, who served in the House and sat in or near the place from which I am speaking for 33 years. The hallmark of Sir John was that, however one regarded his views, one understood him to be a man of tremendous integrity, absolute honesty and loyalty to his principles. Sir John was universally well regarded, and if he were here he would listen very intently to hon. Members' observations.

I should like to speak about that extraordinary phenomenon, a second maidenhood, although I am not sure how gynaecologically, medically or politically that is possible. My successor in Oxford, East (Mr. Smith) said some kind things about me in his maiden speech. My hon. Friend the Member for Oxford, West and Abingdon (Mr. Patten) was of great assistance to me during the years when I represented Oxford, East. The hon. Member who now sits for that constituency and I fought each other in 1983 and he shadowed me for the next four years. Because of the pathetic collapse of the Alliance in 1987, he managed to take the seat from me. He and I debated matters of policy long into the night and very hard, and in all the time that I was the Member of Parliament he never descended to the level of personal abuse. I hope that it can be said that I did not do that either. I have the greatest respect for the hon. Gentleman, and from the safety of a seat which I was advised by one of my local committee members not even a chimpanzee could lose for the Conservatives I wish him every limited success in his new seat.

I shall disappoint some of my hon. Friends who suggested to me that the glittering prizes in life are withheld from those who discomfit the Government, especially if they manage to do so in a maiden speech. In this matter I have some sympathy for my hon. Friend the Minister because the position that he is bound to defend is simply untenable.

The speech by my hon. Friend the Member for Aldridge-Brownhills (Mr. Shepherd) was characterised by the integrity and courage that we have come to recognise as his hallmark in these matters. The fundamental rationale of the Bill is to rid us of one of the most discredited pieces of legislation on the statute book—section 2 of the Official Secrets Act. We all know that section 2 does not work, because it is so ludicrously widely drawn that it is plainly unenforcible. In the Ponting case, as hon. Members will know, a jury was invited in the clearest possible terms to convict and simply said, "This is

[Mr. Steve Norris]

nonsense and we will not do so." Because it is so draconian and so widely drawn, the clause is now utterly unusable and it is perceived only as a device for the convenience of the Executive.

Clause 1 seriously implies that no person who has ever been covered by section 2—no matter how old he or she may be and how many years have passed since the events about which that person is speaking—may say anything at all. That person may not reveal even a trivial matter, and that prohibition seems to be outside the bounds of any serious attempt at legislation. He may not reveal anything serious, even if it exposes an illegality of the kind spoken about by the right hon. Member for Birmingham, Sparkbrook (Mr. Hattersley). Both sorts of information are automatically proscribed, and if a person should make such information known to us he will be the subject of a criminal prosecution. That is nonsense.

Some of my hon. Friends asked me when I intended to speak in the Chamber. Not surprisingly I said that I proposed to speak on the Bill. They said, "Ah, yes. It's nonsense, isn't it?" They are right. Clause 1 is dangerous nonsense, and the only excuse for it is that it provides a convenient tool for the Executive. The only circumstances in which it can be used, abused, are those in which the Executive simply do not want the public at large to know. That is dangerous. We have heard about the information fed to Churchill before the last war. The right hon. Member for Devonport spoke about that, and he will forgive me when I say that many of us know about that.

Sir John Stokes: Some of us.

Mr. Norris: I defer to my hon. Friend. I noted his intervention when he asked what Labour was doing at the time. I hope that I can carry my hon. Friend with me when I say that, with hindsight, there is no doubt that the information supplied at that time was vital in the ensuing conflict and in preparing the nation for that conflict. It provided Winston Churchill with the tools that were needed to enter the fray when he was called upon to do so.

I urge my hon. Friend to listen carefully to this important debate. Few debates are more important and the House should consider this not as a partial issue because, however incredible it may seem, the Conservative party will not be in power for ever. Since returning to the House I have been tempted to the view that for ever may be a long time away. This issue is about the public and the Executive.

The characteristic of conservatism, certainly the kind with which I am in sympathy, is the belief that individual freedoms are paramount and that the duty of the state is not to suppress those freedoms but to protect them. The only legitimate grounds on which individual freedoms should be proscribed are those on which there is a definable greater interest, such as national security. No hon. Member speaking in favour of the amendment has seriously denied that.

I do not in any sense deny the concept of the right to confidentiality in certain circumstances, and it is clear that for the sake of the national interest the Bill should contain such a provision. This is an important amendment, and I invite my hon. Friends to see this not as a contest between Government and Opposition or between Conservative and Labour, but as the individual against the Executive. In that context, Conservative Members will lose their credibility if they do not support the amendment.

6.30 pm

Mr. Heffer: I agree very much with the hon. Members for Epping Forest (Mr. Norris) and for Aldridge-Brownhills (Mr. Shepherd), whose amendment No. 14 goes to the heart of the matter. Let us suppose that a member of the security services or a civil servant found out that things were going wrong and, in the public interest, decided that he had to make a statement and take a stand on an issue that would affect the entire nation. Under the provisions of the Bill, that person would find himself in real trouble and in prison as a result of action taken against him.

We are talking about what may be "damaging". Let me refer to the point raised by my right hon. Friend the Member for Blaenau Gwent (Mr. Foot) about Churchill. I am glad that he got round to that point because, when I first read that Churchill had been fed with information by high-level civil servants, who were responsible for the interests of the nation, I thought how right they were to do so. If he had not been fed with all that information and those matters had not been raised in the House of Commons, alerting the nation about what was going on, the country, and particularly people of my age, would have been in an even worse situation.

I now understand precisely what is meant by the word "damaging". We must consider to whom the disclosure of information would be damaging. The Government will argue that anything that can be interpreted against their interests is damaging. That is precisely how all authoritarian Governments—indeed, most Governments—tend to argue because they do not like people saying things that are damaging to them. However, the disclosure of information may not be damaging to the nation; in fact, the opposite might be true. The nation might benefit as a result of the arguments put forward by those people. Clive Ponting was absolutely right in what he did. That is why I support the amendment. Under the terms of the amendment, a civil servant can say, "I've had enough. What I'm hearing is not good enough. I'll resign and go to the people in the country and explain what has happened." However, under the Official Secrets Act, that may be considered as damaging to the Government and that person will be in real trouble. That is the heart of the argument.

The provision for a member of the security services to go to a tribunal sounds all right. The Government will say that, if such a person goes to a tribunal, he may well be given clearance, but so what? We cannot guarantee a person's right to do this and that is an infringement of people's freedom. We do not have liberty in this country simply because the Government decided to give us our liberty. No one gave us those liberties; they were achieved over the generations. We help to keep them going now, but our forefathers fought for all the liberties and rights that we now have. They did not achieve them without a tremendous struggle. We have been arguing to get rid of certain parts of the Official Secrets Act, but, in one sense, this Bill makes the position worse than it was before and that is surely not good enough. We cannot accept it because it is an infringement of our liberties.

I do not intend to make a long speech. Some excellent arguments have been put forward, so those hon. Members who still wish to speak need only say where they stand on the issue. The Opposition's case is unanswerable. If I were on the Government Benches, I would do what I used to do regularly when I sat on that side and vote against my Government if I thought that they were wrong and that the nation's interests demanded that I do so. The nation's interests demand that the amendments are carried tonight.

Unfortunately, nowadays, relatively few hon. Members attend debates. That is sad. When I first came here and such issues were debated, the House would be almost full. Nowadays there is scarcely anyone here, so we cannot hear all the arguments. That is worrying. Hon. Members are like lap dogs; they trot in, vote and do not hear all the arguments. They have probably not even read the Bill. This is a sad day for democracy and it is about time that those of us who regularly attend debates, particularly debates of this kind, explain to our hon. Friends that it is their right and duty to be here, not only to express their opinions, but to hear the arguments, make up their minds and vote accordingly.

This is one of the most important Bills laid before us for a long time, apart from the rubbish that the Government have brought forward regarding privatisation which nearly gives me apoplexy when I read it. This is a fundamental issue concerning the rights of people and the interests of the nation and whether we allow secrecy to be extended even further under this Government. This Bill does not do what we had hoped; it does the very opposite.

I think that the hon. Member for Torbay (Mr. Allason) misunderstood me. I was not attacking him. I do not think that what he said was sinister. I do not believe that he is an MI5 or MI6 agent. I am simply suggesting that he must have friends who can give him information. His research is brilliant. It is important that he said what he did because it enables us to obtain information that we would not otherwise have. His contributions to our debates are important, and I hope that he will support the amendments.

Mr. Jonathan Aitken (Thanet, South): I join the hon. Member for Liverpool, Walton (Mr. Heffer) in wishing that more hon. Members were present to hear the arguments. I suspect that many of our absent colleagues have the general impression that the clause, as unamended, will be effective in stopping a future Peter Wright. Many hon. Members would support such a clause, if drafted correctly, provided that it limited its objective to doing just that. Patriotic Members of Parliament do not object to the imposition of the duty of confidentiality and secrecy on members of the security services—MI5 and some of the other ones that serve our country. However, the clause does not limit itself to that admirable horizon. It goes much further. The clause deals with an absolute, lifelong doctrine of eternal confidentiality at all times and under all circumstances.

That is a new-fangled doctrine. It is certainly new to our country, which traces the continuity of civil liberties from the days of Magna Carta to the days of the Churchillian tradition, amplified by the right hon. Member for Blaenau Gwent (Mr. Foot) who quoted from page 973 of the Churchill biography by Martin Gilbert. A different theme has run through our history of civil liberties from the one that suggests that there should be an eternal, lifelong duty of confidentiality. That doctrine is new to the secret service. Mr. George Young, a vice-chief of the secret intelligence service in former years, gave an interview to Mr. Richard Norton-Taylor of *The Guardian* some months ago, in which he said that during his years of service he had never known of an absolute doctrine of lifelong confidentiality and that it was new.

Who invented it? Almost certainly the Prime Minister invented it in the heat of the strong feelings that were generated by the Wright affair. One understands and sympathises with the Prime Minister's point of view. The trouble is that the moral point of view was legal nonsense when it came in front of court after court in jurisdiction after jurisdiction. It was not just. The Australians threw it out on its ear. Our own courts, at every level, disagreed with the notion that there is a doctrine of absolute, lifelong, permanent confidentiality.

There must be circumstances in which there are exceptions to that basic rule. There are at least three areas where such exceptions ought to exist. One of those areas relates to public policy. I refer to nothing that relates to operational secrets, past or present, of the security services but to public issues of debate that relate to the overall concept, supervision, management, accountability and so on, of the security services.

How wrong the Government have been is illustrated by looking at the saga of the BBC radio programme "My Country Right or Wrong". A totally responsible group of BBC producers looked at how our security services might be improved by certain changes in public policy. They invited to appear and take part in those programmes a number of former members of the security services. The programmes that were recorded were so anodyne that the director-general of the Security Service pinned on the notice boards a memorandum for his staff that gave the time of broadcast of the programmes and said that the security services had nothing to fear from them. The director-general of the Security Services was briefed by some of his former colleagues on what they had said to the BBC.

That was the attitude of the security services. They did not believe in the absolute doctrine of lifelong confidentiality extending to a prohibition on the right of former members of the security services to talk about how accountable Ministers should be, and whether there should be better oversight and management of the security services. They appeared to recognise that there were limits to the doctrine of confidentiality and that there should be sensible extensions to the right of freedom of speech.

That was not the Government's attitude. Who will forget the extraordinary scene when the Attorney-General rushed to the Dispatch Box on a Friday morning to announce that he had banned the programmes and had issued writs? He caused mayhem in the BBC by placing a total ban on the programmes, in observance of the absolute doctrine of confidentiality that he named several times in this statement. What happened when the dust had settled and the plethora of writs subsided? After dialogue and a good measure of common sense it was found that not a single comma or word of those radio programmes had been deleted. The only interesting fact is that almost nobody listened to the programmes or commented on them. Except to a few specialists, the programmes were very dull.

[Mr. Jonathan Aitken]

6.45 pm

It is clearly a civil right of former Crown servants to use their common sense and to comment from time to time on public policy issues. The more general area of civil rights for Crown servants was superbly highlighted by the intervention of the Minister of State, my hon. Friend the Member for Oxford, West and Abingdon (Mr. Patten), during the speech of the right hon. Member for Birmingham, Sparkbrook (Mr. Hattersley). If it had been scripted by a television producer to illustrate perfectly how seriously we are trampling on the civil right of Crown servants in this matter, he could not have done better. Talk about people rushing in where angels fear to tread.

The Minister of State demonstrated clearly that a Crown servant who briefed the right hon. Member for Sparkbrook on the fact that his telephone was being illegally tapped and that his house was being illegally burgled would be guilty of a criminal offence, even though he might be able to put it right later by going to a tribunal. That is a pretty serious limitation. We are not talking about a complete fantasy. The French secret service got up to some totally illegal bombing activities when it bombed Greenpeace and others. If civil servants are not to have the right under any circumstances to talk to a Member of Parliament or a Privy Councillor about their worries, we are being unreasonable in placing these limitations on Crown servants' common sense, loyalty and civil liberties.

Mr. Paddy Ashdown (Yeovil): The hon. Gentleman is making an extremely interesting point, but let me put another case to him. A civil servant might get to know of a private security firm that is under contract to the Government and that, without the statutory constraints that are laid on MI5, is operating in just such a manner. Even under those circumstances the civil servant could not bring that matter to the attention of the Member of Parliament concerned.

Mr. Aitken: The leader of the Social and Liberal Democrats is right. The clause that we are discussing refers to any information that is ever come across as a result of a person's employment in the security services.

Mr. Hattersley: The hon. Gentleman was kind enough to remind the Committee of a question that I asked the Minister of State, who is the focal point of, and who will become the star of, this debate when it is discussed in years to come. The hon. Gentleman said that the concession had been made that if my telephone was being illegally tapped and my house illegally burgled, it would be a criminal offence for a member of the security services to tell me and that it would be an offence for me, having found out that fact, to tell anybody else—certainly a solicitor. It is now put to me by those who understand the law—and I ask this question during the hon. Gentleman's speech so that the Minister of State can contemplate the matter—that were I to discover from a member of the security services that my house was being illegally burgled and that my telephone was being illegally tapped, it would be an offence for me even to tell a policeman. I think that the Minister of State ought to consider whether that would be the case.

Mr. Aitken: I think that I am going to go out and buy shares in companies that make handcuffs. It is becoming clearer and clearer that the special branch will be arresting a whole chain of people who have no business to be charged with criminal offences because, in one capacity or another, they are receiving information quite properly and handling it quite appropriately.

I hope that the Minister of State will not try to escape from this argument by referring to the staff counsellor. The tenure of the staff counsellor is very transient. Nobody has made that clearer than the Minister of State, who refused to write his responsibilities and role, even in the words of the Prime Minister, into the Security Service Bill. That staff counsellor can be blown away in one puff of a written answer just as he was appointed in a puff of a written answer. I have considerable doubts about whether he is in any way a safeguard to the civil liberties that we are discussing.

The argument about memoirs was ably dealt with by my hon. Friend the Member for Torbay (Mr. Allason) when speaking to new clause 6. He did his best this afternoon to turn *Hansard* into an illegal bestseller. I think tomorrow at the Vote Office we will need a notice saying, "Burn before reading". My hon. Friend's idea of a publications board is good. Such a system operates effectively in the United States. We should not miss the effective sanction by which the Central Intelligence Agency can, with the most punitive legal weapons, go after those who try to break the rules in definance of the publications board or whatever it is called.

We cannot allow the Government alone, without any independent involvement, to be the sole arbiter of whether memoirs are authorised. We cannot have Mr. Chapman Pincher's version, as Mr. Wright told him, being the authorised version and being allowed to be printed when Mr. Peter Wright's version is pursued in courts all over the world.

The position on memoirs is unsatisfactory. The Minister of State got into trouble on Second Reading when he was threatened with withdrawal of support by my right hon. Friend the Member for Brighton, Pavilion (Mr. Amery). The Minister of State tried to buy him off by involving the staff counsellor; he said that somehow the staff counsellor would be helpful to authors. When Mr. Anthony Cavendish approached the staff counsellor on his book he was refused an appointment, so the staff counsellor was a fat lot of good. After my right hon. Friend the Member for Brighton, Pavilion wrote to the Home Secretary to make that point, lo and behold, suddenly Mr. Cavendish was given an appointment with the staff counsellor. I understand that he met him this morning. I am not aware of what went on. I think it was a case of tea and sympathy and not much more.

The fact remains that the sudden intervention of the staff counsellor is a cosmetic device and of no relevance to the theme put forward by my hon. Friend the Member for Torbay. We have had many memoirs in the past. There is no reason why there should not be responsible ministerial or other memoirs provided they are properly vetted by an independent element. A publications board is a good idea.

Mr . Dalyell: I fear that Brighton, Pavilion, must be more effective than Linlithgow. I wrote asking Ministers to allow Anthony Cavendish, with whom I was much involved, to see Sir Philip Woodfield, I thought responsibly, at an early stage. That request was denied. What else has Sir Philip Woodfield done as a staff

counsellor? He was a distinguished civil servant and private secretary to Ministers. What else has he done since becoming staff counsellor?

Mr. Aitken: When we put down parliamentary questions to find out what Sir Philip Woodfield has done and is doing it will be interesting to see the answers. Perhaps we will be told that these are security matters which we cannot discuss. I suspect that will be the answer.

The more one considers these problems the more one realises that they cannot be dealt with by the all-singing, all-dancing, all-embracing doctrine of lifelong confidentiality. That is what the clause seeks to impose artificially in a manner contrary to our parliamentary, historical and judicial traditions. We must remind ourselves that we are sent to the House not just to pass laws but to preserve liberty. We could easily adjust the clause by a couple of good amendments such as amendment No. 14 in the name of my hon. Friend the Member for Aldridge-Brownhills (Mr. Shepherd), the Opposition amendment or new clause 6.

Mr. Allason: Does my hon. Friend agree that there is a great difference between the Bill and the introduction of an all-embracing contract for present and perhaps future employees of the Security Service and all other Crown employees which they could opt in or out of? The problem is that the Bill is retrospective. It will cover people with even the most vague connection with intelligence from the first world war.

Mr. Aitken: If there are such people, no doubt my hon. Friend will trace them and get a good story out of them. However, he makes a serious point about contracts. We were told repeatedly by the Attorney-General that the basis of the case against Mr. Wright was that he had a contract which he had violated. When I suggested that that was wrong, I was told that I was being ridiculous and that it was an outrageous suggestion. Of course, the courts ended up finding that there was no contract and no legal relationship. We have to do better than the present laws.

The right hon. Member for Plymouth, Devonport (Dr. Owen) asked a good question. He asked what had happened to the House of Commons which, apart from a minority of Members, does not listen properly to argument. The Committee does not seem to worry about the preservation of liberties; it is not interested in amendments. The Government have encouraged that philosophy by refusing to accept any amendments to legislation on the great issue of security. They seem to suggest that it is perfect legislation brought forward by perfect legislators—a ridiculous proposition.

Something is wrong with the House of Commons. There is a strong note of unanimity in the speeches from all parts of the Committee. I hope that the message will get across to those who are listening that there is something rotten in the Government's state of Denmark in regard to the clause.

Ms. Diane Abbott (Hackney, North and Stoke Newington): The major point on the group of amendments relates to the doctrine of lifelong confidentiality. A minor point is touched on in new clause 6, which was ably moved by the hon. Member for Torbay (Mr. Allason). New clause 6, which suggests the setting up of a publications review board, could be described as a job creation scheme but it is none the worse for that. Even at this late stage I urge Ministers to consider the sensible and practical suggestion for job creation in the new clause and to support it.

It is not often that we contemplate personal human tragedy, but I want to draw attention to the sad case of Sir Robert Armstrong who destroyed his standing in public esteem and his reputation for future generations by chasing off to Australia and other points west in defence of the doctrine of lifelong confidentiality. I need only quote his words from the book on the "Spycatcher" case by Malcolm Turnbull. At one point in the trial poor Sir Robert Armstrong turned to Malcolm Turnbull and said, "Don't worry about me, Mr. Turnbull, I am just a fall guy." And a fall guy is what he was—pursuing through the courts the nonsensical notion of absolute confidentiality.

In putting forward the proposal in the Bill the Government are being fundamentally dishonest because they know that the practice will continue as before and that the secrets about the Security Service that they want to be made known will get out through what can best be described as the Chapman Pincher route. Mr. Chapman Pincher has been used for years by the Government and by the security services to bring into the public domain information which cannot be brought out any other way. He was described by a leading historian as a conduit for leaks from Government Ministers. To quote:

> "The columns of "*The Express*" may be seen as a kind of official urinal in which, side by side, high officials of MI5, MI6, sea lords, permanent under-secretaries, Lord George Brown, chiefs of the air staff, nuclear scientists, Lord Wigg and others stand patiently leaking in the public interest."

It is dishonest of the Government to bring before us the notion of permanent confidentiality when they know perfectly well that it has been breached and will continue to be breached by what we might call the Chapman Pincher or public urinal method.

It is not clear to hon. Members what the Government's rooted objection is to the practical vetting of the memoirs of spies or members of the security services such as exists in the United States of America. It is particularly important to look at the matter seriously in the light of last week's debate, when the Government refused to take on board the idea of serious political or administrative oversight of the security services. In the group of amendments, and especially in new clause 6, we ask the Government, even at this late stage, in the interests of practicality and common sense that a few retired gentlemen who have served their country well should be able to turn an honest penny. In the interests of showing what the House thinks of the Chapman Pincher public urinal method of journalism, I ask the Government to reconsider their attitude to the amendments and to new clause 6.

7 pm

Sir Ian Gilmour: I want to speak briefly at the end of a remarkable debate. I agree with the hon. Member for Liverpool, Walton (Mr. Heffer) that it is a pity that more people have not heard it. It used to be thought that to have the Committee stage of Bills on the Floor of the House was a constitutional safeguard—and this is a constitutional Bill—but that is no longer true. Few people hear the arguments and then the block vote is trooped in—or bussed in—and that is that. In an ordinary Standing Committee, one or two hardened sinners are allowed to infiltrate and the others have to listen to the arguments.

[Sir Ian Gilmour]

That is more likely to produce an acceptable result than a Committee of the whole House. I am not suggesting that the Government had realised that—they clearly thought that they were doing the right thing—but there is a defect in the current procedures.

There is a defect in the Bill, too, as this debate has clearly shown. The Bill is, after all, supposed to be a liberalising measure, but anybody listening to the debate would find it difficult to see anything liberal in clause 1. As my hon. Friend the Member for Aldridge-Brownhills (Mr. Shepherd) said, the absolute blanket stipulation that members of the secret service or anybody who has ever been connected with them are automatically not allowed to say anything should not appear in a parliamentary democracy. The hon. Mr. Justice Scott said that the life-long duty of confidentiality was not attainable this side of the iron curtain. He was right, and the Bill should not be this side of the iron curtain either, in a number of respects.

Several hon. Members have suggested the safeguards that are needed. In his winding-up speech, my hon. Friend the Minister may not be the only boy on the burning deck because he may have one lone supporter, but he must be aware that anybody who pays attention to the Bill knows that the overwhelming opinion is that the Bill requires serious amendment. I hope that the Committee will not face a series of blanket noes to avoid a Report stage, as has happened on other Bills. The idea that no amendment will be accepted by the Government is unacceptable to the House. I am sure that that is not my hon. Friend's view.

Mr. John Patten: I can reassure my right hon. Friend. The Government have tabled one amendment, so there will be a Report stage as he wishes.

Sir Ian Gilmour: That deals with one of my concerns, but not the other. I hope that my hon. Friend does not mean that the Government will reject automatically all the other amendments.

Mr. Corbett: The right hon. Gentleman should not be entrapped by the Minister. If he looks at the Government amendment, he will see that it is playing with Parliament.

Sir Ian Gilmour: Nevertheless, the mere fact that a Government amendment has been tabled means that the Bill must have a Report stage, albeit a fairly truncated one. That does not alter the point that I am trying to make. I hope that when the Government hear the arguments which, with one solitary, but no doubt important exception, they will have a duty to pay some attention to what has been said in Committee.

Mr. Robert Maclennan (Caithness and Sutherland): The Government have chosen to have the Bill discussed by a Committee of the whole House because it is a matter of constitutional importance. However much it may convenience the Government's management of business, it none the less gives a stamp of seriousness to the debate, which is not usual. But if the Bill is a matter of constitutional importance, the Government are treating it in an unusually unserious way. I add my voice to those that have already been raised in criticism of the fact that no Minister with responsibilities for these issues has been in the House for the whole debate, which has now run for almost three hours. That is treating the Committee with less than appropriate attention in a matter of constitutional seriousness.

There is a second important issue in introducing constitutional change. Bills that effect constitutional change—and they are supposed to last—should not be introduced in a partisan fashion, without a broad degree of support or change. The Official Secrets Act 1911 has been very much criticised—and rightly so—for many years, but it must be recollected that at the time when it was introduced it had broad-based support in the House. The Government, in bringing forward this Bill, have no such support. Not one speech has been made so far in the debate in support of the provisions in clause 1 which seek to introduce an absolute offence that will apply to members of the security and intelligence services throughout their lives. The fact that there have been no speeches in support of that suggests that the Government have got it wrong.

The Government should do as they did on an earlier occasion when seeking to tamper with a fundamental right —the right of those charged with criminal offences to enjoy the privilege of being tried before a jury. They put forward the proposition that there should be no jury trial for those accused of serious fraud. Eleven out of the 12 speeches in the debate attacked the idea and the Government properly scrapped it. I suggest that that would be an appropriate action for clause 1. If there had been a great inquest into section 2 of the Official Secrets Act 1911 that came up with a proposal that enjoyed broad-based, cross-party support and support in the country at large, the Government's course might have been understandable, but that is not the case.

The committee set up to examine the provisions of the Bill, under Lord Franks, addressed the issues that we debated earlier. It addressed specifically the question whether members of the security services should be absolutely responsible for information and it concluded that they should not be. In paragraph 124 of its report, the committee included specifically information relating to the intelligence and security services, information obtained by them and information about internal defence and security as being proper for the test of serious injury. Some test of harm is surely appropriate in this case, and surely the hon. Member for Aldridge-Brownhills (Mr. Shepherd) is right in seeking to point to the ridiculous position that the Bill creates when, under the disclosure of the most innocent information about the conduct of the Security Service, an individual is capable of being subject to prosecution.

I do not think it right that the criminal law of this country should stray so far from reflecting the moral perception of people in this country that it makes those in public service—the Security Service is an important arm of public service—guilty of offences of that kind.

In a trenchant leader—one of many attacking the proposal—the *Financial Times* stated:

"It cannot be criminally wrong to point the finger at iniquity."

But that is what the clause would achieve or seek to achieve because there is no prospect whatever that public-spirited members of the security services will be deterred from pointing a finger at iniquity because of this clause.

What the Government are now doing will be done in vain. This is simply a foolish response to defeats sustained in courts in this country, first on appeal before the House

of Lords and in other jurisdictions around the world. It does not reflect the Government's considered judgment of how to strengthen the Security Service—it reflects the petulant response of the Prime Minister, made in the heat of the embarrassment about the Wright affair. There are lessons to be drawn from the Wright affair and we shall turn to some of them in our discussions on later amendments.

Mr. Dalyell: On the question of iniquity—the hon. Member is a lawyer and I am not—does this not overturn or at least damage the case of Gartside *v.* Outram, in which there was a judgment that in no circumstances can there be confidence in iniquity. I should like a legal opinion from the Minister or from Home Office civil servants on the effect of the classic 19th century case of Gartside *v.* Outram in relation to iniquity.

Mr. Maclennan: I wish that I could help the hon. Gentleman, but I am not sure that my legal knowledge extends as far as that with which the hon. Member for Linlithgow (Mr. Dalyell) credits me. Perhaps we should invite the Government to bring the Attorney-General to the House to answer that question because then we would at least have someone who is involved in such matters to advise the House.

Mr. Richard Shepherd: I am sure that if the hon. Gentleman reflects for a moment he will remember that the judgment was that one could not enjoin a citizen to confidentiality where a crime is involved. It was rich language, but it struck true and that is what the Government are trying to strike against.

Mr. Maclennan: I am grateful to the hon. Gentleman for refreshing my memory.

As I have said, the criminal law of this land should seek to reflect the moral perceptions of society and this clause plainly does not do so. It does not reflect the moral perceptions of this House and it will be a constitutional outrage if the Government press ahead without accepting the amendments which have been so cogently deployed by members of their own party.

The other amendments are meritorious and I suspect that there is much agreement in the House, especially among those who are present, regardless of party, that this occasion is very much an illustration of the way in which the House of Commons can operate effectively—that is, if the Government do not simply roll in their absent Members.

The right hon. Member for Birmingham, Sparkbrook (Mr. Hattersley) is assuredly right in seeking to amend, in amendment No. 71, the provision that the clause should apply not only to those who are in the service, but also to those who have been in the service. The hon. Member for Torbay (Mr. Allason) is also right to seek to provide a means of scrutinising effectively and fairly the publication of memoirs by those who wish to give information and advice in the public interest about their experiences in the Security Service.

Those amendments are needed and if they are accepted they will not invalidate the purpose of the Bill. They will strengthen the Bill and make it a more generally acceptable means of modifying the more unenforceable sections of the Official Secrets Act 1911.

7.15 pm

Sir Richard Body (Holland with Boston): I am sure that my hon. Friend the Minister of State is poised and ready with a powerful speech, but before he replies I should like to take a minute in which to ask him a question because I do not want to become a criminal—still less to be guilty of a crime relating to the safety and security of our country.

In the 1970s I was an officer in an organisation that was campaigning against our membership of the European Community. I had a telephone call and subsequently a meeting with someone who was in the security services. He said that he did not doubt my good intentions but he warned me that my telephone was being intercepted. The reason for that was the fact that I was serving on a committee and seeing a great deal of someone whom the older Members of the House will remember, Anne Kerr, then the hon. Member for Rochester, who was then married to Russell Kerr, then the hon. Member for Feltham. I was warned to be careful of what I said on the telephone whenever I spoke to anyone.

I suppose that my informant, who was a good friend —obviously I must not reveal his identity now—was guilty of a crime. Having heard what the right hon. Member for Birmingham, Sparkbrook (Mr. Hattersley) said, I am beginning to wonder whether, if the Bill were on the statute book now, I would be guilty of a crime in telling the Committee that 15 or 16 years ago I received that information.

My hon. Friend the Member for Thanet, South (Mr. Aitken) spoke of all sorts of dire things happening and said that policemen would frequently be in and out of the House with handcuffs. Surely that is going a bit too far. Does my hon. Friend agree?

Mr. John Patten: I shall comment on that in my reply.

Sir Richard Body: Perhaps my hon. Friend will assure me that I am not a criminal and that he will not make me a criminal—I hope so.

Mr. Norman Buchan (Paisley, South): I feel that I should cap that story. I have already spoken about my experiences in relation to MI5 and the security services. However, on one occasion I received two letters on the same day. They had been put into the wrong envelopes. One came from the south of England and one from Glasgow. Each had arrived in the wrong envelope because they had been opened and incorrectly replaced.

At least one Opposition Member has welcomed the hon. Member for Epping Forest (Mr. Norris) to this debate. I should like to do so, too. He has made a trenchant arrival, but I must warn him that things have got a lot worse since he was a Member. One reason why the Chamber is bare for such a debate is that his hon. Friends are terrified that, once more, they will be convinced that the Government are wrong. It is simpler to come in just to vote for the Government than to listen to the arguments. The hon. Gentleman will find that out for himself in due course.

The Bill was heralded as a reform of the portmanteau provisions of section 2 of the discredited Official Secrets Act 1911. The reform was initiated when we were full of discussions about the nonsense—for this country, the humiliating nonsense—of the "Spycatcher" affair and its revelations. It was supposed to have, and was thought to have, picked up some of the conclusions that their

[Mr. Norman Buchan]

Lordships had reached during the past few years, including the last one that was in favour of a public interest defence. That has been totally ignored. In the same way, the Government ignored the other matter that was expected to be included—that there should be some democratic supervision over MI5.

The problem with clause 1 is that it ignores both those matters. By placing MI5 under completely secret supervision instead of some form of democratic scrutiny, the Government have made the provisions of this Bill an even more serious issue. If MI5 was open to some supervision, with reports, however minute, made to this House, the absoluteness of the Bill would not be so serious. The matter cannot therefore be considered in isolation. The Security Service Bill and this Bill must be taken together.

The Home Secretary disappeared from the Committee on the Security Service Bill and has not been present in this one. Perhaps he was afraid that he too might be convinced by our arguments and find himself in the wrong Lobby. It is disgraceful that the Home Secretary is missing from the debate on this issue, which is at the heart of the freedoms and liberties of this country. This issue is associated with other matters, including, for example, Government interference in the programme "Death on the Rock" in broadcasting and the monopoly of the press. We are being surrounded by an apparatus of secrecy which is the more difficult to penetrate. The Government have now produced a definition to make that form of secrecy absolute.

It is no use the Government saying that such secrecy is limited to those in the security and intelligence services. It goes further than that. In the past, people in my case have been opening my mail and replacing letters in the wrong envelopes. There have been other much worse cases, including those of Ponting and Tisdall.

In the case of Ponting, the sensible jury rejected the nonsense of guilt. That was an interesting case, and I do not know why the Government are afraid to appoint half a dozen honest men and true from among right hon. and hon. Members. They saw how intelligently the jury cut through the nonsense of the judge's direction and said, "This is nonsense. Yes, you have proved that legally this man may be guilty but he cannot be guilty of disclosing an iniquity." A similar view was taken by the judge in the Gartside case in the last century.

Previous laws have failed, and it is nonsense to call this Bill a reform. The Government were compelled to introduce a change because they failed to achieve a conviction and Ponting was found innocent. They had to find other methods. They used confidentiality until this Bill was produced. That was meant to be used in commercial issues. They misused that provision in the case of the Swiss chemical firm of La Roche. When they realised that they were coming unstuck, they used injunctions to prevent any examination or publication.

The Government have now introduced this so-called reform of the secrecy Act. First, we are told that the guilty person is one

"who is or has been"

a member of the security and intelligence services. The retrospective nature of the legislation has been raised. If such conditions did not exist when a person took office, it would be disgraceful for them to be imposed later. I cannot understand why the Government are not taking that point on board. The Home Secretary should be here to listen to the arguments.

The "Spycatcher" judgment was based on two factors. The first was that the information was already publicly known. Under the Bill, however widely publicised it was, anyone revealing it would be found guilty. If Peter Wright were here, he would be found guilty even though the judges have already decided that "Spycatcher" is publishable. It is dangerous nonsense.

I said on Tuesday that we have seen the subversion of parliamentary democracy. The sovereignty of Parliament is being replaced by the sovereignty of the Executive. The Bill says that an offence is committed if security information is disclosed "without lawful authority". What are we coming to? Until now, offences have been committed only when there has been proof of wrongdoing. The Executive are put in conflict with the people because the people are entitled to know if iniquity is taking place. I should have broadcast more powerfully the incidence involving the two envelopes and the phone tapping.

The Executive are also put in conflict with Parliament. We have seen difficulties in attempting to get at the truth in matters other than those involving security. For example, there were problems over the Westland case and the Belgrano. The Select Committees, established to obtain the truth for Parliament and, therefore, for the people of this country, are confronted by an Executive who tell their civil servants and former Ministers, such as Leon Brittan, "Thou shalt not tell the truth." My right hon. Friend the Member for Dudley, East (Dr. Gilbert) put a series of questions to Leon Brittan in the Select Committee in order to show what he was not prepared to answer. For about five columns of the report of the proceedings, Leon Brittan—we can now mention him by name as he has taken whatever manor he is supposed to have for his new job—refused to answer. Also, civil servants were instructed not to answer. We have permanent secrecy and people are bound by that secrecy indefinitely. We have no instruments in Parliament with which to rectify that.

I do not approve of a Bill of Rights or Charter 88 and so on, but we must legislate to introduce certain rights. One of those rights must be the right of a Select Committee to put civil servants and others under oath if the House gives the Select Committee that right. There is no other way of obtaining the truth, given an Executive of this sort.

Mr. Dalyell: Mr. Powell and Mr. Ingham were instructed not to appear.

Dr. John Gilbert (Dudley, East): Select Committees have the right to put people under oath. The Select Committee on Trade and Industry, of which I am a member, did that recently in the petrol retailing inquiry. There are plenty of precedents for that. The difference is that, when a witness is put on oath before a Select Committee, all the penalties that attach to perjury apply to any false evidence.

Mr. Buchan: That is valuable and helpful, but clearly that right must be strengthened.

I apologise to my hon. Friend the Member for Linlithgow (Mr. Dalyell). I missed his point as I was involved in a hurried discussion with my right hon. Friend the Member for Dudley, East (Dr. Gilbert).

Mr. Dalyell: I said that Mr. Powell and Mr. Ingham were instructed not to appear.

Mr. Buchan: That is a powerful absolute silence. We must have the right to put people under oath, and we must understand it and be prepared to use it. If we are to fight back against the sovereignty of the Executive, both sides of the House must combine to fight for freedom.

Mr. Maclennan: I was slightly disappointed to hear the hon. Gentleman say that he is opposed to Bills of Rights. He will recognise that article 10 of the European convention on human rights guarantees the freedom of communication which clause 1 is seeking to deny. Article 10 would undoubtedly be the subject of an appeal if the matter came to our domestic courts. I hope that the hon. Gentleman will agree that there is much to be said for not having to go to Strasbourg but being able to invoke that right here.

Mr. Buchan: I am not taking an anti-EEC attitude on this. If we cannot achieve freedoms in the House, and if article 10 could achieve that I would be prepared to use it. However, we want that power in our domestic legislation.

I am concerned about the constitution, and unhappy about a written constitution being handed over to the judiciary alone. That is not the right way forward. Many legislative measures must be introduced to guarantee rights, but I am not advocating an entire constitution or Bill of Rights to govern our business. But what we have relied on in the past to protect our democracy and rights —the sovereignty of Parliament—has fast disappeared. We all know it no longer exists. We now have the sovereignty of the Executive. That has been due not only to the behaviour of the Executive but to the cowardice of Parliament. We need some courage, and let us hope that we see some on this occasion. We cannot allow the Bill to go through in this form.

I have nothing against the Minister of State, but it is a disgrace that he is replying to this debate instead of the Home Secretary, whom we entrust with these matters. The right hon. Gentleman should have been here to listen to the debate. We do not accept that the Minister has surrendered to the arguments of last Monday and Tuesday by bringing us a little tiddler of an amendment. There will be a Report stage, and I hope that the Minister's hon. Friends who are on the side of goodness and justice will take advantage of that, as I intend to do.

7.30 pm

Mr. Anthony Coombs (Wyre Forest): Given that my voice is just about to become an official secret I shall be extremely brief.

An objective observer would find curious the apparent enthusiasm for a public interest defence for members of the Security Service. It has taken eight years, and innumerable White Papers and abortive private Members' Bills to arrive at this significant improvement to the Official Secrets Act 1911. It is equally curious to hear the right hon. Member for Plymouth, Devonport (Dr. Owen) and other Opposition Members arguing so strongly for these reforms since, when in office, they did nothing to promulgate them.

The furthest that the Opposition got was the 1978 White Paper. It effectively gave absolute protection against disclosures by the intelligence services. It proposed a system of ministerial certificates which would be issued by the Ministers concerned and the Attorney-General and would determine that there was a potential for "serious injury to the interests of the nation". If the Ministers involved decided that, the prohibition on members of the intelligence services saying anything, before, at the time, or afterwards, would have been every bit as comprehensive as that in clause 1——

Mr. Richard Shepherd: My hon. Friend has misunderstood that White Paper, which also derived from Franks. There was an injury test; that was absolutely understood by Franks, and the former Home Secretary, the right hon. Member for Morley and Leeds, South (Mr. Rees) will confirm that.

The difficulty that this and previous Governments have faced is that of how to produce the evidence in court. Franks suggested doing that by ministerial certificates, but there was no question but that a test had to be met. The problem with clause 1 is that no tests must be met. I hope my hon. Friend appreciates the difference.

Mr. Coombs: I do. However, the effect of those ministerial certificates, if they claimed serious injury to the interests of the nation, would be conclusively to prohibit revelations by members of the security services. What is more, the Labour Government made no legislative proposals as a result of the White Paper—they just sat on it—and they did not even give unequivocal support to Clement Freud's Official Information Bill, which made the same sort of proposals as the Labour party now so warmly supports.

It is not unreasonable to recognise that there are some areas of policy, Government activity and secret service activity which are so crucial to the interests of the nation that they should never be released. That is accepted as a contractual obligation by people entering the service. These matters cannot be released in the courts. That was implicitly recognised in the failure of the Labour Government to reform the Official Secrets Act 1911. At least this Government have brought in additional significant safeguards to allow people who are disaffected and aggrieved in the security services to complain. Under the Labour Government there was no staff counsellor to deal with these complaints. There is now also a direct appeal to the Home Secretary, then to the Attorney-General and then to the Prime Minister. There are at least six people who may take a different or the same view as that of the aggrieved member of the service. That would provide a strong defence against any sort of conspiracy, and would throw an effective cloak of secrecy around the Security Service.

Mr. Corbett: The hon. Gentleman's speech should be marked at this moment. The debate has been in progress for three hours; he will not know, because he has not been able to be with us, that his is the first speech in favour of the Bill all afternoon.

Secondly, I offer the hon. Gentleman a piece of advice: he should keep out of the Members' Lobby, because he will be lassooed to make speeches without having heard those that have gone before.

Mr. Coombs: That remark was unworthy of the hon. Gentleman. Having spent an admirable weekend with him in Nicosia I may say that it was uncharacteristic of him —*[Laughter.]* I should have said "with the hon. Gentleman and others". He should realise that I spent five

[Mr. Coombs]

hours sitting in the debate on the Security Service Bill without speaking, and another five likewise during an Official Secrets Bill debate, and my interest in these matters is well known. Sadly I was not called in those debates.

Edmund Burke said in the 18th century:

"It is a general popular error to imagine the loudest complainers for the public to be the most anxious for its welfare."

This debate has been significant evidence of that. If we do not operate a regime like that offered by clause 1, we shall allow a selective, pick-and-choose regime of secrecy in the security services, which will undermine their effectiveness. That will be bad for the services——

Mr. Norris: I understand my hon. Friend's strictures, but he should not imagine that we who have pointed out the value of the amendments to the clause do not believe that there should be a strong and effective mechanism to ensure that that which should be held secure is so held. What is more, we believe that those who breach such proper regulations should be properly dealt with and punished. I and my hon. Friend the Member for Aldridge-Brownhills (Mr. Shepherd) have argued that the clause as drafted imposes such an obligation in terms of time and in terms of the omnivorous nature of the subject matter, that it is rendered effectively unworkable. Surely that is what my hon. Friend should deal with.

Mr. Coombs: Any other clause would shoot the security services and their hold on secrets full of holes. It would amount to telling aggrieved members of the Security Service that, provided they went through the procedure and happened to disagree with the staff counsellor, the Security Service commissioner and the Prime Minister—and the Home Secretary—however sensitive and damaging their information might be, they could go ahead and disclose it to their hearts' content. That is a "pick-and-choose" way of operating a security service. It would be immensely damaging not only to the effectiveness of the Security Service but to its unity and morale which are so important to its efficient work.

Mr. John McWilliam (Blaydon): Clause 1 does not refer just to the security services. Clause 1 (b) refers to other people who may come to have information which is by its nature a matter of national security but who have not, because of their occupation, taken the kind of Trappist vows that the hon. Gentleman seems to imply should be taken by members of the security services.

Mr. Dalyell: Right hon. and hon. Members and personal friends of the late Russ Kerr would be more than curious at the Minister's reply to his hon. Friend the Member for Holland with Boston (Sir R. Body). It is the clear memory of some Opposition Members that at least Russ Kerr believed that he had been mistreated by the security services. My right hon. Friend the Member for Blaenau Gwent (Mr. Foot) nods in agreement. What the hon. Member for Holland with Boston has said must surely be answered. It is a most serious matter. Our departed, deceased colleagues have rights. Some of us want to pursue this matter and to learn what the Government think about it. I speak as one who happens to have a different view of the European Community from that of Russ Kerr.

I wish to put six reasonably succinct questions on the amendment. There is a great deal that we need to learn. One of them is a repeat of a question that I asked on 21 December 1988 on Second Reading.

Mr. Heffer: Before my hon. Friend goes on, I wish to raise a very important matter in relation to Russ Kerr. I want to make it quite clear that Russ Kerr was a bomber pilot in the Royal Australian Air Force and spent four years in that service. I want to know the answer precisely because of that and because he was my friend.

Mr. Dalyell: I endorse that with some feeling. Russ Kerr's war record is second to no one's in the House.

On Second Reading I said:

"I asked a former Prime Minister"—

the right hon. Member for Old Bexley and Sidcup (Mr. Heath)—

"a question about someone acting like Desmond Morton acted for Churchill. The former Prime Minister said that the Home Secretary would have to answer. The Home Secretary shook his head, and I believed that he thought that anyone in Desmond Morton's position would not be prosecuted."

I then asked:

"May we have some reflections on that? I believe that some people think that someone like Desmond Morton would find himself in prison."—[*Official Report*, 21 December 1988; Vol. 144, c. 528-29.]

I admit straight away that retrospective cases are always difficult—I can see the Minister's difficulty—but could we have some reflections on that?

My second question goes back to the remarkable exchange between the Minister and my right hon. Friend the Member for Birmingham, Sparkbrook (Mr. Hattersley) earlier today. Have some of us understood it properly? The Minister seemed to say that if something illegal happens there can be no revelations about the illegality. If I have misunderstood, I ought to be told. If that was not the purport of his response to my right hon. Friend, what exactly did his intervention mean? I hope that he will explain.

Mr. Hattersley: I was contemplating whether to clear the question up now or when the Minister of State answers, particularly if he continues to shake his head as though my allegation were untrue. If I may refer my hon. Friend to the *Official Report*, I said:

"The Home Secretary says that I have got it wrong. I will read the passage from *Hansard* if he wishes . . . According to my reading of the Bill, if I am told by a member of the security services that my telephone is being tapped it is an offence for me to reveal it. Is that so, or is it not so?"

The Home Secretary said:

"That is correct".—[*Official Report*, 16 January 1989; Vol. 145, c. 42.]

None of the qualifications that the Minister of State may attempt to insert will alter that.

7.45 pm

Mr. Dalyell: I do not wish to take up the time of the Committee. The point has been made and we await the answer.

My third question can be illustrated personally and I hope that the Committee will bear with me. In 1982-83 I was tipped off by someone who was informed, someone in a position to know—I do not know whether he was a member of the security services or not—that the couple of rooms where I stay when I am in London had been visited. I am quite sure that the visitors were not interested in me as such, as a Member of Parliament, but I have reason to

suppose that they were deeply interested in the source of my information about a ship. I make no bones about it —*the information had come through the diaries of* Lieutenant Sethia, the supplies officer on HMS Conqueror. At that time there was great curiosity, as my hon. Friend the Member for Newham, South (Mr. Spearing)—a member of the Select Committee on Foreign Affairs which looked into these events on 1 and 2 May —will know. There was nothing of value to take—it was very sparse—but having been tipped off, I left my squash racket, my gym shoes and my clothes in particular positions. On three occasions when I came back after the weekend they were not in the same position as I had left them. One can draw one's own conclusions from that.

Under this legislation, surely I would then have been obliged to keep completely quiet about it. I repeat in another form the question that my right hon. Friend the Member for Sparkbrook asked in an intervention. I see the hon. Member for Epping Forest (Mr. Norris) nodding. It is a valid question. What would the position be if I told the police about this? At least that must be answered, because when my right hon. Friend the Member for Sparkbrook asked the question the Minister was shaking his head in disagreement. I am afraid that he will have to spell out precisely the basis of that because there is a difficulty. If we make public unsubstantiated suspicions we are in the clear, but if we make public firm information we are gagged. That is a logical absurdity. If one is not sure about something, one is in the clear, but if one is sure, one is in deep trouble.

Mr. Gorst: Is the hon. Gentleman aware that he has said that if one tells the truth one will be in the clear, and that the way to find out whether something is happening is to tell a lie—that one will be prosecuted only if it is the truth?

Mr. Dalyell: If one knows it is the truth, one is in the clear if one says, "But I am uncertain," which is untrue and is therefore a lie. In other words, pleading uncertainty and not knowing puts one at an advantage.

Fourthly, I unashamedly read a paragraph from Maurice Frankel's excellent brief, which he has given to a number of hon. Members. He says:

> "A civil servant or journalist may reveal information about behaviour so unacceptable that no minister will dare stand up and defend it. Everyone in a position to intervene may have failed to act. Yet the person who finally exposes the matter risks imprisonment under this Bill—while denied the chance to justify the disclosure."

Are Mr. Frankel and others right? The answer is highly germane to our discussion. They must be either right or wrong.

In asking my fifth question I must refer to the speech of the hon. Member for Caithness and Sutherland (Mr. Maclennan) because I return to the important classic case of Gartside *v.* Outram in the 19th century. In that case the courts upheld the right of an employee to reveal that his employer was defrauding his customers and to reveal it to those customers. The judgment referred to having no confidence in iniquity. One might say that we in Parliament are here concerned with confidentiality and with no confidentiality in wrongdoing. This raises a fundamental issue. Is wrongdoing to be protected by what amounts to a law of confidentiality?

My sixth question is about one heck of a letter in *The Times* today. It was headed, "Civil servants and official secrets" and signed by Douglas Allen, Frank Cooper, Patrick Nairne—who, as my right hon. Friend the Member for Morley and Leeds, South (Mr. Rees) will know, was a member of the Franks committee on the Falklands and, like the others, he is a Cabinet Office civil servant—and Douglas Wass, the permanent secretary to the Treasury. When people of that calibre write such a letter to *The Times*, it must warrant an answer from the Government.

The four signatories make two important points. First, they write:

> "But it does not seem to be wholly unimaginable that a government might perpetrate some serious impropriety in circumstances in which the Head of the Civil Service might be unable to respond effectively to representations about it from within the service."

My right hon. Friend the Member for Dudley, East (Dr. Gilbert) nods in agreement. If that letter had come from an hon. Member or from a commentator in the press, it might have been serious enough, but when it comes from four of the heaviestweight permanent secretaries that there have been in this country since the war their words need answering.

The second point that they make also needs answering:

> "Such a right of reference to an independent authority of an active impropriety by ministers would not be new. It already exists in the financial field where the permanent secretary, as accounting officer, is obliged to draw the attention of the Comptroller and Auditor General to expenditure on which his or her minister has insisted, but which the permanent secretary considered to be improper or illegal."

What remedy do Ministers suggest for dealing with problems which these experienced heavyweight permanent secretaries say could not be dealt with by going to the head of the Civil Service? How can such abuse be prevented if the head of the Civil Service is unable to prevent it and disclosure is an offence?

Perhaps the Minister will answer those six questions.

Mr. Nigel Spearing (Newham, South): My hon. Friend the Member for Linlithgow (Mr. Dalyell) has posed important questions. It has been a privilege to listen to my colleagues expressing their views in this debate, which is about to reach its climax. It has been one of the best debates in full parliamentary tradition that I have heard for some time.

It may be asked why more hon. Members are not present. I suggest that security, the subject of this debate, is now perhaps not so much the security of the realm that it was in 1914 or in 1938 or when the official secrets legislation had its origin. We in this Chamber are particularly concerned with the security of parliamentary democracy, and this debate has been a contribution to that.

It was said that there would be opportunity to discuss this as a Committee of the whole House. I have noticed with interest the absence from the Committee of responsible Cabinet Ministers. Is it not customary, when a Bill is in Committee, for a senior Member of the Government to be present for at least some of the time and to give frequent replies to questions?

I do not accuse the Minister of State who is in attendance tonight of discourtesy. But does not the absence from the Committee of senior Ministers—indeed, of Members of the Privy Council and of the Government —deny them the moral authority to introduce legislation of this kind, when they are not present to hear the

[Mr. Nigel Spearing]

arguments and to reply to them? That must be some condemnation of the lack of regard for parliamentary democracy which some of us feel is now under pressure.

That pressure comes not only from Opposition and some Conservative Members. When I show parties round the House, especially parties of young people, I start at the Norman Tower. I point across to the Treasury and say, "There is the Government in Whitehall, the Queen's Government. This is Parliament. The Government can do certain things on their own, but they must come to Parliament for permission to do other things" and I spell them out.

I also explain that because they are the Queen's Government, there is line management, there is hierarchy; it is like a company or an army with ranks and discipline. Here in Parliament I, like the Prime Minister, have one vote. It is a different basis of relationship.

I see seated on the Opposition Benches right hon. Friends who were Members of the last Labour Government when I opposed some of the actions they were taking. In any Government, including a future Labour Government, there will be personalities, private office wars and differences of opinion. Are they to be covered by the sort of blanket provision that is before us today? And should they take actions which, if they became public, would perhaps not be to their credit—I am not referring to anybody from any party but to human nature—the chances of some form of sanction or publicity would not exist if the clause went through unamended. That might encourage a future Government to act in a way wholly contrary to the traditions of parliamentary democracy and accountability.

I say to the Minister and those hon. Members who are here that, if this thesis is correct, the clause, far from providing some sort of sanction or reminder of those things that happen in all Governments, and may happen in the future—but which we want to reduce, if not to eliminate—might itself be accused of being anti-parliamentary and against the interests of parliamentary democracy and accountable government, as we have developed it on this very spot over the centuries.

8 pm

Mr. Kenneth Hind (Lancashire, West): I support this clause, but I have one or two points to put to the Minister, which I am sure he will attempt to answer. Every civil servant or member of the security services who deals with security or defence matters knows—they have known always—that they have a lifelong duty of confidentiality. That is essential if we are to preserve the security of this country. Many of them in the past have made the request through the normal channels in the Ministry of Defence to publish books on their work, and some of them have been published, subject to deletions. That is a principle which is enshrined in the Bill, and it is essential.

My concern is that there is for the member of the secret service a clear line of process to follow if he has any reservations about what is happening. He may go to the staff counsellor who has access to the Home Secretary, who in turn has access to the Prime Minister. There is, therefore, a clear line for the member to follow if there are wrongful activities which are clearly undermining the status and the security of this country.

At the root of what the hon. Member for Linlithgow (Mr. Dalyell) has said, and what enshrines the point in the letter to *The Times*, is that, if we have a Home Secretary who wishes to conceal something that is not in the interests of the public, what does that member of the secret service do? That is something we must consider during this debate.

If a member of the secret service comes to my surgery or to the surgery of any hon. Member, by listening to what that member of the secret service says to us, we do not commit an offence. Receipt of a disclosure is not an offence, and there is an obvious line to pursue in our case. We obviously have the House, which is covered by privilege, but the correct course of action for every Member of Parliament would be to raise that matter directly with the Minister responsible for the secret service, either the Home Secretary or the Prime Minister. That course of action can be pursued without the Member of Parliament concerned committing any offence and, of course, the matter can be pursued and investigated. We must make it clear that any hon. Member who receives a disclosure from a member of the secret service does not commit an offence. It is wrong to say otherwise.

Mr. Norris: Will my hon. Friend accept, however, that the person who communicates the information to him, as the Bill is drafted, automatically commits an offence?

Mr. Hind: My hon. Friend makes a good point, which I fully accept. That person, however, has a direct line of normal procedure to follow—to the staff counsellor, who will then go to the Minister responsible for the secret service—and his point will be dealt with.

My point is, what safeguards does this House and members of the secret service have should it be that the Minister concerned has no interest and wishes to conceal something which is obviously detrimental and should not be considered?

When we dealt with the Security Service, built into the Security Service Bill was the provision for a commissioner who would look over the Home Secretary's shoulder to protect the public interest when the Home Secretary issues warrants to pursue matters where extraordinary action, which would normally breach the civil liberties of an individual, is required. That commissioner reports back to the House and he has a clear responsibility to represent the public interest. In those circumstances there is a problem, with which I hope my hon. Friend will deal.

Sir Nicholas Bonsor (Upminster): Following on directly from my hon. Friend the Member for Lancashire, West (Mr. Hind), I do not accept that what he has said has much merit on the question whether people working in the Security Service can go to their Member of Parliament when they have problems. I want to bring to the Minister's attention a case which I had in my surgery two months ago. Someone in precisely that position came to me because he was profoundly unhappy about the way in which he was being treated within his department. He had followed the procedures laid down. He had seen his departmental head, but he remained extremely unhappy about the way in which he was treated. I was able to take his case up with the appropriate Minister and, while I cannot say that my constituent is necessarily fully satisfied, at least he has had the advantage of seeing that his case has been properly considered by the Minister and by the officials at the highest level.

I believe that it would be appalling if this Government were to legislate—and I believe legislate by mistake, because I am certain it is not their intention—in such a way as to prevent a constituent going to his Member of Parliament with a problem relating to his personal circumstances at work, because he would be committing a criminal offence if he were to do so. I do not believe that that is my hon. Friend's intention. I hope that by showing sympathy to the amendment to this clause and by being prepared to look closely at it before Report, the Government will put that right. If the Government do not, I am sure many of us will look at that point and be unable to support them.

Dr. Alan Glyn (Windsor and Maidenhead): I support this Bill, because it enshrines in legislature some form of basis for the security services. [HON. MEMBERS: "That was last week's Bill."] I believe that the most important point is that there is a lifelong confidentiality for people who work within that service, which is essential.

Mr. John Patten: We have had a most interesting debate. I begin by welcoming back to the House my hon. Friend the Member for Epping Forest (Mr. Norris) in his new seat. His return has been greeted by plaudits from both sides of the Committee. He is sadly missed in Oxford not only by me, but very much by the ladies and gentlemen of the press corps of Oxford, because he and I used to give a good joint party. Unfortunately, the new occupant of the seat, the hon. Member for Oxford, East (Mr. Smith)—perhaps under the strictures of his general management committee—does not join in this entertainment.

My right hon. Friend the Member for Chesham and Amersham (Sir I. Gilmour) and the hon. Member for Caithness and Sutherland (Mr. Maclennan) pointed out that this debate was being held on the Floor of the House because it concerns an important and constitutional issue, which is indeed the case. I am glad that that fact has been recognised, because it has given right hon. and hon. Members the opportunity to debate these issues fully.

I turn my mind first to a considerable issue of principle, and then there is a host of questions which I must attempt to answer, such as that put by my hon. Friend the Member for Holland with Boston (Sir R. Body), by the right hon. Members for Birmingham, Sparkbrook (Mr. Hattersley) and for Blaenau Gwent (Mr. Foot), the six questions put by the hon. Member for Linlithgow (Mr. Dalyell) and those asked by my hon. Friend the Member for Upminster (Sir N. Bonsor). It has been a long debate and I shall be as brief as I can, but I shall certainly answer those questions.

Mr. Maclennan: Before the Minister reaches matters of substance, would he be kind enough to explain why the Home Secretary has been, and is, absent from the debate?

Mr. Patten: The Home Secretary has been a most assiduous attender at debates on these issues and he will be here shortly to take part, in particular in the important debate on the third group of amendments on public interest defence. It is uncharacteristic of the hon. Gentleman to criticise my right hon. Friend in that way. Anyone who sat through the long hours of the debates on the Security Service Bill would have noticed my right hon. Friend's attendance in the Chamber, and I hope that he will not be gratuitously criticised.

It is the Government's firm view that secrecy must be at the heart of the work of the security and intelligence services. [HON. MEMBERS: "Hear, hear."] That argument is shared by all of us. The decision is where to draw the line and which areas should or should not be secret. Clearly, there is a substantial division between me and several hon. Friends, including my hon. Friends the Members for Lancashire, West (Mr. Hind), for Wyre Forest (Mr. Coombs) and for Windsor and Maidenhead (Dr. Glyn), all of whom support an absolute lifelong duty of confidentiality, and those who do not. That is not to say that we do not all support the need for official secrets to be kept. There is a difference of view on where the line should be drawn, and it would be wrong of me to attempt to obfuscate that.

Mr. Richard Shepherd: I have listened for several days to my hon. Friend the Minister. He says that the difference is about where the line is drawn. Is that not what he just said? The point that we are concerned about—I want him to address it somewhere in his effluvium—is that the Minister is not drawing lines. That is an absolute contention. It is not a question of drawing lines; it is absolute assertion. We are trying to draw lines in our amendments. Let the Minister be disabused of the idea that he is trying to draw a line. Our criticism is that he should be drawing a line, but he is contending for everything.

Mr. Patten: We are drawing different lines because we believe that in one part of clause 1 those in the services should have an absolute lifelong duty of confidentiality. In another part of clause 1 those who are Crown servants and in the Civil Service have other tests of damage applied to them. This is not such a pure and simple matter as my hon. Friend suggests.

The services can operate effectively only if members of those services honour their obligation of absolute secrecy. Any disclosure by them without authority breaches that trust, and so must damage the work of the services. That is what we believe, and it is a matter of belief and view on which we differ.

Amendments Nos. 14 and 16 in the names of my hon. Friends the Members for Aldridge-Brownhills (Mr. Shepherd) and for Thanet, South (Mr. Aitken) and the right hon. Member for Morley and Leeds, South (Mr. Rees) set aside those propositions. They believe—this is where the line is drawn—that secrecy is not always necessary in all circumstances. They think that a member of the services should be able to disclose information without attracting the sanction of the criminal law if he or she can show that the information did not damage the work of the services. We believe that this is one comparatively narrow but vital area where we cannot afford to drop our guard by removing the sanction of the criminal law. It is not new, but already exists and the Bill narrows it.

Mr. Heffer: That is precisely the argument that was used by Mr. Stalin and those in the dictatorships of eastern Europe and other parts of the world. Is not the Minister aware that a gentleman called Krivitsky in Stalin's service wrote a book—he had left Russia—and was run down by the GPU and shot in his hotel in Switzerland? The Minister must think about what he is saying. He is putting forward a dangerous argument.

Mr. Patten: I am not aware of the book to which the hon. Gentleman referred, nor of the name of its author, and it is no good pretending that I am.

Mr. D. N. Campbell-Savours (Workington): What about the principle?

8.15 pm

Mr. Patten: The hon. Gentleman asks about the principle. It is far-fetched to suggest that there is any similarity between the actions of Mr. Stalin and the actions of this Government.

The secrecy which must imbue the services is not merely incidental. It has not grown out of some bureaucratic stuffiness. It is essential for the work of the services. The security of the country and the people rests on members of the security and intelligence services carrying out their work in secret. That is fundamental. That point was well made by my hon. and learned Friend the Member for Burton (Mr. Lawrence) in a debate earlier this week.

Having set out my views on the principles involved, I shall get down to answering the practical questions.

Mr. Hattersley: The Minister may have forgotten that not long ago I said that the problem with the Government's argument is that they assert the necessity for absolute, everlasting secrecy, but never justify it. Would the Minister, who has repeated about five times that it is his belief that secrecy must be absolute and everlasting, justify why that must be so for matters of triviality?

Mr. Patten: The justification is the operational needs of the service. I am glad that the right hon. Gentleman has given me the chance to extend my argument. I was not going to, but he wants me to. If a member of the services breaks the obligation of lifetime secrecy, that person certainly gives information which is almost certainly harmful—*[Interruption.]* Let me explain. If the right hon. Gentleman will listen, I shall answer his question. That agent betrays the special trust which has been placed in him or her and undermines confidence in the ability of the services to carry out their vital work.

Mr. Hattersley *rose*——

Mr. Patten: Let me finish the argument and then I shall give way again to the right hon. Gentleman. I listened carefully to what he had to say.

It is not just the confidence of the public which is damaged but, equally important, the confidence of those who provide or may provide information to the services, and the confidence of others who necessarily co-operate with them. When a member of the service breaks the necessary silence in which we believe and assert the services must work, he also undermines the confidence of his colleagues in each other. That point has been missed entirely during the debate and it is worth our attention.

Mr. Hattersley: Will the Minister address the matter seriously? If he accepts the amendment, there is a mechanism by which trivial information may be legitimately passed out. The idea that a Security Service officer has broken any rules is automatically vitiated by the fact that the rule is there so that trivial information is available. The idea that it is a breach of confidence is destroyed if there is a mechanism by which non-damaging information can legitimately be disseminated.

I shall give the Minister an example of what I mean and he can explain why the information should be kept secret. Sir Mansfield Cummings, who was head of MI6 during its inception and remained head from 1919 to 1923, kept a log book since it was his habit, having been a sailor. Recently his family asked, for sentimental reasons, to see it. They were told that they could not see any of it or obtain the information they sought—the name of the theatrical costumier from whom Sir Mansfield Cummings bought his disguises. *[Laughter.]* How would it be detrimental to the state if that information were given a wider audience? *[Laughter.]*

Mr. Patten: The right hon. Gentleman succeeds in engaging the attention of the Committee and in getting a good laugh from his right hon. and hon. Friends. I will not comment on operational decisions taken by the service in the past. That is a tradition followed by Governments of all political colours in respect of major and minor operational decisions. I hope that it will continue.—*[Interruption.]*

The Temporary Chairman (Mr. Patrick Cormack): Order. The Minister must be allowed to develop his argument.

Mr. Patten: I have news for you, Mr. Cormack—I have deployed my argument.

I turn to specific questions. That put by my hon. Friend the Member for Holland with Boston particularly exercised the attention of the hon. Member for Linlithgow. I also knew the late Russ Kerr—although, I suspect, much less well than Opposition Members. I remember him seated below the Gangway, and seeing him in other parts of the House. He was a much respected Member. As with my answer to the last question, when a hilarious and funny example was given by the right hon. Member for Sparkbrook, my response to any question regarding operational decisons relating to someone in the past must be the same as that always given by Ministers, of whatever party, who have ever stood at the Dispatch Box. We do not comment on operational issues affecting individuals. That is a fundamental principle. I hope that if the right hon. Gentleman is a member of a future Labour Government, he will not stand at the Dispatch Box and make flip judgments about operational matters concerning the security services.

The Parliamentary Under-Secretary of State for the Home Department (Mr. Douglas Hogg): He would.

Mr. Patten: My hon. Friend says that is exactly what the right hon. Gentleman would do.

My hon. Friend the Member for Holland with Boston gave a specific example and asked whether he would be committing an offence. I assure him that, although his example came from before the introduction of the Interception of Communications Act 1985, as I explained earlier, he could now go to the tribunal and have the matter properly investigated without placing any secrets in jeopardy. Alternatively, he could go to the police, who are themselves Crown servants. In that way, he would commit no offence.

Sir Richard Body: If my informant wrote his memoirs 20 years after the events, would he be committing an offence under the Bill?

Mr. Patten: No; its provisions are not retrospective. However, will my hon. Friend elaborate? I want to answer his question properly.

Sir Richard Body: If, 20 years after the event, and having retired from the security services, my informant wrote his memoirs and alluded to the incident I mentioned earlier, would he be committing an offence under the Bill?

Mr. Patten: I wanted to establish, by asking my hon. Friend to elaborate, whether the informant to whom he refers was a member of the security services. Having established that, the answer to his question is yes. He would commit an offence, because he has a lifelong duty of confidentiality owed to the state.

Another question raised by the right hon. Member for Sparkbrook interested the right hon. Member for Blaenau Gwent and the hon. Member for Linlithgow. The right hon. Gentleman asked what will happen if he is informed that his telephone is tapped. It is a variant of a number of possibilities he has suggested over the past weeks.

Mr. Campbell-Savours *rose*——

Mr. Patten: I shall answer the right hon. Gentleman's question first. The hon. Member for Workington (Mr. Campbell-Savours) must contain himself.

The right hon. Member for Sparkbrook cited the example of a member of the security and intelligence services informing the right hon. Gentleman that his phone is tapped, or that his property has been entered, without a warrant. The right hon. Gentleman asked what he could do in that situation. I shall take it in three stages, and then give way if the right hon. Gentleman wants me to elucidate.

Any person finding himself in such a situation could refer to the tribunal and complain. That is one avenue of redress. The Bill does not require such a person to leave the matter there. If he has evidence of the commissioning of a criminal offence, he could quite properly go to the police. I shall refer the right hon. Gentleman to the relevant clauses and subsections.

The police are Crown servants and their function is to investigate crime. Nothing in the Bill prevents the police from investigating crime. Clause 7(3) is explicit on that point. So another sensible course of action for the right hon. Gentleman would be to report his feelings to the police. However, if, in this hypothetical example, the right hon. Gentleman acted differently and did not go to the tribunal or to the police but made his views known in a different way, he might commit an offence.

However, I shall place that in context. It certainly would not be an absolute offence. It is an offence that would need to be considered under clause 5(3), which attracts the damage test in clause 1(3). It would be a matter of judgment whether a prosecution should be brought. If it was, it would be for the jury to decide whether the right hon. Gentleman is guilty. I hope that I have satisfied the right hon. Gentleman on that point.

Mr. Hattersley: As we seek to be sensible in debating the Bill, I do not propose being categoric. However, I have grave doubts about the Minister's interpretation. We shall pursue it, but as we wish to deal with the Bill sensibly, I shall not attempt to score points until I am sure of my facts. However, the Minister answered another point by implication. I asked him if, in the circumstances he described, and in which I was informed of such an act, I would be committing an offence if I so informed a solicitor. As a solicitor is not, by any standard, a Crown servant, it seems that I would.

Mr. Patten: The first person that any sensible member of society would go to in the first instance would be the police.

Mr. Campbell-Savours *rose*——

Mr. Patten: Perhaps I may be permitted to conclude my argument.

The right hon. Member for Sparkbrook says that he wants the issue to be addressed in a sensible and rational way. That is precisely what I am seeking to do. The other half of the question concerns the position of Crown servants. [HON. MEMBERS: "It was about solicitors."] The right hon. Gentleman should first go to the tribunal, which has legal staff, and he should then go to the police.

Mr. Campbell-Savours: But not to his solicitor.

Mr. Patten: The other point raised by the right hon. Gentleman concerns Crown servants. If a member of the security and intelligence services, or a notified person, discloses any security and intelligence information without authority, he commits an offence—and quite right, too. However, if he feels aggrieved—and this point concerns my hon. Friends the Members for Thanet, South and for Lancashire, West—he may refer to the staff counsellor. My hon. Friend the Member for Upminster gave an excellent example in the course of his brief and pointed remarks towards the end of the debate, which showed that the system is working. The mechanism whereby people can refer to their departmental heads and then seek redress works.

Several Hon. Members *rose*——

Mr. Patten: I want to try to respond to a number of important points made earlier.

The Temporary Chairman: Order. We cannot have four hon. Members on their feet at once. The Minister is not giving way for the moment.

Mr. Patten: I shall not do so until I have dealt with important points raised much earlier, when for understandable reasons——

Mr. Campbell-Savours *rose*——

Mr. Patten: If interventions are concerned with what I am now discussing, I shall of course give way seriatim.

8.30 pm

Mr. Campbell-Savours: The Minister told my right hon. Friend that if he had evidence he should take it to the police. Information about telephone tapping would only be in the hands of persons on the "contained secrecy" side of the law. If they made a statement which was then used in evidence to the police, could they not be prosecuted because they had been used as people giving evidence?

Mr. Patten: That is not the case. The right hon. Gentleman wanted to know whether, if he felt that a criminal offence had been committed, he would himself be liable under criminal law if he alleged as much to someone —he was unclear about who that would be. I have

[Mr. Patten]

described the route down which any aggrieved citizen can go. It is a twin-track route consisting of the tribunal and the police, and is protected under clause 7.

Mr. Donald Anderson (Swansea, East): Is not the remedy that the Minister suggests—that Mr. Citizen should go to the police and make a complaint—likely to prove illusory in practice, because it is probable that someone who leaks information from the secret services will not wish to be named in view of the possible repercussions for him? He could only say to the police, "I have it on good authority that my telephone is being tapped." The police would almost certainly reply, "We want better evidence than that before we are prepared to investigate."

Mr. Patten: As a distinguished barrister, the hon. Gentleman knows that sometimes complaints are laid before the police and investigated thereafter, on the basis not of naming the person concerned but of allegations that have come from a number of sources.

Mr. Andrew F. Bennett: The Minister has pushed the point that the logical course is to go to the tribunal. But, as was said earlier, many citizens in such circumstances would not know where to go. The Minister says that they should go to the police, but I suspect that many people would be very worried about going to the police in the first instance unless someone encouraged them that that was the right thing to do. They might consult a solicitor or a Member of Parliament. Can the Minister give an absolute assurance that they would not be committing an offence by giving the information to either a solicitor or a Member of Parliament?

Mr. Patten: There is no offence in the Bill of receiving information. If someone receives information that gives him cause to believe that a criminal offence is being committed, he should, like any citizen, seek the automatic redress of going straight to the police.

Mr. Gorst: If a disaffected, aggrieved member of the service went through all the correct procedures and at the end was not satisfied; if he believed that the matter was serious and of national importance; if he stood for Parliament and was elected, and then raised the matter on the Floor of the House, would he be committing an offence?

Mr. Patten: That is a very interesting question, and I am glad that my hon. Friend has asked it. I had never considered the possibility. But the answer is surely yes, because anything raised on the Floor of the House is privileged.

Let us suppose, however, that that aggrieved member of the service, having approached the staff counsellor and the director-general and tried to get through to the Prime Minister, still—amazingly enough—felt aggrieved, and went public. In that case he would indeed be committing an absolute offence under clause 1.

Mr. McWilliam: Evidence on telephone tapping might well come from a member of my trade union, the National Communications Union. Would the individual concerned automatically become a notified person? If so, who the hell could he complain to?

Mr. Patten: We shall have an opportunity on the next group of amendments to discuss such issues as notification. I do not want to stray out of order.

The right hon. Member for Blaenau Gwent raised an important point about parliamentary privilege and what happened to Churchill in the 1930s. I do not propose to follow him into the history of the 1930s, because I have not his expertise. It is important to note, however, that the blanket provision of section 2 was in force then. This Bill, as well as containing a number of other narrowing provisions, will abolish the offence of receiving information, so anyone receiving information now would not be committing an offence.

I cannot comment on the specific example given by the right hon. Gentleman because I do not know all the details, but members of the service, if they were breaching confidentiality, would be committing the absolute offence in the first part of clause 1. I am glad to learn that the right hon. Gentleman agrees with that interpretation.

Mr. Foot: What I am agreeing with is that this piece of legislation changes what was understood to be the case pre-1938, and makes it much more difficult for people to raise matters with Members of Parliament.

Mr. Patten: Pre-1938, section 2 of the 1911 Act was on the statute book. I do not know what use was made of it in different cases, but the law was considerably more draconian than it will be.

Mr. Frank Cook (Stockton, North): On a point of order, Mr. Cormack. I wonder whether you would remonstrate with the garrulous rabble below the Bar. We cannot hear what is being said because of the noise issuing from them.

The Temporary Chairman: Garrulousness is always to be deprecated.

Mr. Patten: I shall observe your strictures, Mr. Cormack, and be as quick as I can.

Mr. Merlyn Rees (Morley and Leeds, South): A Committee stage is for asking questions, and one has now been elucidated.

A Minister is a Crown servant. We shall come on the next set of amendments to whether notification is required, but let us assume that the Minister has been notified and thus comes under the legislation. If he then goes on to the Back Benches, he becomes an ex-Crown servant, but is still covered by the legislation. Let us suppose that he feels very strongly about something that has come his way. We are not saying that he should go to the police station and go through all the procedures. He would have an absolute right, as a Member of Parliament, to raise the issue on the Floor of the House. We are not going back to 1939 and the Duncan Sandys affair, which we wrote about in the Franks report because it was a factor in section 2. But what would happen to an ex-Minister who wanted to raise a great issue against his own Government or the Government of the day?

Mr. Patten: As the right hon. Gentleman says, we shall deal with notification on the next group of amendments. If that Minister was notified, he would be notified only about what he had learnt, under the then Official Secrets Act, while he was a Minister. He would remain notified in regard to the "secrets", to put it colloquially, that he had learnt during that period; that is a lifetime duty. Anything

that he learned thereafter would not be subject to the notification provisions. I cannot imagine the circumstances, but I suppose for the sake of argument we must imagine these hypothetical cases. If that ex-Minister had gone through all the routes, he could then come to the Floor of the House and speak with absolute privilege. If he speaks outside the House, he will fall foul of the absolute offence.

Dr. Gilbert: What is the position of an ex-Minister who subsequently learns about circumstances of which he was not aware when he was in office?

Mr. Patten: If he learns about such circumstances through legal routes from people outside the service and outside his period as a Minister, he would not be committing the absolute offence. The Committee knows that parliamentary proceedings are privileged. I stand to be corrected by the right hon. Member for Blaenau Gwent, but I understand that statements attributed to an hon. Member in Parliament cannot be used against a Member in a court.

Mr. Peter Archer (Warley, West): Whether we have agreed or not, up to now I have understood the Minister. He says that anyone who has once been notified is covered for information that has come into his possession for the period of the notification. Where is that spelt out in the Bill?

Mr. Patten: That will be the subject of the debate on the next set of amendments, and it may be better to address it then in the context of the amendments on notification.

Mr. Andrew F. Bennett: Will the Minister give way?

Mr. Patten: No. I have given way to everyone who has risen and I must try to answr the debate. Many hon. Members have been sitting here for three hours or more.

In another of his telling speeches my hon. Friend the Member for Thanet, South spoke about the lifelong duty of confidentiality. He spoke about recent statements made in courts by learned judges on the application of civil law. But we are not here dealing with the civil law, which can operate before an event to stop it happening. We are dealing with the role of the criminal law in penalising offenders. We can look at that in greater detail during debate on the group of amendments about the public interest defence.

The question of the civil duty of confidentiality was considered in the Lords and the judgment was given on 13 October 1988. Lord Keith of Kinkel said on page 12 of his judgment:

"I regard this case"—

we all know the case that he was talking about—

"as having established that members and former members of the Security Service do have a lifelong obligation of confidence owed to the Crown. Those who breach it, such as Mr. Wright, are guilty of treachery."

That was the most telling judgment given in this area of the civil law. I have not yet come to the points raised by my hon. Friend the Member for Torbay (Mr. Allason) and by the right hon. Member for Plymouth, Devonport (Dr. Owen).

Mr. Aitken: I appreciate the Minister's selective use of the quotation. It is fair to say that we are arguing not about a duty of confidentiality but an absolute lifelong duty about which at least one judge, Mr. Justice Scott, said was not heard on this side of the iron curtain.

I should like to press my hon. Friend on one key point. Perhaps we could return for a moment to the BBC series "My Country, Right or Wrong". In that series former members of the Security Service talked in totally innocuous terms about their experiences in the Secret Service only in so far as they affected public policy issues such as the desirability of ministerial accountability, oversight and so on. Are we to understand from the Minister that in future distinguished former Crown servants such as Lord Dacre of Glanton, Lord Annan and Mr. Day will be guilty of a criminal offence?

Mr. Patten: That depends on whether they were members of the service at the time and whether they were notified. My hon. Friend has quoted one learned judge and I have quoted another, but I did not quote out of context what Lord Keith said. I shall repeat it. He said:

"I regard this case as having established that members and former members of the Security Service do have a lifelong obligation of confidence owed to the Crown."

That was the concluding judgment, and our proposals in the clause are fully consistent with it.

8.45 pm

Mr. Richard Shepherd: That is a curious summary of the judgment. Perhaps my hon. Friend the Minister recalls that by a clear majority the Lords found other than the judgment that he has cited. Never at issue in front of them was the lifelong duty of confidentiality. In this debate we have cited Sir Leon Brittan's quote from them that the duty of confidentiality is correct and unexceptional. That is accepted. This whole testing debate is about the absoluteness of that duty. My hon. Friend the Minister serves himself ill by failing to address himself to the absoluteness of it in the light of assertions by judges in the context of our common law that it is inappropriate and wrong.

Mr. Patten: These assertions have been about the civil law.

Mr. Shepherd: Judgments.

Mr. Patten: I used the word "assertions" because that was the word my hon. Friend used. I shall use the word "judgments" if that is what he prefers. These judgments have been made in civil courts. I explained earlier why I thought we needed the absolute offence. I hope that my hon. Friend paid close attention to that explanation. It will be in *Hansard* tomorrow for all who wish to read it.

I shall now turn to the six matters raised by the hon. Member for Linlithgow. I shall try to reply to them as briefly and accurately as I can. His first point was about Desmond Morton. I think that the hon. Gentleman recognised that it was not sensible to speculate on the outcome of a case from the past about the effects that it might have in future in the context of the Bill. I think that the hon. Gentleman was good enough to say that. His second important point was about telephone tapping. I have given an explanation about that and perhaps on reflection he will be satisfied with it. He has given notice that he may return to the matter.

My hon. Friend the Member for Holland with Boston spoke about reporting to the police, as did the right hon. Member for Sparkbrook. I gave assurances about access to the police, which everyone in Britain should have. The fourth point of the hon. Member for Linlithgow echoed what the right hon. Member for Plymouth, Devonport

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(Dr. Owen) said about the right of Crown servants to justify disclosures. I think that this argument is about the public interest defence which will be debated later. I look forward to further contributions by the hon. Member for Linlithgow and the right hon. Member for Devonport in that debate.

The hon. Member for Linlithgow raised the matter of Gartside and Outram, but I cannot follow him down that route because at that stage it was a matter for the civil law and was a civil case. The Bill does not change the operation of the civil law but purely alters the operation of the criminal law. There is a well-recognised principle that a person to whom an iniquitous matter has been communicated will always be free to report it to the proper quarter, usually the police. Nothing in the Bill and, funnily enough, nothing in the Official Secrets Act 1911 affects that principle.

Several Hon. Members *rose*——

Mr. Patten: I am going through a list of answers to six questions which the Committee wishes me to answer. When I have done that, I shall give way. As hon. Members have said, these questions need to be answered in full.

Mr. Archer: The courts have regarded it as important that the civil duty of confidentiality should be subject to the exception that there is no confidentiality in iniquity. Is the Minister saying that notwithstanding the fact that the Government want to impose a criminal sanction without any such exception?

Mr. Patten: There are much fiercer criminal sanctions under the 1911 Act than are proposed in this Bill. The letter was signed by Lord Croham and a number of others, including Sir Patrick Nairne, who is a constituent of mine and a most distinguished public servant who was at one time permanent secretary at the Department of Health and Social Security. The description in the letter is not new. I believe that Sir Douglas Wass made at least some of those suggestions to the Treasury and Civil Service Select Committee about three years ago. The description in the letter of the existing procedures is not up to date or accurate. It was subsequently modified to make clear that the head of the Civil Service would be prepared to hear personally appeals from officials who had followed the earlier stages of the procedure. I am advised that the Treasury and Civil Service Select Committee has said, in one of its reports, that there should be a trial before a system of external review is reconsidered.

Mr. Dalyell: Can we be quite clear as to what the Government think is inaccurate about the letter of Lord Croham, Sir Douglas Wass, Sir Patrick Nairne and Sir Frank Cooper?

Mr. Patten: I said that it was inaccurate only to the extent that the description of the procedures is not up to date. The procedure was modified in 1985 to make it clear that the head of the service would always be prepared to hear personally appeals from officials who had followed the earlier stages of the procedure. That is where the difference lies.

I turn now to the important amendment and new clause tabled by my hon. Friend the Member for Torbay (Mr. Allason) which was clearly supported by a number of hon. Members, including the right hon. Member for Devonport. My hon. Friend the Member for Torbay recognised that retired members of the security and intelligence services cannot, without authority, be free to disclose any information that they have as members of the service. That is something on which we all agree.

However, my hon. Friend is concerned that there should not be any unnecessary restraint on the ability of former members to publish with authority. His amendment proposes a mechanism for considering such publications. The necessary procedures are already in place. It is not desirable to accept a provision which could give a group of people outside the service the right to decide whether vital operational and other secrets should be published at large. Our intelligence service will be affected only if they restrict control over what is written by their members and former members. The duty of confidentiality cannot be an option; it must be a certainty. It is vital to the successful functioning of the services. Members and former members of the service know that they cannot publish material about their work without authority.

On procedure, I have little to add to what I said on Second Reading. It will not come as any surprise to those concerned to know that authorisation to members and former members to disclose information about their work will be rare and given only in exceptional circumstances. Again, my hon. Friend the Member for Torbay wishes to have those outside the ring of secrecy act on those within the ring of secrecy. They would either not know enough to make the judgments or they would have to be brought within the ring of secrecy and could not act as an independent, outside adjudicating body. If a former member ignores his or her obligations to the Crown and does not seek authorisation, or proceeds without receiving it, it must be right for the Government to consider action in the courts to enforce the fundamental principle of the duty of confidentiality. That is now well understood and, on that basis, I hope that my hon. Friend and the right hon. Gentleman will not press their amendments and new clause to a vote.

Mr. Corbett: It would be churlish not to recognise immediately that the Minister has done his best. There have been 19 speakers in this debate from the Back Benches. In various ways, 16 have opposed what the Minister, on behalf of the Government, is suggesting. Three of his Back Benchers have spoken, with some brevity, in favour of it.

I join in the general welcome to the hon. Member for Epping Forest (Mr. Norris). If it had to be a member of his party who won Epping Forest, it could not have been a better one. I hope that the hon. Member for Wyre Forest (Mr. Coombs) will accept it when I say that I did not mean to be offensive to him. I understand the difficulties of hon. Members who have to sit for long periods waiting to speak, but, none the less, this has been an extremely important debate and, as my hon. Friend the Member for Newham, South (Mr. Spearing) said, one of the highest calibre debates through which it has been our privilege to sit.

The hon. Member for Caithness and Sutherland (Mr. Maclennan) reminded the Minister that, in circumstances where the weight of opinion from both sides of the Committee has been so critical and hostile to what the Government propose, it behoves the Minister to tell his

right hon. Friend, when he can lay hands on him, what happened during this debate and to encourage him and his colleagues to think again.

As was said by some of my hon. Friends and by the right hon. Member for Plymouth, Devonport (Dr. Owen), something has happened to the House of Commons. The Government can be like stone and totally deaf to a variety of views from both sides and all quarters, mostly hostile to what they are about, yet arrogantly believe that they can snap their fingers and get their supporters to trot meekly and silently through the Lobby.

It is significant that the Minister of State, despite many and repeated invitations, failed to answer the extremely important point raised by my right hon. Friend the Member for Birmingham, Sparkbrook (Mr. Hattersley) about him being told by a serving member of the security or intelligence forces that his telephone is being illegally bugged or that his house is being, or has been, illegally entered. We have cleared up one point, which is that my right hon. Friend, or any hon. Member, can safely stand up in this place and reveal that under the mantle of parliamentary privilege. That is fine. We have also established, as those of us who had read the Bill rather than the press release knew, that the member of the security or intelligence forces who told my right hon. Friend of any illegality, commits an absolute and total offence and would find himself or herself in prison.

The Minister of State has not said—I hope that he will do so, because this is the Committee stage of the Bill and we ought to know—what will happen when either a Member of Parliament or a member of the public, faced with that information, thinks, "My God, I shall have to do something about it. I must get hold of a solicitor." There is no answer to what happens then. We can only infer that the passing on of that information to a solicitor is an offence under the Bill.

Mr. Gorst: His alternative is to go to a priest and confess it to him, when he would also be committing an offence.

Mr. Corbett: I am grateful to the hon. Gentleman. I thought that he was trying to find a bolthole for the Minister and that perhaps priests should be excluded. However, it is a serious point. That could be another means of landing that person in trouble.

Mr. Geoffrey Dickens (Littleborough and Saddleworth): Will the hon. Gentleman give way on the same point?

Mr. Corbett: We are pleased that the hon. Gentleman is joining in the debate, so I shall give way to him.

Mr. Dickens: Correct me if I am wrong, but I think that the public interest defence, whereby good is done by a disclosure, is a perfect defence and that the Director of Public Prosecutions would never bring a case against such a person. Since time immemorial this Chamber has always been filled with Members who are concerned about the views of Government, but there are hundreds of Members in their offices who are happy about what the Government are doing.

9 pm

Mr. Corbett: The Committee will welcome the hon. Gentleman's first remarks, but he is two sets of amendments too early. As for his second point, had he been here earlier he would have heard at least one of his hon. Friends make the point that in private conversations many Conservative Members are deeply unhappy about the proposals. This is a House of Commons matter. We represent the people who sent us here to work against the arrogant, vested interests of the Executive.

The reason why the Minister is in such trouble—and it is obvious to him—is that he is seeking to lay upon members and former members of the security and intelligence services, itinerant Government contractors and their named staffs and groups and classes of such people a lifelong gag and a lifelong duty of silence. We are being told that when the Government say, "This is secret," it will remain a secret for ever—not just to the grave but, as my right hon. Friend the Member for Sparkbrook demonstrated, even beyond the grave and into the next world. The effect will be to pass that lifelong duty of confidentiality to other members of the family who have only a family connection with the person concerned. That is what has got the Government into trouble.

Another curious aspect of the Government's proposals is that over the years and under successive Governments the so-called lifelong duty has been only selectively applied. Harry Pincher, writing under the name of Chapman Pincher, could be "done" under this Bill for the books that he has written about spooks and spies. He received the information, knowing that it could only have been given to him on an unauthorised basis. Those who have read the books may wonder whether that was the case. Some or many of the leaks to Mr. Pincher that found their way into his books or into headlines splashed across the *Daily Express* may have been authorised leaks, in the sense that the information was given to him by highly placed people in the security and intelligence service who wanted to peddle a particular line.

It would be understandable if someone in MI5 or MI6 got hold of Mr. Pincher, suggested a quiet drink in a country pub or a walk, seemingly aimlessly, along the bank of a quiet river on a Sunday afternoon to deliver a message that what had been alleged about incompetence in the service was not so and that the so-called facts were this, that and the other, the better to defend the good name and reputation of the service. It is conceivable that that is how many of these things happened. There is another twist. Mr. Pincher could not know whether what was being said was true. The version would certainly collide with the earlier version but someone might be setting Mr. Pincher up.

As to the suggestion of the hon. Member for Torbay (Mr. Allason) of a publications review board, it would have been better had he made it clear that he is not suggesting a review board in the sense that following publication of a book the board would review it. The hon. Gentleman shakes his head and confirms that. It would be more in the business of looking through manuscripts or perhaps talking to authors before they started to prepare the manuscript.

The hon. Gentleman explained only that the board would have a chairman and three members appointed by the Home Secretary. He did not indicate who the members were likely to be. I should think that some of them would be old spooks called in from the field, selected Gower street warriors or the lately retired from the shadowy departments of Whitehall and Queen Anne's Gate. I do not think that a Conservative Home Secretary would stop the first four people he met in the street and ask them to make up the publications review board.

[Mr. Corbett]

In any event, I wonder how much good a review board could do. The decision would be left to nameless men; I must point out to my hon. Friends that they are bound to be fellows because fellows are always given these jobs. Nameless men would make decisions behind closed doors on the basis of criteria which the Minister of State would tell us could not possibly be published because they were secret.

Another point touches the heart of the Government's claims about the lifelong duty of confidentiality. Are the Minister and his colleagues seriously arguing that former spies are no longer able to make sensible judgments based upon their experience about what might or might not cause serious injury to the interests of the nation? On leaving office do spies suddenly become totally irresponsible in these matters? I do not believe it. Whatever criticisms my right hon. and hon. Friends and I may have of the security and intelligence services, I hope to God that they are not staffed by people that the Minister thinks would behave in that manner once they have retired. We are in trouble if that is so. That is one strong foundation on which the Government are building their case.

Mr. Dalyell: If my hon. Friend will allow me to support his argument, is it not a fact that Anthony Cavendish wrote his book in order to be fair to the late Maurice Oldfield? Government sources had cast a slur on Oldfield and Cavendish wrote the book to protect his old friend.

Mr. Corbett: My hon. Friend has illustrated the point extremely well, and the hon. Member for Aldridge-Brownhills (Mr. Shepherd) made a similar point. The Minister must not pretend that he is drawing lines. We are the people who want lines drawn. The Minister does not want to draw any lines because he wants anybody who has been involved, whether only up to his ankles or to the top of his head, not to say a word about it, under any circumstances, to anybody, even beyond the grave. That is why we get into difficulties.

Let us suppose, Mr. Cormack, that a former member of the security or intelligence services was engaged in covert operations in the Soviet Union in the 1960s, which were aimed not only at collecting sensitive information of possible intelligence use about intentions, but at trying to foment industrial and political unrest, touching on what one might call the economic well-being of that nation. Are the Government seriously suggesting that a former spy who has been engaged in such work and who wanted, 20 years later, to write about it would not hesitate, if only for a moment, and decide that his story could not be told?

Is it being suggested that someone who had had that experience would be careless about what would certainly follow if his story was published? He would, surely, decide that it should not be published, not to protect the necks of those in Whitehall, but because he would realise immediately that certain and lasting danger would be caused to relations between the Soviet Union and the United Kingdom and its allies. If the Minister is asserting that it is even remotely possible that such a person would decide to publish, he is insulting the integrity of those who have worked in the security and intelligence services.

Mr. Teddy Taylor (Southend, East): I accept that point. Would the hon. Gentleman agree, however, that the high standards of these fine people can often be seriously affected if they are offered vast sums of money by some of the irresponsible papers and book publishers? Will he accept—and I voted against the Bill for reasons that he knows—that the danger of allowing a degree of liberality is that he is not talking about freedom, but the freedom to make a great deal of money irresponsibly?

Mr. Corbett: I may disappoint the hon. Gentleman, but I do not think that people who work in these services are open to such temptation. I am being open about that and I should like to think that my view is shared generally in the Committee. If I am wrong such people should never have been working in those services in the first place. I know that it is difficult to pull out such information at interviews, but I expect and assume—and I am sure that I shall be corrected by several Conservative Members if I am wrong—that the greatest care is taken by those who recruit on behalf of the security and intelligence services.

I must say to the hon. Member for Torbay that I am left with the impression that the board that he proposes would not be simply a publications review board but, because of the way in which it was made up, it would turn into an official publications review board and the Government would still be left in the position of deciding what should be published. The amendments tabled by some of his hon. Friends are a better proposition, although I acknowledge that his proposal is far better than anything on offer from the Government.

I started by saying that the Minister had done his best and I feel that I may not have been fulsome enough in my praise. We want to proceed to a vote on amendment number 71—in case that news has not reached you, Mr. Cormack—but I must say first to the Minister that immediately the debate is over tonight, I shall make it my business to nominate him for the Denis Norden Boy-Stood-On-The-Burning-Deck Award 1989.

Mr. Richard Shepherd: I should like to make just one observation on the Minister's response to the amendments and new clause tabled by my hon. Friends and the right hon. Member for Morleyy and Leeds, South (Mr. Rees). The House is confronted with the proposition, mounted by the Minister through clause 1, that there is an absolute duty of confidence and that there can be no countenancing of any circumstances in which the duty will not be absolute. My hon. Friends, and the right hon. Member for Morleyy and Leeds, South and myself want to be helpful but "absolute duty" is manifestly preposterous. We have tried to introduce the concept that there must be some test of reasonableness.

9.15 pm

My hon. Friend the Minister of State did not address himself to the concept of triviality. Is there not a piece of information so trivial that it does not require the mounting of a criminal prosecution under the "absolute" assertion? That is one side of something that becomes more serious. We have been confronted with the "flat earth" approach of the "absolute" assertion. One almost felt that one was in the presence of a 12th century geographer who had discovered that the world was flat. Unfortunately, we live in a different century and the world is round.

We want to induce some help for the Government because their proposition makes our party and the Government look ridiculous by saying that in all

circumstances every piece of information revealed must give rise to an absolute criminal offence. We shall certainly seek to divide the House also on the new clause.

Mr. John Patten: I am sorry that I was unable to oblige my hon. Friend the Member for Aldridge-Brownhills (Mr. Shepherd). I have listened carefully to his arguments and he has listened to mine. We simply disagree on the important issue of disclosures to solicitors. If a person wishes to consult his or her solicitor as to what remedy he or she may want to have in respect of information received, such as his or her telephone being tapped, of course that person can do so because a communication between a person and his or her lawyer cannot form the subject matter of a prosecution against that person because he is covered by legal professional privilege.

Mr. Hattersley: Heaven knows, I do not want to prolong the debate and I am even more reluctant to ask the Minister of State to speak again, but to say that the solicitor's relationship with his client is covered by professional privilege is to imply that it is a privilege that transcends an Act of Parliament—and that is simply nonsense. I assure the Minister of State that no part of the Bill allows a client to consult a solicitor in the terms that I have described. *[Interruption.]* The Minister may be muttering that it does not have to be in the Bill, but if the Bill states that it is an offence to consult anyone except those who are named, and if a solicitor is not named, it does not seem any great flight of logic to assume that solicitors are ruled out. I do not see how the Minister of State—even after his performance today—could possibly argue what he argued a moment ago.

Mr. Aitken: I shall detain the House for only a few seconds but I should like to press the extraordinary ministerial assertion that we have just heard. It simply cannot be true that the doctrine of absolute lifelong confidentiality as laid down in the Bill can suddenly be changed in a wind-up speech by saying that there is a privilege for solicitors which transcends the statute——

Mr. Archer *rose*——

Mr. Aitken: I happily give way to the former Solicitor-General.

Mr. Archer: I am grateful to the hon. Gentleman for giving way. Does he agree that solicitor-client privilege goes not to criminal liability, but to evidence?

Mr. Aitken: The right hon. and learned Gentleman makes my point for me. We simply cannot accept the assertion that has just been made.

I should like to ask my hon. Friend the Minister of State one final question. He could have dealt with quite a few of the points that have been made tonight about trivia and solicitors by referring to the provision that the Attorney-General's fiat is necessary before a prosecution can commence. At least that provision would give some safeguards. I am not at the Dispatch Box and I am not a Minister, but——

Mr. Corbett: The hon. Gentleman very soon will be.

Mr. Aitken: I am grateful to the hon. Gentleman for that—it would be a triumph of hope over experience.

At least I can see one let-out for some of the absurdities that we have heard. It could be said that solicitors, trivia, and BBC radio programmes dealing with public policy could be stopped from the statutory doctrine of absolute confidentiality by the use of the Attorney-General's fiat. That is the one argument that might make sense and it has not been deployed. Has my hon. Friend the Minister forgotten it or am I wrong? Will he answer that point when he returns to the assertion of privilege for solicitors, which is quite mysterious?

Mr. Maclennan: We listened to the Minister's reply with dismay. He failed to deal with the central question raised by the right hon. Member for Birmingham, Sparkbrook (Mr. Hattersley) and the hon. Member for Aldridge-Brownhills (Mr. Shepherd) about revelation of iniquity. If the clause is passed unamended, the people of this country will have to rely on members of the Security Service breaking the criminal law to protect them from iniquity of which they are aware but which it would be an offence to reveal. In his reply, the Minister opened his mouth and out gushed silence.

Mr. Andrew F. Bennett: On a point of order, Mr. Cormack. Will you give the Committee some guidance about how to vote on the amendments? As I understand it, a request has been made to vote on amendments Nos. 71 and 14. Will you confirm that we are able to vote on amendment No. 71 now but that we shall have to debate the next group of amendments before voting on amendment No. 14?

The Temporary Chairman: The hon. Gentleman is a master of procedure and has answered his own point of order.

Question put, That the amendment be made:—

The Committee divided: Ayes 215, Noes 263.

Division No. 51] **[9.21 pm**

AYES

Abbott, Ms Diane	Clark, Dr David *(S Shields)*
Aitken, Jonathan	Clay, Bob
Allason, Rupert	Clelland, David
Allen, Graham	Clwyd, Mrs Ann
Anderson, Donald	Cohen, Harry
Archer, Rt Hon Peter	Coleman, Donald
Armstrong, Hilary	Cook, Robin *(Livingston)*
Ashdown, Rt Hon Paddy	Corbett, Robin
Ashton, Joe	Corbyn, Jeremy
Banks, Tony *(Newham NW)*	Cousins, Jim
Barnes, Harry *(Derbyshire NE)*	Cox, Tom
Barnes, Mrs Rosie *(Greenwich)*	Cryer, Bob
Barron, Kevin	Cummings, John
Battle, John	Cunliffe, Lawrence
Beckett, Margaret	Cunningham, Dr John
Beith, A. J.	Dalyell, Tam
Benn, Rt Hon Tony	Darling, Alistair
Bennett, A. F. *(D'nt'n & R'dish)*	Davies, Rt Hon Denzil *(Llanelli)*
Bermingham, Gerald	Davies, Ron *(Caerphilly)*
Bidwell, Sydney	Davis, Terry *(B'ham Hodge H'l)*
Boateng, Paul	Dewar, Donald
Body, Sir Richard	Dixon, Don
Boyes, Roland	Dobson, Frank
Bradley, Keith	Doran, Frank
Bray, Dr Jeremy	Douglas, Dick
Brown, Gordon *(D'mline E)*	Dunnachie, Jimmy
Brown, Ron *(Edinburgh Leith)*	Eastham, Ken
Bruce, Malcolm *(Gordon)*	Ewing, Harry *(Falkirk E)*
Buchan, Norman	Ewing, Mrs Margaret *(Moray)*
Buckley, George J.	Fearn, Ronald
Caborn, Richard	Fields, Terry *(L'pool B G'n)*
Callaghan, Jim	Fisher, Mark
Campbell, Menzies *(Fife NE)*	Flannery, Martin
Campbell, Ron *(Blyth Valley)*	Flynn, Paul
Campbell-Savours, D. N.	Foot, Rt Hon Michael
Canavan, Dennis	Foster, Derek
Cartwright, John	Foulkes, George

Fyfe, Maria
Galbraith, Sam
Galloway, George
Garrett, John *(Norwich South)*
Garrett, Ted *(Wallsend)*
George, Bruce
Gilbert, Rt Hon Dr John
Gilmour, Rt Hon Sir Ian
Godman, Dr Norman A.
Golding, Mrs Llin
Gordon, Mildred
Gorst, John
Graham, Thomas
Grant, Bernie *(Tottenham)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Hardy, Peter
Harman, Ms Harriet
Hattersley, Rt Hon Roy
Heffer, Eric S.
Henderson, Doug
Hinchliffe, David
Hogg, N. *(C'nauld & Kilsyth)*
Holland, Stuart
Home Robertson, John
Hood, Jimmy
Howarth, George *(Knowsley N)*
Howell, Rt Hon D. *(S'heath)*
Howells, Geraint
Hughes, John *(Coventry NE)*
Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport E)*
Illsley, Eric
Ingram, Adam
Janner, Greville
Johnston, Sir Russell
Jones, Barry *(Alyn & Deeside)*
Jones, Martyn *(Clwyd S W)*
Kaufman, Rt Hon Gerald
Kennedy, Charles
Kirkwood, Archy
Lambie, David
Leadbitter, Ted
Leighton, Ron
Lestor, Joan *(Eccles)*
Lewis, Terry
Litherland, Robert
Livsey, Richard
Lloyd, Tony *(Stretford)*
Lofthouse, Geoffrey
Loyden, Eddie
McAllion, John
McAvoy, Thomas
McCartney, Ian
Macdonald, Calum A.
McFall, John
McKay, Allen *(Barnsley West)*
McKelvey, William
McLeish, Henry
Maclennan, Robert
McNamara, Kevin
McTaggart, Bob
McWilliam, John
Madden, Max
Mahon, Mrs Alice
Marek, Dr John
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Martlew, Eric
Maxton, John
Meacher, Michael
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Michie, Mrs Ray *(Arg'l & Bute)*
Mitchell, Austin *(G't Grimsby)*
Moonie, Dr Lewis
Morgan, Rhodri
Morley, Elliott
Morris, Rt Hon A. *(W'shawe)*
Mowlam, Marjorie
Mullin, Chris
Murphy, Paul
Nellist, Dave
Oakes, Rt Hon Gordon
O'Brien, William
Orme, Rt Hon Stanley
Owen, Rt Hon Dr David
Parry, Robert
Pendry, Tom
Pike, Peter L.
Powell, Ray *(Ogmore)*
Prescott, John
Primarolo, Dawn
Quin, Ms Joyce
Radice, Giles
Randall, Stuart
Redmond, Martin
Rees, Rt Hon Merlyn
Reid, Dr John
Roberts, Allan *(Bootle)*
Rooker, Jeff
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Ruddock, Joan
Salmond, Alex
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Shepherd, Richard *(Aldridge)*
Shore, Rt Hon Peter
Short, Clare
Sillars, Jim
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, C. *(Isl'ton & F'bury)*
Smith, Rt Hon J. *(Monk'ds E)*
Spearing, Nigel
Steel, Rt Hon David
Stott, Roger
Strang, Gavin
Straw, Jack
Taylor, Mrs Ann *(Dewsbury)*
Turner, Dennis
Vaz, Keith
Wall, Pat
Wallace, James
Walley, Joan
Wardell, Gareth *(Gower)*
Wareing, Robert N.
Welsh, Andrew *(Angus E)*
Welsh, Michael *(Doncaster N)*
Wigley, Dafydd
Williams, Rt Hon Alan
Williams, Alan W. *(Carm'then)*
Wilson, Brian
Winnick, David
Wise, Mrs Audrey
Worthington, Tony
Wray, Jimmy

Tellers for the Ayes:
Mr. Frank Haynes and
Mr. Frank Cook.

NOES

Adley, Robert
Alexander, Richard
Alison, Rt Hon Michael
Amess, David
Amos, Alan
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Tom *(Hazel Grove)*
Ashby, David
Aspinwall, Jack
Atkins, Robert
Atkinson, David
Baker, Nicholas *(Dorset N)*
Baldry, Tony
Batiste, Spencer
Beggs, Roy
Bellingham, Henry
Bendall, Vivian
Bennett, Nicholas *(Pembroke)*
Bevan, David Gilroy
Blackburn, Dr John G.
Blaker, Rt Hon Sir Peter
Bonsor, Sir Nicholas
Boscawen, Hon Robert
Boswell, Tim
Bowden, A *(Brighton K'pto'n)*
Bowden, Gerald *(Dulwich)*
Bowis, John
Boyson, Rt Hon Dr Sir Rhodes
Braine, Rt Hon Sir Bernard
Brandon-Bravo, Martin
Brazier, Julian
Bright, Graham
Browne, John *(Winchester)*
Bruce, Ian *(Dorset South)*
Buchanan-Smith, Rt Hon Alick
Buck, Sir Antony
Budgen, Nicholas
Burns, Simon
Burt, Alistair
Butcher, John
Butler, Chris
Butterfill, John
Carlisle, John, *(Luton N)*
Carrington, Matthew
Carttiss, Michael
Cash, William
Channon, Rt Hon Paul
Chapman, Sydney
Chope, Christopher
Churchill, Mr
Clark, Hon Alan *(Plym'th S'n)*
Clark, Sir W. *(Croydon S)*
Clarke, Rt Hon K. *(Rushcliffe)*
Conway, Derek
Coombs, Anthony *(Wyre F'rest)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon John
Cran, James
Critchley, Julian
Currie, Mrs Edwina
Curry, David
Davies, Q. *(Stamf'd & Spald'g)*
Devlin, Tim
Dickens, Geoffrey
Dicks, Terry
Dorrell, Stephen
Douglas-Hamilton, Lord James
Dunn, Bob
Durant, Tony
Eggar, Tim
Evennett, David
Favell, Tony
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Finsberg, Sir Geoffrey
Fookes, Dame Janet
Forman, Nigel
Forsyth, Michael *(Stirling)*
Forsythe, Clifford *(Antrim S)*
Forth, Eric
Franks, Cecil
Freeman, Roger
Fry, Peter
Gale, Roger
Gardiner, George
Gill, Christopher
Glyn, Dr Alan
Goodhart, Sir Philip
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Gow, Ian
Gower, Sir Raymond
Grant, Sir Anthony *(CambsSW)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Gregory, Conal
Griffiths, Peter *(Portsmouth N)*
Grist, Ian
Ground, Patrick
Grylls, Michael
Hamilton, Hon Archie *(Epsom)*
Hamilton, Neil *(Tatton)*
Hanley, Jeremy
Hargreaves, A. *(B'ham H'll Gr')*
Hargreaves, Ken *(Hyndburn)*
Harris, David
Haselhurst, Alan
Hayward, Robert
Heathcoat-Amory, David
Heddle, John
Hicks, Mrs Maureen *(Wolv' NE)*
Hicks, Robert *(Cornwall SE)*
Higgins, Rt Hon Terence L.
Hill, James
Hind, Kenneth
Hogg, Hon Douglas *(Gr'th'm)*
Holt, Richard
Hordern, Sir Peter
Howard, Michael
Howarth, Alan *(Strat'd-on-A)*
Howell, Ralph *(North Norfolk)*
Hughes, Robert G. *(Harrow W)*
Hunt, David *(Wirral W)*
Hunt, John *(Ravensbourne)*
Hunter, Andrew
Hurd, Rt Hon Douglas
Irvine, Michael
Irving, Charles
Jack, Michael
Jackson, Robert
Janman, Tim
Jessel, Toby
Jones, Gwilym *(Cardiff N)*
Jones, Robert B *(Herts W)*
Kellett-Bowman, Dame Elaine
Key, Robert
Kilfedder, James
King, Roger *(B'ham N'thfield)*
Knight, Greg *(Derby North)*
Knight, Dame Jill *(Edgbaston)*
Knowles, Michael
Lee, John *(Pendle)*
Leigh, Edward *(Gainsbor'gh)*
Lennox-Boyd, Hon Mark
Lightbown, David
Lilley, Peter
Lloyd, Sir Ian *(Havant)*
Maclean, David
McLoughlin, Patrick
Madel, David
Mans, Keith
Maples, John
Maude, Hon Francis
Mellor, David
Meyer, Sir Anthony
Miller, Sir Hal
Mills, Iain
Miscampbell, Norman
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David
Moate, Roger
Molyneaux, Rt Hon James
Monro, Sir Hector
Morris, M *(N'hampton S)*
Morrison, Rt Hon P *(Chester)*
Moss, Malcolm
Mudd, David
Nelson, Anthony
Neubert, Michael

Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Onslow, Rt Hon Cranley
Oppenheim, Phillip
Page, Richard
Paice, James
Patten, Chris *(Bath)*
Patten, John *(Oxford W)*
Pawsey, James
Peacock, Mrs Elizabeth
Porter, David *(Waveney)*
Portillo, Michael
Powell, William *(Corby)*
Price, Sir David
Raffan, Keith
Raison, Rt Hon Timothy
Rathbone, Tim
Redwood, John
Rhodes James, Robert
Riddick, Graham
Ridley, Rt Hon Nicholas
Rifkind, Rt Hon Malcolm
Roberts, Wyn *(Conwy)*
Roe, Mrs Marion
Ross, William *(Londonderry E)*
Rossi, Sir Hugh
Rost, Peter
Rowe, Andrew
Sackville, Hon Tom
Sainsbury, Hon Tim
Sayeed, Jonathan
Scott, Nicholas
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shaw, Sir Michael *(Scarb')*
Shelton, Sir William *(Streatham)*
Shephard, Mrs G. *(Norfolk SW)*
Shepherd, Colin *(Hereford)*
Shersby, Michael
Sims, Roger
Smith, Sir Dudley *(Warwick)*
Smith, Tim *(Beaconsfield)*
Soames, Hon Nicholas
Speed, Keith
Speller, Tony
Spicer, Michael *(S Worcs)*
Squire, Robin
Stanbrook, Ivor
Stanley, Rt Hon Sir John
Steen, Anthony
Stern, Michael
Stevens, Lewis
Stewart, Allan *(Eastwood)*
Stewart, Andy *(Sherwood)*
Stokes, Sir John
Stradling Thomas, Sir John
Summerson, Hugo
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Taylor, Teddy *(S'end E)*
Temple-Morris, Peter
Thompson, D. *(Calder Valley)*
Thompson, Patrick *(Norwich N)*
Thorne, Neil
Thurnham, Peter
Townend, John *(Bridlington)*
Townsend, Cyril D. *(B'heath)*
Tracey, Richard
Trippier, David
Trotter, Neville
Twinn, Dr Ian
Vaughan, Sir Gerard
Viggers, Peter
Waddington, Rt Hon David
Walker, A. Cecil *(Belfast N)*
Walker, Bill *(T'side North)*
Waller, Gary
Ward, John
Wardle, Charles *(Bexhill)*
Watts, John
Wells, Bowen
Wheeler, John
Whitney, Ray
Widdecombe, Ann
Wiggin, Jerry
Wilkinson, John
Wilshire, David
Wolfson, Mark
Wood, Timothy
Yeo, Tim
Young, Sir George *(Acton)*

Tellers for the Noes:
Mr. Kenneth Carlisle and
Mr. Michael Fallon.

Question accordingly negatived.

Mr. Richard Shepherd: I beg to move amendment No. 13, in page 1, line 7, leave out 'a person' and insert 'a Crown servant or government contractor'.

The Temporary Chairman: I suggest that it would be for the convenience of the Committee to discuss at the same time the following amendments: No. 38, in clause 7, page 7, line 2, leave out from 'servant' to end of line 5.

No. 39, in clause 8, page 8, line 1, leave out subsection (3).

Mr. Richard Shepherd: The purpose of this series of amendments is to take up the Government's own distinction and limit the range of people who can be notified by a Minister that they are under the same absolute bar on disclosures as members of the security and intelligence services. Under the amendment, only Crown servants and Government contractors could be notified. Those are the only people whom Ministers have said might need to be notified.

Clause 1(1)(b) allows a Minister to extend the absolute bar on the disclosure of information about security and intelligence to certain designated people who are not themselves members or former members of the security or intelligence services. Clause 1(6) states that this may be done where the person's work is connected with the security and intelligence services and where the bar on disclosure is required in the interest of national security.

In explaining this provision, the Government have said that it will apply only to certain civil servants and members of the armed forces. But the power under the Bill goes beyond that by permitting the designation of "any person."

According to paragraph 45 of the White Paper, designation would apply to:

"those who work closely in support of or who are in frequent contact with the services, such as certain members of the armed forces who provide technical support for the services, or officials in specified posts in certain Departments who deal with the services on a regular basis as part of their normal duties."

The Secretary of State said last July that designation would apply to civil servants

"in my private office . . . who nevertheless acquire, inevitably, an extensive knowledge of the services."—[*Official Report*, 22 July 1988; Vol. 137, col. 1415.]

The Minister of State, on the same day, at column 1478, suggested that it would apply to departmental principal private secretaries who convey information about the services to their own Secretaries of State.

Although Ministers have said that designation is intended for civil servants, the Bill refers to "any person". No explanation for this wide definition has been given and its purpose is unclear. It has led to speculation that people such as the Comptroller and Auditor General, or even newspaper editors sitting on the D notice committee, might be designated, making them subject to the absolute bar on disclosures about security and intelligence, denying them the defences provided in clause 1(4). The Government have so far given no indication that this is or is not intended.

The effect of the amendment is to restrict designation to those people for whom Ministers have said designation is intended—that is, Crown servants. The definition of "Crown servants" in the Bill, in clause 12(1), is wide and includes civil servants, Ministers, members of the armed forces and police officers. The amendment would also allow Government contractors to be designated, which would permit the designation of people who might occasionally assist the services on a freelance basis. We are clearly concerned that that power of designation should not reach out and grasp anyone and thus place an inhibition on them that was not intended by Ministers when they promoted this measure and argued the case in the White Paper.

Mr. Archer: The hon. Member for Aldridge-Brownhills (Mr. Shepherd) has made out clearly and effectively the case for the amendment and it would not improve if I sought to repeat it. I seek only some guidance from the Minister on a matter about which I ventured to intervene at an earlier stage in our debates. As I understood it, the Minister said that the effect of the draftsmanship of the Bill was that someone on whom a notice had been served should be inhibited from disclosing information which came into his possession during the currency of the notice, and should continue to be inhibited even after the notice had been withdrawn. He would not, however, be affected by information which came into his possession afterwards.

If that were the position, whether I agreed or disagreed with it, I could see the reasoning behind it, because that

[Mr. Archer]

clearly is what the Government intend to do. I wonder, however, whether the draftsmanship achieves that, because clause 1(1) says:

> "A person who is or has been— . . .
> (b) a person notified that he is subject to the provisions of this subsection, is guilty of an offence if . . . he discloses any information".

I should have thought that he had been a person notified, whatever happened afterwards.

If we then look at clause 1(7), it is fairly clear what it is intended should happen. It states:

> "A notification . . . shall be in force until revoked by a further notice in writing".

That I understand, but surely the effect of a revocation is that he is then not a person notified.

Mr. John Patten: The right hon. and learned Gentleman is wrong.

Mr. Archer: The Minister says that I have that wrong. I have always spoken English, however, and that appears to be the effect of ordinary English. A revocation means that he is no longer a person notified. If that is so, he is not a person notified within clause 1(1) and, therefore, does not commit any offence at all even if he discloses information.

That happens to be the effect of the draftsmanship, but I ask whether the Government have really achieved what they set out to achieve in the Bill. Whatever the merits of what they set out to achieve, what I have put forward would be nonsense.

Mr. Gorst: What worries me about the way in which this clause is drafted is that, if Ministers are to be notifiable people, there is nothing which I have read here which says at what moment in time they might be notified. One can envisage a situation in which a Minister is not a notified person when he serves his Government, but when he goes on to the Back Benches and another Government come in, that Government could discover that he knew something that was highly embarrassing and slap a notification on him to keep him quiet.

I am sure that my hon. Friend the Minister will assure me that that is not the case. Can we be certain, if it is not the case, that it cannot be used in that way? Is the drafting adequate to provide that protection?

Mr. Heffer: I am confused because of previous discussions that we have had on the question of "a person". The concept of "a person" worries me. In an earlier debate, the Minister said that an ordinary person could go to the tribunal and he should also notify the police. Supposing, however, that that person has his house burgled, believes that it was carried out by the security services and decides to go to the police. He says to the police, "I think it is the security services who have done it." The police say, "Right, we'll find out." When they find out that it is the security services they will not want to know any more. That will be the end of the matter.

On one occasion I had my house burgled and the first question that the policeman who came to see me asked was, "Do you think it was political, Mr. Heffer? Have they taken any of your papers?" I knew why he asked that. If it had been political and papers had been taken, he would have said, "It has nothing to do with us." He did not have much to do with it anyway. He merely said, "You're well insured, so you'll be all right."

9.45 pm

What do we have in the police service? Special branch are the leg men for the security men. We all know that. We were not born yesterday and we did not fall off a Christmas tree. That is what happens and the Minister must know it.

I am a bit worried about this business of "a person". He may well think that he is notified and then he is told he is. What does he do then? I am not certain that he could go to his Member of Parliament. The position is so confusing. It could be cleared up without question by the Government accepting this amendment. It makes the position 100 per cent. clear. The Government would be wise to accept the amendment because it would get rid of many of the arguments—some will continue to apply to other people—for ordinary people. I hope that hon. Members will accept this sound, sensible amendment.

Mr. Aitken My hon. Friend the Member for Aldridge-Brownhills (Mr. Shepherd) has done the Committee a service by tabling this amendment. As we have established from our debate on clause 1, it is a limitation on civil rights to be put in the category in which the doctrine of absolute, lifelong, eternal confidentiality applies. If people are to be designated, the Committee rightly, will want a more precise definition of who is to be designated than the one contained in the Bill.

The Home Secretary has given the impression that this category of persons will be confined more or less to people in his Private Office who have dealings with the Security Service. Could it go much wider than that? Those who work closely with the security services cover a wide category of people. I wonder whether my hon. Friend the Member for Torbay (Mr. Allason) or Chapman Pincher could be covered by this. Clearly, designation must not be unfairly used.

There is a crucial point why this definition is deliberately vague and it must relate to agents in the Security Service. There are two types of agent. There are above-the-line agents, who, in the event of an operation being compromised, cannot be denied because they are known to exist and Ministers must ultimately take responsibility for their existence if an operation is botched, there is a row and the security services' involvement is clear. There are also below-the-line agents who are deniable under all circumstances. They are buried beyond reach of theoretical knowledge of Ministers and people like them.

I cannot see any other justification for having this vagueness about designating people. Why not just leave the definition at Crown servants or Government contractors? The answer must be in this difficult twilight zone of above and below-the-line agents.

Again, we get into deep complications. If a below-the-line agent is to be designated, he cannot be a below-the-line agent. He is no longer deniable under all circumstances. In leaving the definition as vague as this to be able to designate below-the-line agents, the Government are compromising and revealing in advance the whole nature of below-the-line agents.

Mr. Richard Shepherd: I am slightly bemused, because I thought we were placing on a statutory basis the very existence of such people. Will they not become above-the-line by definition?

Mr. Aitken: If the Home Secretary or those with authority for the security services want the power to designate as people who must observe the absolute doctrine of confidentiality, those other than Crown servants and Government contractors, they are making a rod for their own backs. That is, unless a totally unfair and arbitrary designation is applied—in which case we want to know about it—in respect of agents. That is why the wording of the Bill is left vague. It is a dangerous hostage to fortune to designate such people, if the point of having them in the first place is that they will always be deniable. Designation will mean that they are no longer deniable. The clause is misguided and needs to be narrowed. That is why I support my hon. Friend's amendment.

Mr. Gorst: Will my hon. Friend address himself to another point that he has almost inadvertently touched upon? I refer to the question whether people can refuse to be designated. If I am an innocent passer-by and witness something that it is inconvenient for me to know, can someone slap a designation notice on me, to keep me quiet?

Mr. Aitken: Such a question is more appropriately addressed to the Minister. However, one ought to ask for the record whether there will be any appeal against designation. Are there any arrangements for fighting unfair designation. As we know, the security services make mistakes in naming people or in placing them in categories, so it is possible that they could wrongly designate someone. There ought to be a procedure for dealing with that.

Mr. Corbett: This will get worse before it gets better. Paragraph 47 of the White Paper—although the Home Secretary denied it when we debated that document—states:

"the Government proposes that there should be a power for the responsible Minister to designate individuals or groups."

Whether such a group could include Members of Parliament we shall never know. I say that because paragraph 48 states:

"The list of persons designated would not, for obvious reasons, be made public."

Mr. Aitken: Again, the word "groups" must apply to people who might have been engaged in a below-the-line security operation. It could include a group of boatmen moving our agents.

Mr. Ashdown: Could not such a group include all the employees of a private security firm employed by the Government or by the security services?

Mr. Aitken: Whether the word "groups" includes the employees of a security firm, boatmen, or even special boatmen—as the hon. Gentleman once was—it may be convenient to give the power to designate. I believe that the Committee will be wise, in the best interests of security, not to allow power of designation on the scale for which the Bill provides.

Mr. Rees: There are so many cross-threads in the Bill. In our earlier debates today we have, understandably, found ourselves in danger of picking up on points that will arise later, but they are germane to the earlier arguments. We have successfully avoided doing so except on one or two occasions.

In this series of amendments, for example, there looms the matter of public interest—as to whether a person, notified or not, has a right at some pitch to reveal information. That is a point to which we can return, and it applies whether the group is large or small. I wish to make it clear, although I shall not develop the point, that despite all the difficulties involved I still believe that the Franks committee was right and adoption of its recommendation would have saved a lot of bother in this Committee. Franks said that the only people criminally vulnerable under new secrets legislation should be those who reveal information classified as secret and above. That would have a bearing on what we are discussing, but I will save my fire until later.

The amendment is intended to limit the definition of notified persons. We must, of course, be clear about who is included in the wider group of persons, and I shall put my mind to that shortly. But what about Ministers? As a junior Minister, under the Mountbatten reforms, like the hon. and learned Member for Colchester, North (Sir A. Buck) at a later date, I was Army Minister and RAF Minister. I cannot recall signing a bit of paper or being nominated by anyone, but as RAF Minister—which is what I was, although changes had taken place—I received information that I would not and will never discuss with anyone about the targeting of the RAF at the time. Under the Franks recommendations such material is secret and above, and in any case who would want to reveal it?

Sir Antony Buck (Colchester, North): For the sake of accuracy, may I point out that although I was a Member of Parliament for an Army constituency, I was Minister for the Royal Navy at the relevant time?

Mr. Rees: Between us we cover the waterfront.

I was a service man. The point that I am making is that no one designated or nominated me so far as I recall, but I remember—as I imagine the hon. and learned Gentleman does—rather pleasant occasions when senior Army officers, and later senior RAF officers, came in to introduce themselves. We talked about their work and ended up discussing such subjects as what happened during the war. I remember a man coming to talk to me about the need to keep papers secure and not leave them lying about, but we were aware of what to do without being told.

The Minister may tell me that my question is dealt with in clause 7, which some of us have been looking at but do not entirely understand. However, I should like to know how long the notification lasts. Will there be a day when someone writes to say, "You are no longer a notified person"? We built into the Franks recommendations that papers in every Department—heaven knows how many thousands of MOD papers are secret and above, but there are not so many in the Department of Education—would be reclassified from time to time. When they fell below the "secret and above" classification in two, three, four or 10 years' time, they would not come under the criminal sanctions recommended in the Franks report. The time factor, therefore, was dealt with through the reclassification of documents.

My question is, how does the time factor come into this legislation? A problem is raised for the group of people

[Mr. Rees]

—Ministers, ex-Ministers or more usually ex-Prime Ministers—who write long memoirs, in some cases as many as nine volumes, breaking the Official Secrets Act on almost every page. The Prime Ministers concerned have probably never signed a bit of paper, and in any case they are allowed to get away with it because it is nonsense to prevent information from being revealed 20 or 30 years after the event. How do the Government intend to deal with the question of timing?

Although we have attempted to narrow the definition in the clause, we are still left with Ministers under the heading of Crown servants. Who will have the responsibility of making the Prime Minister a notified person? I presume that other Ministers will be notified by the Prime Minister. Who will administer the notification to the Prime Minister? I am not joking about this. Perhaps Prime Ministers will notify themselves that they are notified persons. What is the procedure for that? I fully appreciate that one or two people in the Private Office and possibly someone who does the typing would have to be secure. They will have to be notified persons. A small group of people would not be notified and it will not be difficult for the Department to decide—

It being Ten o'clock, The CHAIRMAN *left the Chair to report progress and ask leave to sit again.*

Committee report Progress.

Ordered,

That, at this day's sitting, the Official Secrets Bill may be proceeded with, though opposed, until any hour.—*[Mr. Alan Howarth.]*

Bill again considered in Committee.

Question again proposed, That the amendment be made.

Mr. Rees: I should like to emphasise what the hon. Member for Thanet, South (Mr. Aitken) said about agents other than what I suppose are called contract agents who are not full-time with MI5. At this time no one likes to talk about this sort of thing, but we have to be sure about how such people are dealt with under the notification process. If someone is taken on, either by a security firm or to act for MI5 under certain conditions, does that person become notified and how long does the notification last? I ask that because—foolishly, and not altogether by design—I found myself on a programme discussing security. I thought that the programme would last an hour, but it went on for half the night. It was called "After Dark" and had no time limit.

I wrote to the Home Secretary because a chap called Gary Murray on the programme made the most astonishing allegations about being trained by MI5, saying that people from private security firms were trained on Ministry of Defence premises. Then he made allegations about certain prominent cases in which my hon. Friend the hon. Member for Linlithgow (Mr. Dalyell) had been involved. True or false, that chap was breaking section 2 of the Official Secrets Act by his allegations. Unless he becomes a notified person, he will certainly break the law under the proposed legislation. I have no strong views about that, but if I had I would make them known in the later debate on amendments about the public interest.

I emphasise that we have to be clear about how such people are covered. It will be interesting to note to what degree the measures are used. In that respect, the other secret service—the SIS—is not covered because, rightly or wrongly, it engages in activities abroad. I want to be assured that there are no circumstances in which state security services other than MI5 operate in this country.

My last heading is journalists.

Mr. Ashdown: The right hon. Gentleman mentioned the other security service—the SIS. Could it not operate legitimately in Britain, but against foreign targets?

Mr. Rees: The clear division is MI5 at home and MI6 abroad. If anyone is responsible for operations in this country, it should be the Home Secretary—not the Foreign Secretary. Wires would be crossed if such a case arose. Some action would be carried out at the request of MI6, but I want to be sure what class of security officer would be involved in this notification procedure.

I have just been handed a copy of a letter that the Home Secretary wrote to me.

Mr. Campbell-Savours: It is all in my library.

Mr. Rees: I did not know that my hon. Friend had a copy of that letter. In it the Home Secretary denies the remarks about the security services, although he does so in the usual way, as I did myself many times, saying that it is Government practice not to confirm or deny allegations about operations but

"I can assure you, with regard to Mr. Murray's allegations, that I am now satisfied . . . that no further investigations are warranted."

That reinforces the view that we need to be sure whether those people are covered in this process. I hope that the Minister of State will clarify that.

This debate in Committee will continue a great deal longer and I hope that we do not end up with a guillotine. It is important that we use the time that the Government will provide, and that the Opposition want, to do what was not done with the official secrets legislation between 1889 and 1911 and on to 1920. It was always shoved through late at night because there was a scare. We must get it right this time. One of the most important points to clarify is which group of people will be notified that they are covered by this legislation.

Mr. Dalyell: Although I suspect that it would be in order, the case to which my right hon. Friend the Member for Morley and Leeds, South (Mr. Rees) referred—that of the murdered Shrewsbury rose grower, Hilda Murrell—might be better dealt with in respect of a different amendment on another day, so I shall not pursue that.

However, my right hon. Friend will forgive me if I say that he raises a real problem of the authority of who is to say what is to be done in Cabinet. He referred to prime ministerial memoirs. I understand that, in the 1968-69 period of the Labour Cabinet, there was a lengthy discussion about the note-taking of Mrs. Castle, Mr. Jenkins and Mr. Crosland. The Prime Minister came up with the view that the party leader—the Prime Minister himself—should be able to read through the memoirs of Cabinet colleagues before they were published.

To illustrate the difficulty—Mr. Crosland told me that he said it, but others have claimed credit for doing so—they turned round in unison and said, "Harold, would you allow your memoirs to be vetted by Hugh Gaitskell?" That was the end of that argument. In no way would Harold Wilson have permitted his memoirs to be vetted by Hugh

Gaitskell. *[Interruption.]* Hugh Gaitskell was certainly dead, but it was a hypothetical question. The answer, nevertheless, would have been a very big "nyet". I digress, but it encapsulates a real problem.

I am sure that the hon. Member for Aldridge-Brownhills (Mr. Shepherd) will agree that this is not the most momentous amendment, but for some of us it is something of a litmus test. If the Government were doing what many Opposition Members and some Conservative Members want, there would be little or no difficulty about accepting the wording suggested by the hon. Member for Aldridge-Brownhills.

Time is short, so I shall content myself with two questions on this amendment. The first was referred to by the hon. Member for Aldridge-Brownhills. What exactly is the position of the D notice committee? The Minister may say, "Don't worry about it; it's obvious." It is not obvious from the Bill. The position of the D notice committee is left in limbo by the wording of the Bill. In the same breath, I ask, what is the position of the Comptroller and Auditor General? My hon. Friend the Member for Workington (Mr. Campbell-Savours) is a member of the Public Accounts Committee. I, too, have served on that Committee. The role of the Comptroller and Auditor General is absolutely crucial, but, as I understand it, the wording of the Bill does not make that clear. If there can be clarification, let the Minister give it.

Secondly, the House of Commons is entitled to know that advice was given on this subject by the Security Commission. Were Lord Griffiths, General Sir Hugh Beach and Philip Allen invited to give advice? *[Interruption.]* My hon. Friend the Member for Birmingham, Erdington (Mr. Corbett) says no. He may be right. In that case, why were they not invited to give their advice? It is important to know what they think. They are people of considerable weight, and I want to know whether they gave advice on the subject. If the Government say that they cannot reveal whether such advice was given to them, at least it is legitimate to ask what the Security Commission said to Ministers.

Mr. Andrew F. Bennett: May I press the Minister on the point that was raised by the hon. Member for Hendon, North (Mr. Gorst): will this provision be retrospective? If people are told when they are appointed that they are subject to the provision, that is one thing. It is a very different thing if they are notified later that there will be retrospective notification, particularly if they have started to ask awkward questions.

The White Paper limits the scope of the Bill. Will the Minister give us some guidance about what will happen when defence contractors are involved in nuclear work, or in other high security work, and health and safety problems or problems over unfair dismissal arise? Does the Minister envisage that an absolute ban will be imposed if it becomes inconvenient for the Government when somebody raises a health and safety issue or complains about unfair dismissal? As the Bill is drafted, there is a temptation to brush aside awkward matters by suddenly slapping a notice on an individual. As I read the Bill, there is no limit on who can have a notice slapped on them if they appear to have information that might be embarrassing to the Government and that the Government can claim has security implications.

10.15 pm

Ms. Abbott: In the run-up to the White Paper there was much talk about the possibility of the Bill containing ministerial certificates on information. There were extensive arguments in the media that ministerial certificates on information, whereby pieces of information would be designated, would open up the possibility of arbitrary behaviour by Ministers. Under clause 1 we will have ministerial certificates on people. The self-same arguments that were marshalled against ministerial certificates on information apply to ministerial certificates on individuals.

Will people have a right of appeal against designation? Subsections (6) and (7) deal with the procedure for effecting and revoking designation. Will a designated individual be able to petition for revocation, or will he have to wait until the Minister sees fit to revoke the designation?

The clause refers to persons being designated by virtue of being in possession of information. Ministers are technically in possession of a great deal of information which they never read. Would it be a defence for an ex-Minister to argue that, although he might have been in possession of information, he did not read it at the time? Ministerial certification of information has been argued against, but there are more problems when it is proposed for individuals. There are many grey areas which I hope the Minister will clear up.

Mr. Campbell-Savours: I can curtail my comments substantially if the Minister will intervene to give me an undertaking; otherwise, I shall have to proceed, perhaps at length, with the aid of an article in *The Observer* some eight months ago. Can the Minister tell us, in an intervention, whether a journalist could be subject to subsection (1)(b)? Could a journalist be "a person notified"?

Mr. John Patten: No. I will deal with that in my reply.

Mr. Campbell-Savours: I shall move to the second point, the position of members of the Public Accounts Committee. During the course of our hearings when we take evidence we may examine defence officials on military equipment, in particular telecommunications equipment which has an intelligence connection. In other circumstances it might have been the Zircon project. Does the fact that I am a member of a Committee which might have to take evidence in private on a project similar to Zircon mean that I could be subject to notification under subsection (1) (b) and defined as "a person notified"?

Mr. Corbett: This is a fascinating debate. I hope that the Minister will reply particularly to the point about the D notice committee. For the sake of argument we will say that a designated person can be anyone the Secretary of State chooses. The power in the Bill to designate a person seems to make the D notice committee redundant, given the protections which the Government want to build into the legislation.

My hon. Friend the Member for Hackney, North and Stoke Newington (Ms. Abbott) raised the important question about an appeal or a petition against notification when a person has been designated. I would be interested to know whether the Minister will provide those avenues.

Mr. Heffer: I am a simple bloke and when I read the words "a person notified", I assumed that notification was not the same as designation. Perhaps we had better clear up what notification means because it can be a broad term. Designation means that one pinpoints a person or group, but what does notification mean? I do not know, and that is why I raised that question originally.

Mr. Corbett: I was using the word "designation" to mean the consequence of being notified, so the end result would be the same. My hon. Friend has raised an interesting point and, without becoming involved in a great semantic argument, perhaps the Minister will explain.

Our debate revolves around the question of who is a person or persons. We have little guidance on this. It is another example of the Home Secretary saying one thing in the White Paper, a second thing in the press release, a third thing at the beginning of the debate on the White Paper and, lo and behold, a fourth and contradictory thing when we come to debate the Bill.

The Secretary of State for the Home Department (Mr. Douglas Hurd): Read the Bill.

Mr. Corbett: It would be progress if the right hon. Gentleman and his hon. Friends were to do that; I would welcome it.

Paragraph 45 of the White Paper, which follows on a discussion about the lifelong duty of confidentiality, says:

"Those issues have been discussed in terms of the 'security and intelligence services'."

We all know where we are with that. It continues:

"But the arguments apply not only to actual members and former members of the services but also to those who work closely in support of or who are in frequent contact with the services, such as certain members of the armed forces who provide technical support for the services, or officials in specified posts in certain Departments who deal with the services on a regular basis as part of their normal duties."

As has been asked already, does that apply to private security contractors? If it does, the Bill is far wider than was suggested in the White Paper, but the implication is that it does.

Let us imagine that the security in a certain building in Gower street has been privatised in pursuance of the Government's intention to privatise or shut everything in sight. Let us suppose that security there is handed over to Securicor, in which one of the Minister's hon. Friends has an interest, but that is by the by. Clearly, it would be nonsense, in view of the ambitions of clause 1, not to notify the members of that private security firm that they were being fingered under the provisions of the Bill.

We are also left with the point raised by my right hon. and learned Friend the Member for Warley, West (Mr. Archer) and other hon. Members about other people. What will be the position of Ministers? It is clear in the Bill that when a Minister is in office, he or she will be a notified or designated person. That is clear.

Mr. Heffer: It is not. The White Paper speaks about designation, whereas the Bill talks about notification. I left school at 14, but I know that there is a distinction between the two words. We should be clear about that because I do not trust people who draft proposals in a Bill differently from a White Paper unless we know what is meant and why the words have been changed.

Mr. Corbett: I am sorry to disappoint my hon. Friend, but I cannot help him, although I imagine that perhaps the Minister of State will be able to do so.

We have established that when in office a Minister is covered, and we assume from that that when the Minister leaves office, he or she will be sent a note saying that he or she is no longer a notified person. Suppose that someone was a Minister and either is or is not still a Member of this House that introduces other matters because we can always fall back on parliamentary privilege and the two things are possible. What happens if he is told by a member or former member of the security and intelligence services something that happened during his period as a Minister of which he was totally unaware then and which at the time was illegal? What can that person do? Can that person tell someone? No doubt the Minister of State will remind us that that person can go to the tribunal or to the police and he has said that they can, in safety, go to a solicitor but we question that.

More to the point, where there is some great iniquity and something illegal happened, can that person telephone Chapman Pincher and say, "Oi, Harry, have I got a story for you. Can you get it in the *Daily Express* tomorrow?" If that happens, who carries the can?

Mr. Archer *rose*——

Mr. Corbett: I shall give way to my right hon. and learned Friend in just a moment.

We established in an earlier debate that the messenger will go to chokey—to gaol—and that the member or former member of the service who gave the information will go to gaol, but what about the editor who prints the information in those circumstances? What about the former Minister who passed on the information? Where does it stop?

Mr. Archer: Does my hon. Friend agree that it appears that no offence would have been committed in that instance because it will not be information in his possession in the course of his work while the notification was in force? If that relieves my hon. Friend's mind, is it not even odder that if it were something that he had learned while a Minister, he would have been covered, but if it is something that he learns accidentally later, or which slipped his memory but which he re-learns, apparently no offence has been committed?

Mr. Corbett: My right hon. and learned Friend has noticed a most interesting point. There is another flaw in the clause because, as my right hon. and learned Friend has said, it all hangs on the fact that the former Minister picked up the information in the course of his work while the notification is or was in force. That is an extremely apposite point.

Will the Minister of State say, "You have all been guessing that at some time after that person ceases to be a Minister, the notification will be revoked, but I have to tell you that it will not be revoked in the case of a former Minister because," lo and behold, "we are now going to extend the principle of the lifelong duty of confidentiality to anyone who has served as a Minister and been notified under the provisions."? That is possible under the Bill although I may be told that is wrong and although it could be perfectly logical to do that, I do not for a moment want it to happen.

The Government cannot have it both ways, but they can try to have it both ways. One could generously say, "This is clearly a drafting fault and it is not the Government's intention to pin this narrowly on the words 'while the notification is or was in force'" and that the Government meant it to be wider to cover the problems that I have put to the Minister of State.

Although the White Paper widened the scope of what was proposed outside direct members of the security and intelligence services, it added comments about others who have frequent contact with members of the service. Will the Minister let the Committee know whether it is the Government's intention that notification would be applied only to those individuals and groups of people referred to in paragraph 45 of the White Paper? I anticipate that the answer will be no. I hope that the Minister will tell us. One reading of the Bill is that it could be applied to any person who has had any fairly regular contact with the security or intelligence services. I want to find out from the Minister how far it goes.

Do the Government intend to argue that an employee of a firm of contractors called in to refurbish the office of Mr. McColl, the new 56-year-old head of MI5, must be notified in the course of carrying out the work because of the likelihood, however remote, that they could trip across information that may put the state at risk? If that is so, do the Government believe that MI5 staff would be so careless as to leave classified or highly classified information lying around an office while it is being refurbished? I do not believe that. If that is flickering across the Minister's mind, he has a low opinion of senior personnel in the security and intelligence services.

10.30 pm

Does the Minister envisage that there could be circumstances where Mr. McColl goes to the gents, happens to meet a colleague and begins to discuss some highly secret security officer while a contract plumber is changing a tap? How far do the Government intend to extend the list of persons whom they want to notify under the Bill? If one takes the Government's stand, it would be sensible to notify the plumber, painter, carpenter and electrician, because once they get inside buildings of that sort, given that the Government think that the staff are so careless as to flick secrets all over the place, who knows what they may find?

The Minister became excited the other night when he recalled that my right hon. Friend the Member for Birmingham, Sparkbrook (Mr. Hattersley) had said:

> "In truth since the war, MI5 has been one of the worst and most ridiculed security services in the western Alliance".—[*Official Report*, 15 December 1988; Vol. 143, c. 1124.]

He said again tonight that that view is shameful. Based upon this clause, that seems to be the view of the Minister and the Government. The Government are seeking powers that it would be possible to extend to anyone with a brush or a hammer in their hands who gets anywhere near the security and intelligence services. They are saying that they must be gagged for life, presumably because it is the view of the Home Secretary and his colleagues that those in the services are casual and careless about what they do with secret papers or are indifferent about whether their discussions on such matters come within earshot of outsiders. We do not take that view.

We are still left with a conundrum: how far do the Government intend the notification to go? It may be argued that the Government want the power to stretch notification beyond those types of people mentioned in paragraph 45 of the White Paper.

Perhaps the Minister will turn his mind to people who have more regular contact with the security services than itinerant contractors refurbishing offices or painting buildings. What about the squads of cleaners who enter buildings at 5 am to get them shiny and in working order for when the spooks and spies arrive later in the day at more convenient hours to do their work? What happens if the catering has been privatised? Catering staff would be in regular contact with members of the services. Is it intended to notify them? It appears that the Government can wrap this catch-all mantle around the neck of anyone they choose. That is unacceptable. It contrasts and collides dramatically and noisily with their claims that the Bill narrows the scope of official secrecy.

I hope the Minister will be able to satisfy me about these things; I await his reply with bated breath.

Mr. John Patten: I hope that I can satisfy the hon. Member for Birmingham, Erdington (Mr. Corbett) and my hon. Friends the Members for Thanet, South (Mr. Aitken) and for Aldridge-Brownhills (Mr. Shepherd). The debate gives me the chance to clear up some misconceptions about notification generally. I shall deal with specific questions when appropriate, but many of the questions asked have been general.

The amendments would place a restriction on a power that is already strictly limited. I will tell the Committee the exact limitations on the power in the Bill. The amendments would mean that certain people who work with the security and intelligence services, and who do not fall within the definitions of Crown servant or Government contractor as set out in the Bill, could not be placed under the same liability as members of the services, although they have very much the same knowledge as those members.

I want to impress on the Committee how limited this power is. The occasional fanciful story has appeared in the press, although one can sometimes believe what one reads there. The hon. Member for Workington (Mr. Campbell-Savours) and one or two other hon. Members have asked about the power to notify journalists, Members of this House, or anyone else. The criteria in the relevant subsection are clear and narrow.

First, a person cannot be notified unless his work is connected with the security and intelligence services. That does not mean a person with an interest in them—an interest which a writer, journalist or broadcaster might quite properly have. It is not enough to be professionally interested in the services—there must be some direct connection. This means that Ministers can notify only those who have some official standing in relation to the security services. There is no power to notify those who work as journalists, or as Members of this House, or as anything else, if they do not have that standing.

Secondly, the nature of the person's work must also be of such a kind that the interests of national security require that he be subject to the same offence as members of the services. The word "require" is deliberately chosen. It means that a Minister has no power to notify someone merely because he considers it desirable or convenient to notify him. In other words, national security interests must mean that notification is applied.

Mr. Richard Shepherd: I am grateful for that clarification. I should like to know what are the relevant lines and clauses of the Bill to which my hon. Friend is referring so that I may be assured of this.

Mr. Patten: Clause 1 sets out those people who can be notified, and we see here the notification powers set out in clause 1 to which I referred. In subsection (6) we shall see what applies.

Mr. Dalyell: Clause 1(6) says that a person may be notified if,

"in the Minister's opinion, the work . . . is or includes work connected with the security and intelligence services . . . and the interests of national security require"

an absolute bar on disclosure. What safeguard, if any, exists to ensure that notification is not abused to cover situations quite outside the examples cited—that is, to notify someone whose job has made him or her a witness to an incident involving the security services? The Gibraltar example springs to mind.

Is the test that it is the Minister's opinion that the work is connected with the services? And is the Minister's opinion subject to judicial review if unreasonably exercised? Should there not be some form of appeal against abuse? Otherwise persons who are notified cannot mention the fact to anyone without consulting and creating an offence.

The Minister cannot complain about arbitrary notification without committing the absolute offence to which he has been made the subject.

Mr. Patten: The hon. Member has made a number of points. In answer to one: no, the matter is not open to judicial review. But in answer to the point raised by both the hon. Member for Linlithgow (Mr. Dalyell) and my hon. Friend the Member for Aldridge-Brownhills, we can see the protections in clause 1(6), because

"the work undertaken by the person in question is or includes work connected with the security and intelligence services"——

Mr. Shepherd: "In the Minister's opinion".

Mr. Patten: Indeed, in the Minister's opinion, if the Minister's opinion is that the nature of the work is such that considerations of security require that he be subject to the provisions of that subsection. The word "require" is deliberate.

Mr. Campbell-Savours: The intervention of the hon. Member for Aldridge-Brownhills (Mr. Shepherd) was important. He stressed the words "in the Minister's opinion". The Minister's opinion may change. It may be that the interpretation placed on the words

"or includes work connected with the security . . . services"

may change from the relationship outlined by the Minister, which included only a professional relationship, to another kind of relationship which could perhaps include journalists. How can we be sure that the Minister's opinion might not change in the way that I am suggesting?

Mr. Patten: Looking at the words on the page, I do not understand how the Minister's opinion could be construed as involving the notification of someone who happens to have an interest, passing or permanent, in the work of the security services. The work must be undertaken by the person in question and must involve or include work in connection with the security services. That is a point that I have made on three occasions.

Perhaps some of these points would become clearer if I gave some illustrations to the Committee of the sorts of people who would be notified.

Mr. Shepherd: This is the whole point of our emphasis on the words "in the Minister's opinion". In my introduction we cited the different views that have been passed by my right hon. Friend the Home Secretary and my hon. Friend the Minister of State himself—the view that they were essentially Crown servants. That is why we tried to limit it to that restriction so that there would be no confusion. Now we have another "in my view" which is justifying a wider clause. That is our anxiety—that large sections could be designated on the Minister's understanding, with no appeal or ability to argue that the wrong person has been notified.

Mr. Patten: In the end, notification—and the power of notification—is an operational decision and would always be an operational decision.

Mr. Shepherd: Without judicial review.

Mr. Patten: Yes, without judicial review. I have already said that twice to the Committee.

I think that my hon. Friend's anxiety and that of Opposition Members might be satisfied if I outlined to the Committee the sort of people who might be notified.

Sir Barney Hayhoe (Brentford and Isleworth): What happens if the Minister makes a mistake? My hon. Friend seems to be arguing that Ministers are infallible. There must be a new breed of Ministers known only to the Home Office if that is his argument. If a Minister makes a mistake, who will review that decision if it is not available for judicial review?

10.45 pm

Mr. Patten: Operational decisions on what should happen in the Security Service, including the power of notification for those who are closely connected with the service, must in the end be determined by ministerial decision. It is an operational decision by the Minister.

Several Hon. Members *rose*——

Mr. Patten: I hope that hon. Members will not intervene while I set out the types of people who will be notified. I wish to give the Committee as clear an indication as possible of how, on the basis of the present situation, the notification power will be used. I want to be helpful, but I cannot and will not reveal operational secrets. *[Interruption.]* I hope that hon. Members would not expect me to do so. It may be a matter of jocularity to some, but it is a serious issue to others, especially those in the service.

We propose to notify some carefully selected and mainly senior officials and members of the armed forces working in a few Government Departments because they are involved in assessing and deploying intelligence information of the greatest sensitivity and in assisting Ministers in the exercise of their responsibilities for the security and intelligence services.

We propose also to notify some, mainly Crown servants, who work on providing the services with regular professional support for their operations and activities. We will also notify those members of the armed forces who undertake technical communications and work alongside the services in various parts of the world. We also propose

to notify those with particular responsibilities or public duties in respect of the services, including the Ministers. That answers the point that the right hon. Member for Morley and Leeds, South (Mr. Rees) raised.

It will be clear from what I have said that notification will not apply to the vast majority of people who are provided with information by the security and intelligence services as part of their work or who may be aware of particular aspects of the work of the services or who may from time to time give support and assistance to them. Of course, any unauthorised disclosures by such people will, for the first time, be subject to a test of harm.

Mr. Richard Shepherd: Part of the purpose of this debate was to identify those who might be notified. The amendment would leave out "a person" and insert

"a Crown servant or government contractor."

We were trying to identify, outside that range, who else would be notified. It was designed to meet the classification or definition that Ministers had given. We thought we were being helpful.

Mr. Patten: I was coming to that point. I am going through the whole argument, from the beginning to the end of the story, in view of the concern that has been expressed on both sides of the Committee.

Among the small group with particular responsibilities or public duties in respect of the services, there are some people who, under this series of amendments, we would not be able to notify. They are holders of public offices which involve a detailed knowledge of the service. Such people must have a close and detailed knowledge of the workings of the security and intelligence services to discharge their functions. Furthermore, they stand in a position of trust, such as the chairman and members of the Security Commission. Furthermore, they stand in a considerable position of trust in society. We have no expectation that any of those eminent persons would ever break that trust, but, as a matter of principle and of consistency, I believe that their liability should be the same as that of members of the services. If my hon. Friend's amendments were put through, as the Bill stands now we could not notify such people.

Another important point was raised about notification.

Mr. Archer: Will the hon. Gentleman give way?

Mr. Patten: I shall be coming to the right hon. and learned Gentleman's point in a moment, but I would like to make some progress. I have given way a great deal this evening. I would like to deploy the arguments to the Committee and then, as it is a Committee, hon. Members can return again and again to the debates if they wish.

An interesting linked point was made by the hon. Member for Hackney, North and Stoke Newington—an even longer title for a constituency than mine—about whether a person could actually refuse notification. I reassure the hon. Lady that every effort will be made to ensure that no civil servant is asked to fill, against his or her will, a post carrying notification. It is hardly in the public interest or in the interest of the efficiency of the Civil Service that a sensitive post should be held by a disaffected or discontented person.

Mr. Maclennan *rose*——

Ms. Abbott *rose*——

Mr. Patten: I shall give way to the hon. Lady to whose point I was referring.

Ms. Abbott: Could I ask two linked points? First, can a person appeal against notification? Secondly, as there is provision in this clause for revocation of notification, can a person petition for revocation or is it entirely at the whim of the Minister whether he chooses to do so?

Mr Patten: There is no need to appeal against revocation, because, if someone is unwilling to accept a job involving notification, it would be bizarre to suggest that someone should be notified.

Mr. Allason: Will my hon. Friend give way?

Mr. Maclennan: In answer to the question of the hon. Member for Hackney, North and Stoke Newington (Ms. Abbott), the Minister said that a person would not be required to take a post carrying notification. If I have read the Bill correctly, it does not give the Minister powers to allow him to designate posts as notifiable posts. The Bill refers to the notification of individuals, and the Minister will be required to look at the position of individuals.

Mr. Patten: If anyone within the Civil Service is disatisfied, he has the well-laid-down lines of appeal right up to and including the head of the Civil Service.

The right hon. Member for Morley and Leeds, South mentioned the position of Ministers, which we need to consider. I assure the right hon. Gentleman that proper arrangements will be made within the Government to notify the relevant Ministers under the requirements of this provision, about which we foresee no difficulty.

Mr. Terence L. Higgins (Worthing): Can we be clear on the question whether someone can refuse to be notified, as this would obviously have important implications if that person was already in possession of information? Can he simply say, "I refuse to be notified"? It would be difficult, if it were possible to notify someone after the event, to make the effect of the notification retrospective.

Mr. Patten: That person could not do that while he was in a position of some trust, where he had access to secret information. If, on the other hand, it was someone who was not a Crown servant who was being brought into notification, of course, he could refuse to be notified.

Mr. Allason: Will my hon. Friend give way?

Mr. Higgins: Presumably, he could refuse to be notified and resign, or whatever the appropriate action might be.

Mr. Patten: Or that person could be transferred to another post or do something else. We all get faced with those rough decisions sometimes.

The right hon. Member for Morley and Leeds, South raised an important point about the time factor for Ministers, which I must answer. A former Minister who wished to reveal information about security and intelligence, given to him while he or she was a notified person—I must stress that there is no retrospective notification—would of course need to seek authority in the normal way, if he or she wished to make available that information.

Mr. Allason: On that point, would my hon. Friend give way?

Mr. Patten: I wonder if my hon. Friend would forgive me, because I must answer other points which have been raised in the debate.

Mr. Allason: Will my hon. Friend give way on that point?

Mr. Patten: I shall give way in a moment. I shall just deal with the point raised by the hon. Member for Linlithgow, which is in many ways linked, because it deals with non-Crown servants. I can reassure the hon. Gentleman that the Security Commission is aware of our proposals. As he generously said, it would not be right for me to go into further detail on that issue.

Mr. Allason: Does the limitation on retrospective notification apply only to Ministers? Is it impossible to notify retrospectively civil servants and other Crown servants who would otherwise qualify?

Mr. Patten: My hon. Friend is right. Such notification would be impossible.

The existence of the D notice committee and its usefulness are not affected by the Bill. Having said that, I shall respond to the right hon. and learned Member for Warley, West (Mr. Archer) and the right hon. Member for Morley and Leeds, South on notification. Clause 1 refers to:

"A person who is or has been . . . notified."

That is the force which makes it possible for someone to be notified by statute, and that is the period for which he is notified.

Mr. Campbell-Savours: The Bill does not say that.

Mr. Patten: Clause 1 refers to:

"A person who is or has been . . . notified."

Those words appear in the first lines of the Bill. I think that I have read that correctly. All the best novels contain the advice "Read on", and that is what the hon. Gentleman should do. I understand that the right hon. Member for Morley and Leeds, South accepts that the Bill deals with the issue that the hon. Member for Workington (Mr. Campbell-Savours) has raised.

My hon. Friend the Member for Hendon, North (Mr. Gorst) is concerned about the position of a Minister who retires and then discovers something heinous or awful and wishes to talk about it. My hon. Friend wishes to know whether the notification procedure will be a possibility retrospectively. The answer is no. A retired Minister will have to abide by the duty of silence over the period when he was in office and during which he gathered information. If he discovered something after his retirement, he would not be subject to retrospective notification.

Mr. Gorst: I am grateful to my hon. Friend the Minister for that answer, but I still have a nagging fear. Let us suppose that a Minister in office has not been a notified person and someone says, "You realise that Bloggs may find out about what happened three weeks ago, so we shall make him a notified person."

Mr. Patten: I do not think that retrospective notification is possible inside or outside of office. Retrospection is not possible, whether someone is in office or out of office, and not notification is permitted on a passerby.

I hope that the fuller explanation that I have given of the scope and intended use of the powers will reassure the Committee. I hope that on that basis there will be a preparedness to withdraw the amendments.

Several Hon. Members: Will the Minister give way?

The First Deputy Chairman of Ways and Means (Sir Paul Dean): Order. I think that the Minister has sat down.

Mr. Campbell-Savours: On a point of order, Sir Paul. The Minister said that he would respond to all the issues that were raised by my right hon. Friend the Member for Morley and Leeds, South (Mr. Rees), but he has not referred to the sub-tier, about which the hon. Member for Thanet, South (Mr. Aitken) spoke, of those who work for the Security Service, but not directly.

The First Deputy Chairman: The Minister has resumed his place. Accordingly, I call Mr. Archer.

Mr. Archer *rose*——

Mr. Patten: Further to the point of order, Sir Paul. I think that the hon. Member for Workington (Mr. Campbell-Savours) has done me an injustice. When he reads *Hansard*, I think that he will find that I dealt with the "sub-tier" to which he has referred.

Mr. Archer: It is a late hour and I do not wish to delay the Committee for long.

The Minister has reminded us that we are discussing a serious matter; he rebuked some hon. Members for failing to treat it as such. He then said that it is an operational matter, and repeated that two or three times. I am not clear what follows from it being an operational matter, but criminal liability rests on those to whom the term applies. That is certainly a serious matter. Those notified will be people who, in the Minister's opinion, fall within the category of people liable to notification. It will not do for the Minister to say that the Bill has safeguards. He says that one has only to refer to subsection (6), which identifies who is liable for notification—but in the Minister's opinion. There is no appeal against the Minister's opinion, and there is no one to whom the Minister need refer.

11 pm

The Minister was kind enough to give the Committee examples of the people he has in mind for notification, and of those who will not be notified. But we all have experience of legislation by undertaking. Again and again, legislation has been put on the statute book, and two or three years later, when a situation arises, it is said, "But an undertaking was given in the debate." There follows an argument about what was meant by that undertaking, who gave it, and in what circumstances. No one is in a position to adjudicate. Legislation by undertaking is unsatisfactory.

If the Bill's existing text enters the statute book, then if, in the Minister's opinion, someone is liable to notification, no one will be able to challenge his opinion. The amendments deal with that situation, and the Minister's answers are not enough.

Mr. Dalyell: The hour is late, and no one who has taken part in the debate can say that there has been any irrelevance. However, deep and increasing worry has been expressed about the substance of the ministerial replies. If I do the hon. Gentleman an injustice, he will tell me. Has he answered at any point in the last half-hour the question raised by my right hon. and learned Friend the Member for Warley, West (Mr. Archer)? How can a ministerial opinion that is thought to be unreasonable be challenged? To those of us who have been listening intently, it seems that there is, in the Minister's opinion, a blanket, cover-all phrase embracing anything that the Government of the day want. This is a serious matter of liberty and freedom. If I am wrong in my interpretation, the Minister will tell me. I fear that I am not.

Mr. Maclennan: I am, more than ever, mystified by the Minister's reply to the hon. Member for Aldridge-Brownhills (Mr. Shepherd). We have been trying to clarify the people who will be notified. The Minister says that it is all clearly set out in clause 1. Alas, it is not. The Minister referred to subsection (6), which states:

"such a notice may be served if, in the Minister's opinion, the work undertaken by the person in question is or includes work connected with the security and intelligence services"

and so on. Are those people an objective class of individuals, or are they people subjectively defined by any Minister, at any given time?

The Minister sought to illustrate his argument by citing the categories that he or his right hon. Friend the Secretary of State for the Home Department might have in mind as the subject of notification. But the Bill, as I read it, does not give the Minister power to designate categories of people. The power applies only to individuals. If the Minister is to exercise that power appropriately, I do not see how he can deal with the matter, even by reference to categories, without misleading the Committee.

If the Minister is of the opinion that the work of a tailor or dentist or someone in the Security Service is connected with the Security Service, it will be open to him so to decide.

Mr. Hurd *indicated dissent.*

Mr. Maclennan: The Home Secretary shakes his head. But who is to challenge the Home Secretary's judgment if there is disagreement that the Security Service man's tailor or dentist is not a suitable person to be notified? Such a power is open to gross abuse. The Committee must be given greater reassurance.

The amendment is extremely important, because in the Bill the Minister is taking powers to nominate individuals as being potentially guilty of an absolute offence if they disclose information. That is creating crime by fiat and is entirely unacceptable.

Mr. Campbell-Savours: I should like to dwell on a point that I raised earlier. The words "in the Minister's opinion" give him immense powers. He, as a Minister, might well make the right decisions having formed the right opinion, but the question is what might happen in changed political circumstances. At some stage in the future, his post might be occupied by someone with a very different view of what constitutes reasonable action. The Cabinet might be comprised of people holding such a view. They might say that a journalist or a member of a Select Committee should be notified. *[Laughter.]* The Minister may laugh, but these are serious matters. Under the Bill, any Member of the House might—depending on what parliamentary Committees he sits on—find himself a notified person. It all depends on the opinion of the Minister.

The Minister should take on board the reservations that have been expressed about the wording, and perhaps table an amendment on Report. The Government might provide for a form of judicial review, or perhaps some other alternative; but it must not be left to a Minister, however reasonable and liberal he may be today, to make such decisions for all time. Others who came after him might take a very different view.

The hon. Member for Thanet, South (Mr. Aitken) asked the Minister about the sub-tier of people whose work may be connected with the security services. That was also referred to by my right hon. Friend the Member for Morley and Leeds, South (Mr. Rees). The hon. Gentleman maintained that the companies concerned, often private companies, were in a special position, being privy to information that might well bear some protection.

In the programme "After Dark", Mr. Gary Murray identified the firm KMS. In a letter to my right hon. Friend, of which I have a copy, the Home Secretary himself referred to the work carried out for the Government by that firm—work involving the protection of people from other countries while they are in the United Kingdom, and the protection of embassies in London. Employees of KMS may well be in contact with people in the security services, and on occasions required to work with them. They may therefore gain knowledge of a sensitive nature, in the view of the Minister. Can those persons be notified under clause 1(1)(b)?

[Mr. Campbell-Savours]

The Minister said earlier that he had answered that question. I asked my right hon. Friend the Member for Morley and Leeds, South, who said that he had not heard the answer. I asked the hon. Members for Thanet, South and for Torbay (Mr. Allason); they had not heard the answer either. May we now have the answer to that simple question?

Mr. Gorst: Will my hon. Friend the Minister give me an assurance that two things will not be possible under the Bill? First, will he assure me that categories of people will not include trade unions?

Mr. John Patten *indicated assent.*

Mr. Gorst: I thank my hon. Friend for his assurance. Secondly, will he assure me that it will not be an offence in any circumstances for a notified person to reveal publicly that he is notified?

Mr. Jeff Rooker (Birmingham, Perry Barr): I came to listen and not to speak, but I want to put three short questions to the Minister. He will have to return to the Dispatch Box simply to clear up many misunderstandings. He did not satisfactorily answer the question about retrospective operation. Is he resting that on the word "is" in line 15 and the word "its" in line 16 of clause 1? The tense of the words is the only ground for retrospective action. That seems a weak argument, and if the matter is dealt with in some other part of the Bill he should draw that to the attention of the Committee.

My next point is crucial and was raised by the hon. Member for Aldridge-Brownhills (Mr. Shepherd). This is a serious and probing amendment. We seek from the Minister the groups or classifications of people other than Crown servants and Government contractors who could be covered. The Minister gave no example other than the Security Commission. All the people in the list that he read were covered in one way or another by clause 12.

I should like to press the Minister on another matter raised by the hon. Member for Aldridge-Brownhills. Will the person responsible for auditing the books and looking at the accounts of the intelligence services be dedicated to security? The Minister may argue that such work is not closely related to national security, which is the interest of the state. Clause 12 defines the state as the Government. Such a definition could be used to cover up embarrassments that have nothing to do with what we understand to mean national security and the interests of the state. It may be used to save embarrassing the Government. Of course, clause 12 says that the state includes things other than the Government.

Will the Minister answer the question asked by the hon. Member for Aldridge-Brownhills about whether those responsible for auditing the books would be notified? It is a specific question, and it is clearly legitimate to ask it. For the life of me, I cannot understand why the Minister could not bring himself to go wider than he did and give examples of people other than members of the Security Commission. He should have included people who audit the books.

Mr. Corbett: I am sorry to speak again because I know that it is late, but these are extremely important matters and we should do our best to put them right. I do not know what to make of the Minister's list of persons who are likely to be notified. As my hon. Friend the Member for Birmingham, Perry Barr (Mr. Rooker) said, the Minister did no more than take us at a canter through clause 12 when he talked about senior, carefully selected members of the armed forces, people—mainly civil servants—providing professional support and holders of public office.

The Minister then used a rather curious phrase that does not appear in the Bill. Paragraph 48 of the White Paper makes it clear that, when the Bill reaches the statute book, no one will be able to find out who has or has not been notified, but there is no provision in the Bill for that to be done. The Minister referred to people in positions of trust and went on to mention members of the Security Commission. If the Minister intends to extend the provision and to include, as would be proper following the Government's logic, people holding positions of trust in these sensitive areas, why is that not in the Bill? Will he now consider including it in the Bill?

11.15 pm

I am sure that the Minister did not want to speed up the proceedings and thus fail to answer questions put to him quite legitimately, but what am I to make of his silence about those classes of contractors who are employed from time to time to do specified jobs over specified periods in the offices or premises of the security or intelligence services? Am I to take it that they would not be subject to notification in any circumstances?

Mr. John Patten *indicated dissent.*

Mr. Corbett: The Minister shakes his head. I hope that, when he looks at *Hansard,* he means that. Perhaps he will put me right on this. Is the Minister saying that, if a fairly lengthy contract for major refurbishment of an MI5 building were involved, necessitating 12 or 18 months' work, none of those contractors would be notified, or can private contractors called in for such work be made temporary Crown servants?

I hope that the Minister will reconsider this matter. Hon. Members are worried that it is left solely to the Minister's whim and discretion and, as he has confirmed tonight, it is not even subject to the expensive and rather lengthy process of judicial review.

Sir Barney Hayhoe: When my hon. Friend the Minister gave way to me a moment ago, I asked him a simple, straightforward question. What happens if a Minister makes a mistake in notifying an individual or individuals? What redress of grievance is available? The House is concerned with the redress of individual's grievances. What redress of grievance is available to an individual who has been wrongly notified? That is a straightforward question, and I hope that the Minister will give us an answer.

Mr. John Patten: People have to accept notification.

Sir Barney Hayhoe: I must still ask what happens if a mistake is made. Is my hon. Friend the Minister saying that the individual who has been wrongly notified has to lump it? Is that what he is saying to persuade the House to vote in favour of this proposition, that the individual with a genuine grievance has to lump it and that the Committee is being asked to legislate to the effect that there is no redress of grievance for that individual?

There is surely no need, as a matter of order, for me to give way to the Minister. We are in Committee and surely

all of us, including the Minister, can intervene in the debate as many times as we wish. This is an important enough issue for me to ask the Minister to give a clear answer to what I believe is a clear and straightforward question.

Mr. Dalyell: The Minister obviously does not intend to reply to the questions he has been asked by his hon. Friends or to give answers to a number of other legitimate questions. Some of us believe, in all seriousness—I do not use the word frivolously—that that is an insult to the Committee. To those hon. Members who have just entered the Chamber I say that until now the Minister has been rather good about giving way. He has been courteous to the Committee. These are crucial questions; they are not debating points.

I ask the Minister yet again a question that has been asked in several forms by several Members on both sides of the Committee: how can an unreasonable ministerial opinion be challenged? That is an important question. Will either a mistake or an unreasonable ministerial opinion be open to challenge? The Minister sits firmly in his place. He may have been given instructions by the Chief Whip to do so, but after all that has taken place today I think that that is extremely poor behaviour.

Mr. Corbett: The Minister's decision not to reply to these questions is absolutely unacceptable. You will have seen, Sir Paul—as has every other hon. Member—the Chief Whip sitting beside the Minister on the Treasury Bench and saying certain words to him. I also saw the Home Secretary, on one of his rare visits during the debate on these amendments, appear—I put it no stronger than that—to encourage the Minister of State to keep what he said to the absolute minimum. I am all in favour of keeping what is said to the absolute minimum, but in this case the Committee is being treated with contempt. Legitimate questions have been put to the Minister by hon. Members on both sides of the Committee.

If, at the behest of some of his hon. Friends who are trying to twist his arm, the Minister intends to deal with legitimate questions in that way, the Committee will have to sit far longer than it needs. If the proceedings go on for a long time, that does not mean that a great deal of ground has been covered. I repeat that legitimate questions were put to the Minister with which he did not deal. It is not good enough for him to leave them unanswered. The Committee will not accept it.

Mr. John Patten: All these fine words, arguments and verbal threats by the hon. Member for Birmingham, Erdington (Mr. Corbett) are based on the belief that no further reply would be given. I have been here happily since 4·30 pm, I have given way on many occasions and I have tried to be courteous to the Committee. I seek always to answer all the questions that I can. I do not take amiss the strictures of the hon. Member for Linlithgow (Mr. Dalyell), which I presumed were designed to trap me into getting to my feet. I assure him that his strictures were unnecessary.

Ministerial decisions would be judicially reviewable. The normal principles of judicial review would apply. A person could argue that he was not properly covered by the criteria in subsection (6) of clause 1 and that therefore he should not have been notified. That would make the decision judicially reviewable.

Mr. Corbett: Can the Minister confirm that traditionally the courts will not interfere in matters that involve national security? Is that not the case?

Mr. Patten: The courts will take their own view on these issues.

There is also the important issue raised by my right hon. Friend the Member for Brentford and Isleworth (Sir B. Hayhoe)——

Mr. Archer *rose*——

Mr. Patten: I am about to deal with mistaken notification. Then I will give way to the right hon. and learned Gentleman. I have given way to him on many occasions. It has been a pleasure of mine since he gave me my first tutorials in "teach yourself criminal law" during the proceedings on the Criminal Justice Bill last year.

If the notified person thinks that a mistake has been made—I think I made the point before in two interventions—he can take it up through the normal channels. The Minister can consider his representations and, if necessary, revoke the notification. The representations should go through the usual channels, which can include the head of the department. I hope that I have satisfied the Committee on those two points.

Mr. Archer: One does not want to prolong this discussion indefinitely, but the Minister, virtually at the last moment, has changed the case he was making and has said that the matter is subject to judicial review. Judicial review is not a form of appeal. A person cannot go to the court and say, "Do you disagree with what the Minister says?" The Minister has to give a reason for saying that the person falls within the criteria. Unless that has happened, I do not see how we even begin to get judicial review on its feet. What the court is being asked to do is to look at the Minister's reasons and to say whether it thinks there is something wrong with the reasons. But the Minister does not have to give reasons. I will not take it further now, but at some stage the Minister will have to do better.

Mr. Richard Shepherd: When I moved the amendment I thought that my hon. Friend the Minister could give a simple explanation. I wanted to find out the sorts of individuals who would be notified outside the remit of Crown servants, et cetera. The debate has taken a long time and at the last moment my hon. Friend the Minister of State has notified us that there could be some form of judicial review, a point on which he was not able to advise us during the last hour or so.

Mr. John Patten: An ordinary form of judicial review.

Mr. Shepherd: My nervousness has increased during the debate because of the extraordinary language that the Minister has dredged up. We now have ordinary judicial review, presumably as opposed to extraordinary judicial review. Last week on the Security Service Bill we had an important clause which tried to take out of any form of judicial review the work of the tribunal. This is close to the work of the security services. The same sort of individuals will be involved and those who come into contact with them will be notified. On the one hand, we will be able to have a review; on the other, we will not. I am lost.

I no longer have confidence. I am sorry to say that at this late hour. The Minister understands the Bill that he is piloting through the House. A series of questions were asked legitimately. We wanted an example of the sort of

[Mr. Shepherd]

individual who might be notified. The only example he gave was a member of the Security Commission. There must be a better answer. I am not satisfied, and I propose to force a vote on the amendment.

Question put, That the amendment be made:—

The Committee divided: Ayes 197; Noes 246.

Division No. 52] **[11.28 pm**

AYES

Abbott, Ms Diane
Aitken, Jonathan
Allason, Rupert
Allen, Graham
Anderson, Donald
Archer, Rt Hon Peter
Armstrong, Hilary
Ashdown, Rt Hon Paddy
Ashton, Joe
Barnes, Harry *(Derbyshire NE)*
Beckett, Margaret
Beith, A. J.
Benn, Rt Hon Tony
Bennett, A. F. *(D'nt'n & R'dish)*
Bermingham, Gerald
Bidwell, Sydney
Blunkett, David
Boateng, Paul
Body, Sir Richard
Boyes, Roland
Bray, Dr Jeremy
Brown, Nicholas *(Newcastle E)*
Buchan, Norman
Buckley, George J.
Caborn, Richard
Callaghan, Jim
Campbell, Menzies *(Fife NE)*
Campbell, Ron *(Blyth Valley)*
Campbell-Savours, D. N.
Canavan, Dennis
Clark, Dr David *(S Shields)*
Clay, Bob
Clelland, David
Clwyd, Mrs Ann
Cohen, Harry
Coleman, Donald
Cook, Robin *(Livingston)*
Corbett, Robin
Cousins, Jim
Cox, Tom
Cryer, Bob
Cummings, John
Cunliffe, Lawrence
Cunningham, Dr John
Dalyell, Tam
Darling, Alistair
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Ron *(Caerphilly)*
Davis, Terry *(B'ham Hodge H'l)*
Dewar, Donald
Dixon, Don
Dobson, Frank
Doran, Frank
Douglas, Dick
Dunnachie, Jimmy
Eastham, Ken
Ewing, Harry *(Falkirk E)*
Fatchett, Derek
Fearn, Ronald
Fields, Terry *(L'pool B G'n)*
Fisher, Mark
Flannery, Martin
Foot, Rt Hon Michael
Foster, Derek
Foulkes, George
Fraser, John
Fyfe, Maria
Galbraith, Sam
Galloway, George
Garrett, John *(Norwich South)*
Garrett, Ted *(Wallsend)*
George, Bruce
Gilbert, Rt Hon Dr John
Godman, Dr Norman A.
Golding, Mrs Llin
Gordon, Mildred
Gould, Bryan
Graham, Thomas
Grant, Bernie *(Tottenham)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Hardy, Peter
Harman, Ms Harriet
Hattersley, Rt Hon Roy
Haynes, Frank
Healey, Rt Hon Denis
Heffer, Eric S.
Henderson, Doug
Hinchliffe, David
Hogg, N. *(C'nauld & Kilsyth)*
Holland, Stuart
Home Robertson, John
Hood, Jimmy
Howarth, George *(Knowsley N)*
Howells, Geraint
Hughes, John *(Coventry NE)*
Hughes, Roy *(Newport E)*
Illsley, Eric
Ingram, Adam
Janner, Greville
Jones, Barry *(Alyn & Deeside)*
Jones, Martyn *(Clwyd S W)*
Kaufman, Rt Hon Gerald
Kennedy, Charles
Kirkwood, Archy
Lambie, David
Leadbitter, Ted
Leighton, Ron
Lestor, Joan *(Eccles)*
Lewis, Terry
Livsey, Richard
Lloyd, Tony *(Stretford)*
Lofthouse, Geoffrey
Loyden, Eddie
McAvoy, Thomas
Macdonald, Calum A.
McFall, John
McKay, Allen *(Barnsley West)*
McLeish, Henry
Maclennan, Robert
McNamara, Kevin
McTaggart, Bob
McWilliam, John
Madden, Max
Mahon, Mrs Alice
Marek, Dr John
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Martlew, Eric
Maxton, John
Meacher, Michael
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Mitchell, Austin *(G't Grimsby)*
Morgan, Rhodri
Morley, Elliott
Morris, Rt Hon A. *(W'shawe)*
Mowlam, Marjorie
Mullin, Chris
Murphy, Paul
Nellist, Dave
Oakes, Rt Hon Gordon
O'Brien, William
Orme, Rt Hon Stanley
Owen, Rt Hon Dr David
Parry, Robert
Pendry, Tom
Pike, Peter L.
Powell, Ray *(Ogmore)*
Primarolo, Dawn
Quin, Ms Joyce
Radice, Giles
Randall, Stuart
Redmond, Martin
Rees, Rt Hon Merlyn
Reid, Dr John
Richardson, Jo
Roberts, Allan *(Bootle)*
Robertson, George
Rooker, Jeff
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Ruddock, Joan
Salmond, Alex
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Shepherd, Richard *(Aldridge)*
Shore, Rt Hon Peter
Short, Clare
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, C. *(Isl'ton & F'bury)*
Soley, Clive
Spearing, Nigel
Steel, Rt Hon David
Strang, Gavin
Straw, Jack
Taylor, Matthew *(Truro)*
Taylor, Teddy *(S'end E)*
Turner, Dennis
Vaz, Keith
Wall, Pat
Wallace, James
Walley, Joan
Wardell, Gareth *(Gower)*
Welsh, Andrew *(Angus E)*
Welsh, Michael *(Doncaster N)*
Williams, Rt Hon Alan
Williams, Alan W. *(Carm'then)*
Wilson, Brian
Winnick, David
Wise, Mrs Audrey
Worthington, Tony
Wray, Jimmy

Tellers for the Ayes:
Mr. Frank Cook and
Mr. Robert N. Wareing.

NOES

Adley, Robert
Alexander, Richard
Alison, Rt Hon Michael
Amess, David
Amos, Alan
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Ashby, David
Aspinwall, Jack
Atkins, Robert
Atkinson, David
Baker, Nicholas *(Dorset N)*
Baldry, Tony
Batiste, Spencer
Beggs, Roy
Bendall, Vivian
Bennett, Nicholas *(Pembroke)*
Bevan, David Gilroy
Biffen, Rt Hon John
Blackburn, Dr John G.
Blaker, Rt Hon Sir Peter
Bonsor, Sir Nicholas
Boscawen, Hon Robert
Boswell, Tim
Bottomley, Peter
Bowden, A *(Brighton K'pto'n)*
Bowden, Gerald *(Dulwich)*
Bowis, John
Boyson, Rt Hon Dr Sir Rhodes
Braine, Rt Hon Sir Bernard
Brandon-Bravo, Martin
Brazier, Julian
Bright, Graham
Brown, Michael *(Brigg & Gl't's)*
Bruce, Ian *(Dorset South)*
Buck, Sir Antony
Budgen, Nicholas
Burns, Simon
Burt, Alistair
Butcher, John
Butler, Chris
Butterfill, John
Carlisle, John, *(Luton N)*
Carrington, Matthew
Carttiss, Michael
Cash, William
Chapman, Sydney
Chope, Christopher
Churchill, Mr
Clark, Hon Alan *(Plym'th S'n)*
Clark, Dr Michael *(Rochford)*
Clark, Sir W. *(Croydon S)*
Clarke, Rt Hon K. *(Rushcliffe)*
Colvin, Michael
Conway, Derek
Coombs, Anthony *(Wyre F'rest)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon John
Cran, James
Curry, David
Davies, Q. *(Stamf'd & Spald'g)*
Devlin, Tim
Dickens, Geoffrey
Dorrell, Stephen
Douglas-Hamilton, Lord James
Dunn, Bob
Durant, Tony
Dykes, Hugh
Eggar, Tim
Emery, Sir Peter
Evennett, David
Fallon, Michael
Favell, Tony
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Forman, Nigel
Forsyth, Michael *(Stirling)*
Forsythe, Clifford *(Antrim S)*
Forth, Eric
Franks, Cecil
Freeman, Roger
Fry, Peter
Gale, Roger
Gardiner, George
Garel-Jones, Tristan
Gill, Christopher
Goodhart, Sir Philip
Goodson-Wickes, Dr Charles

Gow, Ian
Gower, Sir Raymond
Grant, Sir Anthony *(CambsSW)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Gregory, Conal
Griffiths, Peter *(Portsmouth N)*
Grist, Ian
Grylls, Michael
Hamilton, Hon Archie *(Epsom)*
Hamilton, Neil *(Tatton)*
Hanley, Jeremy
Hannam, John
Hargreaves, A. *(B'ham H'll Gr')*
Hargreaves, Ken *(Hyndburn)*
Harris, David
Haselhurst, Alan
Hayward, Robert
Heathcoat-Amory, David
Heddle, John
Hicks, Mrs Maureen *(Wolv' NE)*
Hicks, Robert *(Cornwall SE)*
Higgins, Rt Hon Terence L.
Hill, James
Hind, Kenneth
Hogg, Hon Douglas *(Gr'th'm)*
Holt, Richard
Hordern, Sir Peter
Howard, Michael
Howarth, Alan *(Strat'd-on-A)*
Howarth, G. *(Cannock & B'wd)*
Howell, Ralph *(North Norfolk)*
Hughes, Robert G. *(Harrow W)*
Hunt, David *(Wirral W)*
Hunt, John *(Ravensbourne)*
Hunter, Andrew
Hurd, Rt Hon Douglas
Irvine, Michael
Jack, Michael
Jackson, Robert
Janman, Tim
Jessel, Toby
Jones, Gwilym *(Cardiff N)*
Jones, Robert B *(Herts W)*
Kellett-Bowman, Dame Elaine
Key, Robert
King, Roger *(B'ham N'thfield)*
King, Rt Hon Tom *(Bridgwater)*
Knight, Greg *(Derby North)*
Knight, Dame Jill *(Edgbaston)*
Knowles, Michael
Lennox-Boyd, Hon Mark
Lightbown, David
Lilley, Peter
Lloyd, Sir Ian *(Havant)*
Maclean, David
McLoughlin, Patrick
Mans, Keith
Maples, John
Maude, Hon Francis
Meyer, Sir Anthony
Miller, Sir Hal
Mills, Iain
Miscampbell, Norman
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David
Moate, Roger
Molyneaux, Rt Hon James
Monro, Sir Hector
Morris, M *(N'hampton S)*
Morrison, Rt Hon P *(Chester)*
Moss, Malcolm
Neale, Gerrard
Nelson, Anthony
Neubert, Michael
Nicholls, Patrick
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Norris, Steve
Onslow, Rt Hon Cranley
Oppenheim, Phillip
Page, Richard
Paice, James
Patten, Chris *(Bath)*
Patten, John *(Oxford W)*
Pawsey, James
Peacock, Mrs Elizabeth
Porter, David *(Waveney)*
Portillo, Michael
Powell, William *(Corby)*
Price, Sir David
Raffan, Keith
Raison, Rt Hon Timothy
Rathbone, Tim
Redwood, John
Renton, Tim
Rhodes James, Robert
Riddick, Graham
Ridley, Rt Hon Nicholas
Roberts, Wyn *(Conwy)*
Roe, Mrs Marion
Ross, William *(Londonderry E)*
Rossi, Sir Hugh
Rowe, Andrew
Sainsbury, Hon Tim
Sayeed, Jonathan
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shaw, Sir Michael *(Scarb')*
Shelton, Sir William *(Streatham)*
Shephard, Mrs G. *(Norfolk SW)*
Shephard, Colin *(Hereford)*
Shersby, Michael
Sims, Roger
Smith, Sir Dudley *(Warwick)*
Smith, Tim *(Beaconsfield)*
Soames, Hon Nicholas
Speed, Keith
Spicer, Michael *(S Worcs)*
Squire, Robin
Stanbrook, Ivor
Stanley, Rt Hon Sir John
Steen, Anthony
Stern, Michael
Stevens, Lewis
Stewart, Allan *(Eastwood)*
Stewart, Andy *(Sherwood)*
Stokes, Sir John
Stradling Thomas, Sir John
Summerson, Hugo
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Temple-Morris, Peter
Thompson, Patrick *(Norwich N)*
Thorne, Neil
Thurnham, Peter
Townend, John *(Bridlington)*
Tracey, Richard
Trippier, David
Trotter, Neville
Twinn, Dr Ian
Vaughan, Sir Gerard
Viggers, Peter
Waddington, Rt Hon David
Walker, Bill *(T'side North)*
Waller, Gary
Ward, John
Wardle, Charles *(Bexhill)*
Watts, John
Wells, Bowen
Wheeler, John
Whitney, Ray
Widdecombe, Ann
Wilkinson, John
Wilshire, David
Wood, Timothy
Yeo, Tim
Young, Sir George *(Acton)*

Tellers for the Noes:
Mr. Kenneth Carlisle and
Mr. Tom Sackville.

Question accordingly negatived.

To report Progress and ask leave to sit again.—*[Mr. Maclean.]*

Committee report Progress; to sit again tomorrow.

Monopolies and Mergers

11.40 pm

The Parliamentary Under-Secretary of State for Corporate Affairs (Mr. Francis Maude): I beg to move,

That the draft Monopolies and Mergers Commission (Performance of Functions) Order 1988, which was laid before this House on 26th October 1988, in the last Session of Parliament, be approved.

This order makes two amendments to schedule 3 to the Fair Trading Act 1973 which governs the procedures of the Monopolies and Mergers Commission. The first change will reduce the minimum size of the groups appointed to carry out investigations from five members to three. The second will allow the chairman acting alone to seek the Secretary of State's agreement to the laying aside of a merger reference where the merger proposal has been abandoned before a group has been appointed for that investigation.

Schedule 3 to the Fair Trading Act governs the MMC's procedures for all types of references to the MMC. Investigations are, in practice, carried out by groups of commissioners appointed for that purpose. The schedule provides that the minimum size of such groups is five, but in recent years the usual number has been six. The first of the amendments made by the order would reduce the minimum to three and would apply to all references, except those under the Telecommunications Act 1984, for technical reasons contained within that Act. The Companies Bill includes a number of amendments to mergers legislation, putting into effect proposals in the Department of Trade and Industry's policy paper on mergers, published in March. This is a useful minor change which can be made now by statutory instrument, as we undertook to do in our policy paper.

The order will not mean that the size of MMC investigation groups will be reduced for all or even most inquiries but it will enable smaller groups to be appointed where appropriate in the interests of greater flexibility. Which references the smaller groups are used for will be a matter for the chairman, who will always have in mind the need to ensure an adequate spread of experience and expertise.

The second change relates solely to merger references. Proposed mergers are sometimes abandoned soon after they are referred to the MMC and often that is before the inquiry group is set up. The Secretary of State's agreement is then sought to laying the reference aside. It was in the past the practice for the chairman of the MMC in such cases to act alone. However, in 1986 the Court of Appeal held that the decision to lay aside a reference was beyond the powers of the chairman acting alone. Since then it has been necessary to set up a group just for that purpose. That is clearly inefficient and the change we are making would remove the need to do so by allowing the chairman to exercise the MMC's functions for that purpose alone.

Those two changes will not affect the role the MMC performs or substantially change the way it operates. They will certainly have no bearing on the matters referred to the MMC or the way decisions to refer are made. By improving the procedures in two small but useful respects they will contribute to the efficiency of its operations.

11.44 pm

Mr. Austin Mitchell (Great Grimsby): I want to express my disappointment at missing the earlier part of the Minister's scintillating speech.

This is not a major matter. We welcome the order. I want to ask the Minister about the role of trade unions in monopolies and mergers. The merger policy paper of the Department of Trade and Industry said that the Department wanted well-balanced groups. That means that trade unions will be included in those groups. As there are only four trade union representatives, does the Minister intend to increase that number, or will he guarantee that a trade union representative appears in each inquiry? That is appropriate and essential. It is the only major point to arise about the order.

I wish to make some general comments about the Government's policy on mergers. This will be a brief discussion, because there is no such policy. It is all over the place. We have a rather zoot-suited jelly in charge of policy —and now the Tebbit doctrine, under which only matters of competition are referred to the Monopolies and Mergers Commission. Typically, for a policy of the right hon. Member for Chingford (Mr. Tebbit), it is clear, simple, straightforward and wrong. The noble Lord who is in charge of the Department seems to prefer a role that is as much hands-on as a Saudi thief who has had two convictions. He wants the market to prevail. He argues that if it does, and the maximum number of takeovers is permitted, there will be an improvement in management.

Academic research tells us that the opposite applies in takeovers and mergers. All the research shows that there is no benefit to the community or the firms, there is a loss of jobs, and there is no greater efficiency. The Conservative party talks about the market because it represents the predators, not the producers. The hands-off policy is being embarked on because of that. We are allowing the merchants of greed to take over British industry.

While saying that they want a hands-off policy towards takeovers and mergers, the Government do not have a consistent policy. They dredge up grounds for referral in each case as it arises, responding to political pressures, to fears about the future of British industry and to the problem of EEC rules. The Government have given up trying to sustain a clear policy on these matters. We urgently need one. If the order had contained a hint of one, it would have been a welcome improvement.

Merger mania rampages on, gobbling British industry. It is running at record levels. Nearly one fifth of British companies have changed hands in the past five years. There is no sign anywhere of a consistent Government approach to these issues. In the case of takeovers and mergers, the sum of the whole is not greater than the sum of the parts. There is no improvement in efficiency, research, design, development or employment. The only benefits go to shareholders selling out at a higher price —a fairly short-term benefit—and to certain people's ability to control and manage the market.

Mergers and takeovers are defensive manoeuvres which are of no benefit to the competitiveness of British industry. A short-term calculation is being made. At the cost of those short-term manoeuvres we are seeing an enormous breach in trust, because a company is an organism, a network of obligations, a network of trust. It is a network

of obligations to employees who have devoted their lives to the firm, to managers who devoted their efforts to building up the firm, to suppliers——

Mr. Deputy Speaker (Sir Paul Dean): Order. As the hon. Gentleman himself said at the beginning of his remarks, it is a comparatively narrow order dealing with the administration of the commission. He is now widening it. I am sure that he will address his remaining remarks to what is in the order.

Mr. Mitchell: I am most grateful, Mr. Deputy Speaker. I am drawing my remarks to a close. But it seems to us that, having changed in a sensible direction the role of the chairman in these matters, and having allowed the Monopolies and Mergers Commission to take on more inquiries by reducing the number of members needed for an inquiry, there could have been further improvement. We await with some anxiety the emergence of any sensible Government policy on these matters because the changes embraced tonight are a postponement of major problems. This rampaging campaign of takeovers is going on and all the Government can propose to cope with it, deal with, adjust to it, is a minor tinkering with the legislation such as we are debating tonight.

Here is an opportunity wasted. The Government must urgently apply their minds to the wider issues raised by this order, particularly the future of British industry under this hands-off regime. We have a very serious problem. Industry is crying out for legislation, the CBI wants it, surveys of managers indicate that they are anxious about the state of takeovers, as well they might be, and Europe is proposing its change. Yet the Government are dragging their feet, proposing a minor tinkering such as we have tonight while all this goes on.

Industry is particularly vulnerable. That is why the number of inquiries that can be dealt with is having to be increased, because British industry is more vulnerable than industry in any other country in the world, with the possible exception of the United States. It is more vulnerable because a higher proportion of its capital is raised from shares, and so it is more liable to takeover.

Mr. Maude: Will the hon. Gentleman explain the fact that in the past year acquisitions by United Kingdom companies overseas exceeded in value, to the power of two, acquisitions by overseas companies in the United Kingdom? The net gain to the United Kingdom has been double the net outflow.

Mr. Mitchell: The Minister is trying to divert me into irrelevancies by raising a trivial and largely irrelevant debating point. There has been a failure of the Department of Trade and Industry's own campaign for awareness about the single market in 1992, with its heavy advertising, featuring people like Sir John Harvey-Jones, about to burp, telling us that history is in the making. Meanwhile British industry is investing in the United States, as the Minister has just told us. If the campaign is so effective, why is it not investing in Europe? Why are European firms taking over British companies to use this country not as a base for exports but as a market to be exploited? The country is being turned into a branch economy, an irrelevant economy, for purposes other than the purposes of this country.

It is time we had a clear, straightforward policy from the Government on monopolies and mergers which puts the onus of proof on the firm which wants to take over, a policy which does not say "Hands off" or "This is an open slather" but which requires proof of benefits to the community, which gives something to the workers in these takeovers, which contains some element of national interest. That national interest must be taken into account. It is an interest in jobs and in exports. This is an essential requirement.

I have curtailed my remarks to a very brief dimension, Mr. Deputy Speaker, and, I hope, stayed strictly within the terms of the order. But there is here a major issue concerning the future of this country. The strength of this nation is a national industry which is controlled in this nation, run for national purposes and working to the benefit of the wider community, using Britain as a base from which to export, not simply regarding it as a market to be exploited. The interests of the nation have been neglected, as have the interests of the workers, of industry and of the future.

Several Hon. Members *rose*——

Mr. Deputy Speaker: Order. I remind the House again that this is a comparatively narrow debate dealing with the administration of the commission. It would not be in order to broaden it out into a much wider debate about monopolies and mergers.

11.55 pm

Mr. Anthony Nelson (Chichester): Whereas the hon. Member for Great Grimsby (Mr. Mitchell) invariably invigorates the House when he speaks at this time of night, his speech tonight was less of a pep-up and more of a night-cap. He rehearsed the tired rhetoric of employee and trade union rights, whereas we are concerned—as you, Mr. Deputy Speaker, rightly drew to the hon. Gentleman's attention—with the narrower point of the extent to which those sitting in judgment over whether a monopoly or merger is against the public interest should be reduced to three. Although it is a narrow point, some substantial issues should be considered.

This debate provides us with a rare opportunity to pay tribute to the Monopolies and Mergers Commission, which has done an outstanding job over many decades —even before the passing of the Fair Trading Act 1973 —and in recent years, since its remit has been substantially increased, enabling it to act as an arbitrator between certain privatised interests and the regulators concerned. In the present chairman, Mr. Sydney Lipworth, his 31 members and staff of 100, we have custodians of the public interest who perform with integrity and assiduity a considerable public service every year.

In the past year they have completed inquiries into 15 cases that have been referred to them, and they have done so against increasing pressure from Secretaries of State who require reports to be delivered within ever shorter periods. Moreover, the bids referred to them have been of an increasingly complex nature.

The order would reduce the minimum number sitting on inquiries into such mergers from five to three. May we have an assurance that the inquiries will still be conducted according to the criteria held uppermost by the MMC—thoroughness and fairness? Does the reduction imply that the MMC or the Government anticipate more smaller mergers being referred to the MMC? The statement that fewer members on an adjudicating committee assessing a

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merger will be sufficient and that more flexibility is required implies that many more smaller bids will be referred to the MMC. This is an important point for the market and many companies to anticipate.

Is there more danger of perverse decisions being produced by the MMC, and are there possibilities of conflicts of interest? The qualifications of members of the MMC are set out in the annual report. They are all eminent and, in large part, professional people. Inevitably, however, their wide experience brings with it certain preferences and patronage and it is important that public bodies which sit in judgment over questions of objective issue should, in terms of their number and deliberations, reassure the public that their results will be fair and thorough. I am sure that the Minister appreciates my point.

The further the number is reduced—in the extreme, if it is reduced to one person making the judgment—the more subjective the judgment becomes. We are right, therefore, to question a proposal to reduce the minimum number from five to three. I only ask the question because without doubt—I am sure that every chairman of the Monopolies and Mergers Commission would admit it—from time to time there have been perverse decisions. We all have our judgments about what perverse decisions have emanated from the MMC or, indeed, successive Secretaries of State, but there have certainly been some. If the number is reduced to one, two or three persons making recommendations, it becomes more likely that perverse decisions will be made. I believe that my hon. Friend has a case to answer in that respect.

I ask my hon. Friend to comment on what is becoming a serious problem. Will any reduction in the number result in the personalities involved in any takeover being assessed more carefully than they have been before? In recent cases of major takeovers, the personalities lying behind them —whether they be Mr. "Tiny" Rowland, Mr. Arnold Weinstock or Mr. Al-Fayed—assumed, unfortunately, increasing importance in judgments which should be entirely objective. It is important that the House and the public should be reassured that judgments reached by the MMC and recommendations made to the Secretary of State—as well as decisions made by the Secretary of State himself—are entirely objective and completely divorced from any assessment on a personality basis. After all, in this country there must be compelling reasons of national interest for members of a company—that is to say, the owners and shareholders of the company—to be dispossessed of their right to dispose of their assets as they see fit. Essentially, we must allow people who own assets to dispose of or acquire them freely—*[Interruption.]* The House must agree—the legislation was, after all, passed by a Labour Government—that the only reason against allowing that freedom must be where there are compelling reasons of national interest to prevent it.

A Companies Bill in the House of Lords will be coming to this House, and there may be opportunities to assess whether the criteria should go wider than the narrow basis of pure competition policy and the rather negative assessment of national interest provided in the Fair Trading Act 1973. In the meantime, I believe that the House is right to call for some reassurance that the decisions reached by the MMC and the Secretaries of State are on an entirely objective basis and do not take account of any subjective assessments of the personalities involved, difficult though that may be.

With all those questions and reservations, I support what I believe is a fair provision. That is certainly the case in allowing the chairman of the MMC to abandon an inquiry to take account of what I regard as a rather perverse decision of the Court of Appeal. This is an order which I believe the House should be speedy in passing.

12.3 am

Mr. Charles Kennedy (Ross, Cromarty and Skye): The hon. Member for Chichester (Mr. Nelson) has addressed some characteristically pertinent questions to the Minister. I should like to apologise to the Minister. Such was the brevity of his speech that by the time I reached the Chamber he was half a minute into it. I have a couple of straightforward questions concerning the background to this proposal. If in that opening half minute the Minister dealt with these matters, perhaps he will forgive me for not having heard what he said.

Where did the impetus or the encouragement for this come from? Did it come from the commission or from the Secretary of State? Standard wording is used, but it is somewhat ambiguous given the nature of the order before us. Power is given to the Secretary of State to make modifications under the Competition Act 1980, which to him would appear appropriate for improving the performance of the commission. Did the suggestion come from the commission, or did the idea come to the minds of Department of Trade and Industry Ministers in view of the increasingly important role that the commission is seen as having?

There are various functions which constitute a group, and reference is made to the Fair Trading Act 1973, the Competition Act 1980, the Airports Act 1986 and the Gas Act 1986. The explanatory note states:

> "For the purpose . . . of the Commission's functions under the Telecommunications Act 1984 . . . the minimum number who may constitute a group remains 5."

What is the reasoning that lies behind maintaining that distinction? To take up the question of the hon. Member for Great Grimsby (Mr. Mitchell) about trade union involvement, will there be any distinction drawn between the operation of the new regulations as it affects groups that come within the Telecommunications Act 1984 as opposed to the other groups that are specified?

As you have said, Mr. Deputy Speaker, this is not the occasion for a broad debate. However, as the Government are showing a willingness, for whatever reasons, to amend the operations of the commission, there is displayed also a willingness to consider some of the broader aspects of policy, not least when the Companies Bill comes to us from another place. The arrival of the Bill will provide us with an opportunity to discuss in greater detail many of the issues to which we are referring in general terms tonight.

There is a growing feeling in the House, and, I think, outside it, that with predatory bids that lead to increasingly personalised media battles—they are fought as much on television screens throughout the county as on video screens in the City—the Government should consider in due course whether the onus should move more towards the predator. If it is a fundamental principle of law that someone is innocent until proven guilty, it is curious that when a hostile takeover bid takes place the onus is reversed and it is necessary to prove innocence.

As hon. Members, we receive representations from the threatened company, be it Scottish and Newcastle or the Guinness bid, which was significant for Scotland slightly more than a year ago. Perhaps Government policy should focus more clearly on the onus. During the passage of the Companies Bill the Government might consider making the predatory or bidding companies honour the guarantees or pledges that they make during the takeover process if it proves ultimately to be successful. Anyone who is concerned with the financial community, not least that which is based in Charlotte square in Edinburgh, is only too well aware that Scottish-based companies may have been offered guarantees when they have been subject to bids from south of the border or abroad. As anyone who is involved in business and company activities will explain, the siting of a company's headquarters—the Minister will appreciate that this can be a sensitive political issue north of the border—may constitute little more than a brass plate on the front door. The real decision making may take place elsewhere.

Mr. Deputy Speaker: Order. The hon. Gentleman earlier laid down well the ground rules for the debate, but he is now straying from them.

Mr. Kennedy: I shall stray no further, Mr. Deputy Speaker. I shall resume my place.

12.9 am

Mr. Tim Smith (Beaconsfield): There are two striking features of the 1988 review of the Monopolies and Mergers Commission. The commission has been under pressure from the Government, the business community and the markets to complete its reports with much greater speed. The review makes the point that prior to 1987, the period normally allowed for a merger inquiry was six months or longer, but that today, only three months, or sometimes four, is usual.

Another feature is the commission's increased work load. The quarter from July to September 1988 is cited, when the commission dealt with 14 simultaneous inquiries, and in November and December it undertook 16. The hon. Member for Ross, Cromarty and Skye (Mr. Kennedy) questioned whether that increase originated in the Department or in the MMC. The report refers to that change:

> "It is proposed to seek powers for the Commission to appoint groups with a minimum of 3 members, and not 5, as the law currently requires."

I believe that that has come about because the commission is required to produce reports at much greater speed, and because of its increased work load. Although the commission has 31 members, and that sounds like a large number, they are busy people who work for it only part-time. They often find it difficult to get together for the required number of meetings within a three-month period. I am concerned that if the minimum number in a group is reduced from five to three, there may be more perverse decisions than there have been in the past.

Will my hon. Friend say something about the commission's resources? Is it not a good idea to increase the number of staff and, if there is more work, of members rather than cut back on the size of groups? When I spoke to the MMC chairman, Mr. Sydney Lipworth, earlier this week, he explained that when the commission finds adversely, there must be a two thirds majority. Therefore, arithmetically, a membership of five is a useless, awkward number. The number needs to be six, or three. It may be that, in future, the commission will work with groups of four, who will be able to reach a two thirds majority if necessary.

I understand the arithmetic of the proposal for groups of three, but I am not sure that that is the right way to go. It will be better to increase the number of commission members. Those who serve it are busy people. Their work load is greater, and they work within greater time constraints. Hon. Members have remarked that they do an important job. We expect them to be objective and to act in the public interest. They make decisions of the utmost importance. If the Secretary of State overturns the commission's decisions, he is always open to criticism. It is important that its members reach the right decisions in the national interest. As has been said, if the membership of any inquiry is reduced by one, it is much more likely that it will reach a contentious decision. The larger the number involved, the better. Reducing groups to a membership of three is fraught with danger.

12.12 am

Mr. John Fraser (Norwood): For three years, I had responsibility for interviewing and recommending the appointment of commission members. Often, it was difficult to find candidates willing to serve. Although it is a part-time job, it is arduous. I was at pains to ensure the right balance as between men and women, and between those representing trade unions and workers, the consumer, academics economists, industrialists, and those with a detailed knowledge of commerce. It was difficult finding the best people, because they were already preoccupied with their own businesses and had little time to spare for the commission's work.

It is right that a wide range of interests should be involved in examining references to the commission, but if the group number is reduced to three, it will be easier to fix the panel's composition. With only three members, it may be necessary to omit a consumer or trade representative —but that is a risk inherent in reducing the membership from five to three.

There is also the risk, to which the hon. Member for Ross, Cromarty and Skye (Mr. Kennedy) adverted, concerning quorums. It is not possible for the Secretary of State to make an order under section 75 of the Fair Trading Act 1973 unless the recommendation is by at least two thirds of the panel's membership. I remember that on one occasion—partly because of a misprint in the Fair Trading Act 1973, and partly because of the pregnancy of one of the panel's members—there was great difficulty in achieving a recommendation on which the Minister involved could act. If the number is reduced from five to three, and if one of the members falls ill, or discovers a conflict of interest, and is unable to perform his or her duties, it will be impossible with just two members—unless there is unanimity—to reach a recommendation on which the Minister can act.

On the other hand, I can see the sense of reducing the number to three for reasons of speed and economy if the inquiry is concerned with matters of an unimportant nature. It is a difficult balance to reach. The Minister's problem is that, because the chairman of the commission acts in a semi-judicial capacity, it is hard for him to give undertakings on the chairman's behalf. I hope, however, that he can assure the House that limiting the number to

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three will be restricted to cases in which that is appropriate because the matter is not controversial, of major interest or concerned with large assets. Although he cannot give such an undertaking on behalf of a quasi-judicial figure, I hope that the Minister will tell us that that assurance has been given to him voluntarily by the chairman.

I have only one other reservation. I feel that, with five members on a panel, it is much more likely that the commission will take into account matters apart from those of purely economic interest. The Government's stated policy—and they have exerted pressure in this regard—is that competition issues are the main issues to be considered on a commission reference. But many other questions are important, such as whether research and development remains in this country or goes to the United States or elsewhere. Employment too is an important public interest consideration. In such cases as the AI case of 1978, there is the possibility of a whole sector of British industry being destroyed by an acquisition. I fear that in large and controversial cases matters of public interest that have been largely ignored and downgraded by the Government are at much greater risk of being ignored if a panel has three members rather than if it has five.

12.16 am

Mr. Teddy Taylor (Southend, East): Can my hon. Friend the Minister tell us whether the change will mean that the commission will be able to handle more references? Has there been any indication of restrictions on references, and does he intend to show more liberality as a consequence?

On the basis of an answer given to me by the previous Minister—now Minister for Public Transport—I understand that the commission is the only body that can advise disinvestment in the case of an investigation into a merger previously agreed by the commission. I am particularly worried about cases in which a previous recommendation has been made. If information comes up in the interim to show that the original information was wrong, that the reports on which it was based were bogus and that there was a case for a review, it would be very unfortunate if there were no possibility of any advice on disinvestment. It would mean that the aggrieved party would have no power whatever. The guilty people could perhaps be fined or sent to gaol, but the previously agreed merger would go ahead.

I hope that my hon. Friend can give me an assurance that, because of the extra resources being made available, in future cases in which uncertainty or new evidence arises out of a previously agreed merger, the aggrieved party will be given the advantage of going to the commission, which alone has the power to recommend disinvestment.

12.18 am

Mr. Maude: As you have said, Mr. Deputy Speaker, this is a very narrow order. It makes two small-scale changes on which for the most part tonight's debate has focused.

My hon. Friend the Member for Chichester (Mr. Nelson) paid a generous tribute—as have other Conservative Members, and the hon. Member for Norwood (Mr. Fraser)—to the work of the MMC. I wholeheartedly endorse what they have said. The commission is a thoroughly professional body whose members give unstintingly of their time, often well beyond the call of duty.

My hon. Friend asked whether investigations would continue to be thorough and fair. Of course they will; the change will make no difference to that. Will more smaller mergers be referred? No. The criteria for referring a merger will remain the same. As we have said on many occasions, the principal criterion is whether there is a competition issue.

Some hon. Members asked whether it will be possible to make more references. There has never been any question of not making a reference because of lack of resources. That is not an issue. The possibility of expanding the capacity and making more references does not arise. Several hon. Members said that there are more types of reference that are available. Under the Water Bill and the Electricity Bill the role of the MMC will be expanded once again.

My hon. Friend the Member for Chichester also spoke about the possibility of perverse decisions because smaller groups might make more subjective decisions. The order does not mean that every reference will be considered by a group of only three members. It will remain open to the chairman of the MMC to appoint as many members as he deems appropriate. At present the minimum number is five, and ordinarily six are appointed. He may well decide that in most cases he should continue to appoint six. There is no pressure on him to appoint fewer than that and the matter is within his discretion. Hon. Members have spoken about the quality and standing of the chairman, and I am sure that we all respect the basis on which he makes his decisions.

The hon. Member for Ross, Cromarty and Skye (Mr. Kennedy) asked from where the impetus for change came. He will have seen in the policy paper on mergers that we issued last March proposals to improve efficiency and speed in the MMC. I cannot honestly say whether the idea came from the MMC or from my Department. These matters are properly discussed between us. They are operational matters and it does not much matter where the impetus came from. It is a sensible change and no one has seriously argued against it.

The hon. Member for Ross, Cromarty and Skye also asked about the Telecommunications Act 1984 and why the order does not change the requirement for a minimum of five. That is simply because for one reason or another the Telecommunications Act does not apply section 24 of the Competition Act 1980 which, in turn, enabled schedule 3 of the Fair Trading Act 1973 to be amended by order. This was an oversight and is being put right in the Companies Bill which is now being considered in another place. I hope that the hon. Gentleman is satisfied with that explanation.

My hon. Friend the Member for Beaconsfield (Mr. Smith) asked whether more resources should be made available to the MMC. He will know that the Companies Bill provides for charging so that when a merger is proposed a fee is payable to the competition authorities. As a result of that, I intend to make it possible to increase the resources available to the competition authorities so that speed and efficiency can be further improved.

The hon. Member for Norwood spoke about the reduced number of commissioners and about any change that that might make to the quality of decisions. He will know from his experience that the quality of the members

of any inquiry is of the highest importance. I assure him again that when a reference is made to the MMC it is able to consider any aspect of the public interest. We make reference decisions principally on the basis of competition, but that does not mean that when a reference is made the MMC is limited to that. It can consider any aspect of the public interest.

My hon. Friend the Member for Southend, East (Mr. Taylor) asked about the possibility of advice being given about disinvestment. I canot think of what case he was referring to, but I assure him that, as I said earlier, there is no question of references not being made because of a lack of resources. Therefore, the matter that he mentioned does not arise.

That brings me to the points raised by the hon. Member for Great Grimsby (Mr. Mitchell), whose speech was perhaps not made in his finest flippant form. Nevertheless, he performed his usual task of taking us back through the mists of time to the dear old days when mergers were not done by the market. There was then no question of shareholders being able to sell their shares to whoever they wanted. Mergers were done by the Industrial Reorganisation Corporation and the man in Whitehall knew best, although, luckily, no one paid any credence to that. When the hon. Gentleman says that British industry is extremely vulnerable, he is living in a bygone age. British industry is not vulnerable; it is doing extremely well. The balance of acquisitions is heavily in the United Kingdom's favour, and that is a sign of the great strength of our economy and industry, not a sign of weakness.

Mr. Austin Mitchell: I did not say that the Industrial Reorganisation Corporation or the man in Whitehall knew best, but we must take as the basis of tonight's debate the fact that the Monopolies and Mergers Commission knows best. Is the Minister saying that the market knows best and that it should determine the future of British industry?

Mr. Maude: We have said repeatedly that we shall only ordinarily refer a matter to the Monopolies and Mergers Commission if competition is seriously threatened. If it is not seriously threatened, the shareholders should sell their shares to someone offering the money for them. That is a perfectly proper principle and there is no reason why it should not operate. The hon. Gentleman seeks to protect inefficient management from those who are prepared to back their judgment with their money and believe that they can manage those assets and that company better. That approach has been tried and tested and is thoroughly satisfactory.

The hon. Gentleman also suggested that our approach to references is affected by political considerations. He will have studied this and will know that, in the 18 months since my noble Friend and I have been responsible for these matters, we have followed the advice of the Director General of Fair Trading. We may be frail politicians who are subject to such pressures, but I am sure that the hon. Gentleman does not wish to make such an accusation in respect of Sir Gordon Borrie. That criticism also falls well wide of the mark.

This is a narrowly defined order, but it raises some wider issues. I have no hesitation in recommending it to the House.

Question put and agreed to.

Resolved,

That the draft Monopolies and Mergers Commission (Performance of Functions) Order 1988, which was laid before this House on 26th October 1988, in the last Session of Parliament, be approved.

West Midlands Serious Crime Squad

*Motion made, and Question proposed,*That this House do now adjourn.—*[Mr. Alan Howarth.]*

12.27 am

Ms. Clare Short (Birmingham, Ladywood): I wish to raise the case of my constituent, Paul Dandy, and further serious allegations that have been put to me, as I have investigated his case, by a number of solicitors and retired policemen in Birmingham. The widespread allegation is that the West Midlands serious crime squad has for many years been engaged in serious and widespread malpractice and that that situation continues today.

I have heard before of allegations of malpractice in the police force and did not think that I would be easily shocked, but the degree and breadth of the allegations of malpractice in the West Midlands serious crime squad which have come to me from solicitors in Birmingham has shocked me. I hope that the Minister will take the issue seriously tonight and not dismiss it.

My constituent, Paul Dandy, was arrested in February 1987 and held as a category A prisoner at Winson Green prison for 10 months during which time he attempted to commit suicide. In November 1987, all charges against him were dropped because his solicitor had obtained forensic evidence which showed that his confession—the charge against him was based on his confession—had been forged by the police. The prosecution consulted its forensic expert, who confirmed the finding and the charge was dropped. The technique that proved this is new. The equipment used is called electrostatic detection apparatus. It can copy a page that has been laid below another one and bring out, through the imprint, a copy of what was written on the page above. The test showed that the crucial page containing Mr. Dandy's admission had been rewritten and the confession inserted. It had not been there when the statement was taken.

Not surprisingly, Mr. Dandy made a very serious complaint against the police. I notice that the Minister is not listening to this short debate about a very serious matter. It amounts to conspiracy to pervert the course of justice—forgery by the police in an attempt to frame an individual on a very serious charge.

What happened then was very shocking. The case was investigated by the Birmingham police force. A person from outside the force was not appointed, which is supposed to be done in a serious case such as this. There was a long delay before any inquiries were made. The guy who was appointed to carry out the inquiry was on holiday at the time. After that long delay, the eventual finding was that the police concerned were not to be charged with a criminal offence, or even disciplined for having fabricated evidence. They were merely reprimanded for disposing of the original page of the statement.

Mr. Dandy's solicitors contacted me about the matter. I went to the Police Complaints Authority. I was told that it was very worried about the case, that it was also very worried in general about the behaviour of the serious crime squad in the west midlands but that it could do little because Parliament required the authority to prove cases beyond reasonable doubt. It said that attempts were being made to clean up the serious crime squad in the west midlands. I hope the Minister will tell us more about that.

All that is bad enough, but I am afraid that the story gets very much worse. When I met Mr. Dandy's solicitors they told me that allegations of malpractice against the serious crime squad were widespread. They suggested to me that I should contact a number of other solicitors in Birmingham and the west midlands who could provide me with the details. I do not have the time now to outline all the cases that were put to me when I telephoned a number of solicitors. I have decided not to give the names of the police officers or of cases. The major import of what I want to say tonight is not that injustice has been done in a number of individual cases—bad though that is and true though that is, and I should like justice to be done for my constituent, Mr. Dandy—but that there is a pattern of malpractice. I shall describe it briefly. I want my remarks to be taken seriously and action to be taken to clean up the serious crime squad in the west midlands.

A solicitor in Wolverhampton told me of a case he had handled in the Dudley Green court and of another one in the Stafford Crown court. Three people were involved in each case. They all made supposed confessions, which they denied. As soon as he heard of this new forensic test the solicitor obtained the approval of the court to obtain the original statements. Until that time he had been given only photocopies. The test can only be made with the originals that contain the imprints.

There was a delay of six weeks before the papers were handed over. He made a number of demands that they should be handed over and then he was told that all the papers, involving six individuals in two separate cases, had been lost. That experienced solicitor, who handles a wide range of cases in Wolverhampton, said that the serious crime squad in the west midlands is rotten, that that is known by solicitors throughout the west midlands, that this practice had gone on for many years but that the recent new test had caught out the serious crime squad. He also said that respected judges had complained on a number of occasions but that nothing had been done.

Another solicitor in Birmingham told me of a case involving four men who were arrested six months after a jewellery robbery involving goods to the value of £40,000. It was a serious robbery. The only evidence against them was confessions. The same forensic test was used. In one case it showed that two pages had been inserted in a five-page statement. Three pages contained no confession. All the damaging stuff had been inserted on the other two pages.

Another person who was charged in the same case had supposedly made a confession in 14 minutes. Under the Police and Criminal Evidence Act 1984, the amount of time during which people are interrogated is now recorded. The judge agreed that the policeman should be asked to rewrite the confession in 14 minutes. He attempted to do so—presumably writing at top speed, faster than one would when taking down a statement—and it took him 21 minutes and some seconds to do so. The case was thrown out of court. His solicitor said that such things had been going on in the West Midlands serious crime squad for at least 15 years, the time he has been practising in the area. He thought it was astonishing and worrying that absolutely nothing had been done about it.

Another fine solicitor whom I have known for many years as a friend was involved in another bad case which I have not time to outline but which has been publicised in the past. He said to me, "Dandy is the tip of an iceberg." No solicitor in Birmingham would say anything other than that the serious crime squad is fundamentally dishonest. The men in the squad decide who are guilty and frame

them. The malpractice goes back to at least the mid-1970s. I remind the House that the serious case of the Birmingham bombers goes back to that time. Many people are convinced that the wrong men were convicted of that terrible crime. So we are talking about something widespread, deep and serious. This solicitor was angry that in the few cases where there was evidence which might have led to things being cleaned up, there was a cover-up and in the individual cases nothing was done.

A retired policeman who served honourably in the Birmingham police force says that the problem is that the serious crime squad is an elitist squad in which there is enormous pressure and competition to get results and convictions. Many men who have served in it for a long time have fallen into malpractice and protect each other constantly. They cut corners. Everyone knows it. The policeman said that other policemen look the other way and that many good policemen in Birmingham refuse promotion so as not to have to serve in that squalid way. Ambitious policemen go into the squad and they have to go along with the malpractice.

I hope that the Minister will not tell me that the Police Complaints Authority will investigate the cases I have outlined and that justice will be done. In the case of Paul Dandy the Police Complaints Authority could not ensure that justice was done. The widespread allegations about the position in the west midlands are so serious that we need more than incomplete investigations in individual cases.

I want the Minister to consider using the police inspectorate. I understand that the Home Secretary talked recently about using the inspectorate to ensure efficiency and good value for money. I assume that the inspectorate has the power to move into the West Midlands serious crime squad in Birmingham to make a full investigation and clean up the squad by moving out the men whose names occur time and time again. A policeman involved in one case to which I have referred was also involved in the case of the Birmingham six.

The squad must be reorganised. Some people who are not guilty are being framed and put behind bars. The new forensic test has only recently become available but according to the solicitors the malpractice has been going on for years. When policemen with a bad reputation appear in court for the prosecution their record is brought into play, juries do not believe their evidence and people are acquitted. I am told by solicitors in Birmingham that serious criminals are being acquitted because of the reputation of senior figures in the West Midlands serious crime squad.

I hope that the Minister will take the matter seriously. I considered that it was right to bring it before the House rather than seek private meetings with, for example, the chief constable, who in any case is about to leave us and go off to Northern Ireland. The people in the west midlands are entitled to know about this and they are entitled to action to clean up the malpractice. I very much hope that the Minister will assist us.

12.39 am

The Parliamentary Under-Secretary of State for the Home Department (Mr. Douglas Hogg): As the House will appreciate, the hon. Member for Birmingham, Ladywood (Ms. Short) has made a series of important and serious allegations against a force, and I am sure that the chief constable of that force will give serious consideration to the points that she has made.

This debate gives me the opportunity to make clear the arrangements for handling complaints and allegations against police officers in England and Wales. It is essential that these arrangements—and the statutory responsibilities of the parties concerned—should be understood, for it is against this background that the case of Mr. Paul Dandy and the other allegations referred to by the hon. Lady must be seen.

The procedures for dealing with complaints against the police and with police discipline matters are set down in part IX of the Police and Criminal Evidence Act 1984 and the associated regulations. Where a chief officer receives a complaint against an officer of his force who is a chief superintendent or below, he is required to record it. If it cannot be resolved informally, the chief officer must arrange for it to be investigated formally. As the hon. Lady knows, complaints against senior officers are matters for the Police Complaints Authority. Certain complaints—for example, where death, serious injury or corruption are alleged—must be referred to the Police Complaints Authority.

Ms. Short: I am familiar with the police complaints procedure, so I hope that the Minister will not filibuster and simply describe that procedure. The questions that I have put tonight are far more serious than that. We understand the procedures and we have been through them, but they have failed. We have also discovered a pattern of widespread malpractice, which is what we want the Minister to address tonight.

Mr. Hogg: It is never my practice to filibuster, but it is my practice to give the House a clear understanding of the issues in such a case and the procedures that apply. That is what I propose to do now.

Certain complaints—for example, where death, serious injury or corruption are alleged—must be referred to the Police Complaints Authority. In other cases, the chief officer may, nevertheless, decide that it is in the public interest to refer the case.

The authority is totally independent of the police and the Government. Its job is to see that a complaint is dealt with thoroughly and, above all, fairly. None of the members of the authority is a police officer or has ever been one. The authority has two main functions. First, it supervises the investigation by the police of serious complaints and others of an exceptional nature. Secondly, it has the final say about whether a police officer should be charged with a breach of discipline.

These powers are considerable. It is, for example, required to approve the appointment of the police officer conducting an investigation, and if it is not satisfied it may direct that another is appointed. Where the report of an investigation indicates that a criminal offence may have been committed by a police officer, it is for the chief officer to consider whether the police officer should be charged and, if so, to bring that before the Director of Public Prosecutions. In addition, the Police Complaints Authority may direct a chief officer to send an investigation report to the director to consider bringing criminal charges. It is entirely a matter for the director as to whether charges should be brought.

[Mr. Hogg]

The House will note from what I have said that my right right hon. Friend the Home Secretary has no part in these procedures. It would be quite wrong for him to be involved in such matters in view of the fact that he is the appellate authority in police discipline matters.

I turn now to the specific case of Mr. Dandy. The hon. Lady has outlined the circumstances of his arrest in February 1987 by the West Midlands serious crime squad, those leading to the decision by the prosecution to call no evidence against him and the dropping of the charges. Subsequently, as the hon. Lady has said, Mr. Dandy made a formal complaint against certain police officers. The complaint was referred by the chief constable of the West Midlands force to the Police Complaints Authority in accordance with the provisions of the Police and Criminal Evidence Act 1984. The authority then supervised an investigation into the complaint—once again, strictly in compliance with the legislation.

After consideration of the investigating officer's report, the Director of Public Prosecutions decided—and it was his decision alone—that the evidence did not justify the bringing of any criminal proceedings against any police officers.

Subsequently, however, disciplinary charges were brought against three officers with the agreement of the Police Complaints Authority. They were dealt with by the chief officer under the provisions of the Police Discipline Regulations 1985.

Ms. Short: Will the Minister confirm that the officers were disciplined not for fabricating or forging a confession, but simply for having disposed of the original piece of paper and for nothing else?

Mr. Hogg: Broadly speaking, the hon. Lady is correct, but I do not have in front of me the exact provision of the discipline regulations under which the officers were charged.

Mr. Dandy's allegations were fully considered and dealt with by the proper authorities under the statutory provisions. Home Office Ministers have no part in this process and it would be wrong for me to comment on the outcome of proceedings that were clearly in accordance with established procedures and the statute.

The hon. Lady made a number of allegations that were more general in character. I understand that complaints from other members of the public about the West Midlands serious crime squad have been, or are being, investigated under the supervision of the Police Complaints Authority. These investigations must take their proper course.

I turn to the specific allegations made by the hon. Lady —specific in the sense that they were descriptive, although she did not, and I understand her reasons, identify the officers or give such close particulars that one could identify them. If people are alleging that there is serious misconduct in the force, and especially in the serious crime squad, they must go to the chief constable with specific allegations, backed by evidence. If they do that, the procedures, which have been established by statute, will take their course. That is the procedure laid down by Parliament to deal with matters of this kind.

If the hon. Lady is in possession of detailed allegations which, on the face of them, are credible and for which there is supporting evidence, I urge her to lay those allegations, together with the evidence, before the chief constable. If she does not wish to do that but the complainants do, I urge her to urge them to do so. I take advantage of my presence at the Dispatch Box to do just that. If there are serious allegations that can be substantiated, those complaints must be placed before the chief constable and the procedures that I outlined at the beginning of my speech, and for which, incidentally, I was criticised by the hon. Lady, will then operate. That is the proper way to proceed.

Ms. Short: There have been several complaints and there have been unsatisfactory outcomes in a large number of those cases. That is part of the problem. I shall, of course, encourage everyone to continue to use the complaints procedure, although our confidence in it has been deeply dented. However, Her Majesty's inspectorate of constabulary is housed at the Home Office and it has powers to ensure that police forces around the country operate up to standard. This matter is so serious that the inspectorate should be sent in and the West Midlands serious crime squad cleaned up. I hope that the Minister will respond to that suggestion.

Mr. Hogg: The inspectorate is not the proper method of dealing with problems of that nature, which involve allegations of specific misconduct against a number of named officers, as I understand it. The proper procedure is to adopt that which I have outlined. There is no other proper procedure. I urge the hon. Lady to do what I have put to her, and I urge those who have put complaints to her to do that which I have outlined to the House.

Home Office Ministers have no power to intervene. There is a thorough and fair system for dealing with allegations against police officers and it provides for an independent element in the form of the Police Complaints Authority. I am sure that if allegations are properly made, they will be examined in a fair and independent manner.

Question put and agreed to.

Adjourned accordingly at eleven minutes to One o'clock.

House of Commons

Thursday 26 January 1989

The House met at half-past Two o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

PRIVATE BUSINESS

BRITISH RAILWAYS (PENALTY FARES) BILL *[Lords] (By Order)*

LONDON REGIONAL TRANSPORT (PENALTY FARES) BILL *[Lords] (By Order)*

Orders for Second Reading read.
To be read a Second Time on Thursday 2 February.

Oral Answers to Questions

NATIONAL FINANCE

Growth

1. **Mr. Paice:** To ask the Chancellor of the Exchequer if he will make a statement on the composition of growth in the United Kingdom as between consumer expenditure, exports and investment over the period 1981 to the latest available date.

The Chancellor of the Exchequer (Mr. Nigel Lawson): I hope that my hon. Friend will forgive me if I begin by saying how glad we all are to see the right hon. and learned Member for Monklands, East (Mr. Smith) fit and well and back in his place.

Since 1981, consumers expenditure has grown on average by 3½ per cent. a year in real terms, while exports have grown by 4 per cent. a year and investment by 5 per cent. a year.

Mr. Paice: I thank my right hon. Friend for that reply. Do not those excellent figures show that much of the extra demand is spent on investment which will balance the problem with the balance of payments deficit? Are we not really paying the price for the fact that throughout the time when the Labour party was in office, investment was seven times lower than the rate of increase in consumption?

Mr. Lawson: My hon. Friend is right. We have had increasingly in recent years an excellent performance on investment. Investment growth last year was probably the highest ever and certainly private investment last year was the highest percentage of GDP since records began in 1955. As my hon. Friend indicated, over the whole of our period of office since 1979, investment grew at 27¾ per cent. compared with only 25¾ per cent. for consumption, whereas under the Labour Government, consumption was up by 10½ per cent. and investment only a puny 1½ per cent.

Mr. Campbell-Savours: Is the Chancellor aware that the rise in exchange rates is doing immeasurable damage to much of Britain's manufacturing industry? As imports are being sucked into the United Kingdom, many jobs are being lost at home in all sorts of industries, but in particular in the footwear industry and in Millers, a company in my constituency. What will he do about that? Will he leave exchange rates at the present high level and accept job losses at home with the consequent effect on the Exchequer?

Mr. Lawson: I think that the hon. Gentleman is wholly unaware of what has happening in the British economy. Unemployment has been coming down month after month for over two years now in every region of the country. I would have thought that he might first become aware of that and when he has become aware of that, he might welcome it.

Mr. Devlin: Will my right hon. Friend the Chancellor confirm that in 1988 investment grew by more than 12 per cent. and that that was twice as fast as the growth in consumption? Will he also confirm that the rate of unemployment in Stockton, South has fallen faster than in any other constituency in the north of England and that that is undoubtedly due to the hard work of local entrepreneurs and the increased level of self-employment in that region?

Mr. Lawson: I agree with what my hon. Friend says and I am sure that the quality of the hon. Member representing Stockton, South must have played some part in this excellent performance. Indeed, investment growing at something like more than double the rate of consumption in 1988 was no flash in the pan. During the whole of the period that I have been Chancellor of the Exchequer, investment has grown very nearly twice as fast as consumption. Indeed, going back to 1981, investment in this country has grown faster than in any other country of the European Community and faster, indeed, than in any other major industrial nation.

Mr. Gordon Brown: On the question of growth, investment and the impact of the exchange rate, does the Chancellor recall his previous statements that we would join the European monetary system when the time was appropriate, and his new statement last night that previous difficulties had "clearly diminished over time"? Will the Chancellor give us his own assessment of the advantages of joining the European monetary system and say whether he has persuaded the Prime Minister of them?

Mr. Lawson: I would advise the hon. Gentleman to read the speech that I gave at Chatham house last night. It well repays reading, and, as I said, we will join the EMS when the time is appropriate, as the Prime Minister has said on previous occasions.

Investment

2. **Mr. Cran:** To ask the Chancellor of the Exchequer what was the total level of investment in the United Kingdom in 1988 and 1987; and what was the change in the level of consumption over the same period.

The Chief Secretary to the Treasury (Mr. John Major): Between 1987 and 1988 investment is expected to have grown by at least 12 per cent., twice as fast as consumption.

Mr. Cran: Does my right hon. Friend agree that business investment in the years 1986-88 rose by the almost unprecedented figure of 20 per cent. in real terms, and exceeded that of the United States, Germany and France? Does he agree that that massive investment programme confirms the economic well-being of the United Kingdom, even in terms that the economic illiterates of the Opposition can understand?

Mr. Major: I am not sure about my hon. Friend's last point, but I can certainly confirm his first point. Since 1981, business investment in the United Kingdom has grown faster than in any other major industrialised country and any country in the European Community.

Mr. Foulkes: Will the Chief Secretary come down to earth? Is he aware that the National Savings bank has introduced regulations so that the minimum investment is now £5? That is causing great concern among pensioners and Age Concern Scotland as many pensioners invest £1, £2 or £3 regularly and will be unable to do so when the regulation comes into force. Will the Chief Secretary intervene and see whether some action can be taken to reverse that regrettable decision?

Mr. Major: I hear and understand what the hon. Gentleman says. I have no direct response to his point except that he needs to bear in mind that throughout the economy as a whole investment is growing and that in our judgment, and in the judgment of the independent surveys, it will continue to grow. That is thoroughly disirable.

Sir William Clark: Does my right hon. Friend agree that the Opposition's criticism of the economic handling of our country is rather hypocritical when one bears in mind that under their regime we were at the bottom of every economic league not only in Europe but in the world and now we are at the top?

Mr. Major: As usual, my hon. Friend is entirely right. These are painful waters for the Opposition and I hesitate to dwell on them any longer.

Lead-free Petrol

3. **Mr. Kirkwood:** To ask the Chancellor of the Exchequer what representations he has received concerning tax concessions on lead-free petrol.

The Economic Secretary to the Treasury (Mr. Peter Lilley): A number.

Mr. Kirkwood: I thank the Minister for his helpful answer. Does he accept that for lead-free petrol to become the norm it will have to become available in all retail outlets throughout the country, including small retail outlets such as those in the Borders? The only way realistically to do that is to increase demand. The only way to increase demand for lead-free petrol is to increase its tax advantages against petrol containing lead. Will the Minister give careful consideration to the representations that he has had so that a positive change may be made in the forthcoming Budget?

Mr. Lilley: I am sure that my right hon. Friend has noted the hon. Gentleman's remarks. Although I cannot be very helpful about his request for information about tax concessions in future, I can remind him of what occurred in the last Budget when my right hon. Friend the Chancellor increased the differential between lead-free and leaded petrol. Since then, there has been a considerable increase—indeed, a tripling—of the number of outlets at which it is available.

Mr. Mans: Does my hon. Friend agree that following the tax concession in April, sales of unleaded petrol have increased by 1,500 per cent? Does that not demonstrate that the tax concession is quite sufficient at the moment, and that any moneys that may be available from the Treasury to promote the use of unleaded petrol would be better used in persuading manufacturers and petrol companies to increase its availability?

Mr. Lilley: My hon. Friend is quite correct to point to that statistically large increase although, admittedly, it was from a small base. By October, the market in lead-free petrol had reached about 1·6 per cent. By mid-January it had reached 3·5 per cent. so it is clearly growing rapidly. I agree with my hon. Friend about the need for campaigns to spread information by both petrol retailers and motor car manufacturers.

Mr. Haselhurst: Will my hon. Friend note that there are many obstructions in the way of the admirable policy of our right hon. Friend the Chancellor to introduce a differential in the duty on lead-free petrol, one of which is the price spread of four-star leaded petrol, which can be anything between 12p and 14p in a district? Is it not worth reminding the Chancellor that if something is worth doing it is worth doing well?

Mr. Lilley: My hon. Friend is correct to say that there is a spread of prices for four star, although the recent *Which?* report showed that, almost universally, garages were passing on the advantage of the tax increase at the last Budget. The differential between lead-free and four-star petrol was about 5½p at the pump.

Dr. Marek: Is the Minister aware that he has the Opposition's support to increase the use of unleaded petrol? He will also have the Opposition's strong support if he introduces a bigger differential between leaded and unleaded petrol in the next Budget. Will he try to persuade his right hon. and hon. Friends to provide more advertising on site, to ensure that advice is widely available and to tackle ignorance so that motorists are aware of the problem and take the advice that is widely available?

Mr. Lilley: I am grateful for the hon. Gentleman's remarks and I agree about the importance of advice. It is important that people recognise that virtually all new cars can take unleaded petrol; from October 1990 all new cars will be able to do so. Most cars can be converted at small cost to run on lead-free petrol; only a dwindling minority are incapable of such conversion.

Mr. Roger King: Notwithstanding what my hon. Friend has just said, will he bear in mind that millions of car owners depend on leaded fuel? If the differential between unleaded and leaded fuel is to be increased, will he ensure that it is not at the expense of increasing duty on leaded petrol?

Mr. Lilley: I am sure that my right hon. Friend noted those remarks, as did I.

Pay Deals

4. **Mr. Nellist:** To ask the Chancellor of the Exchequer what assessment he has made of the consequences for the economy of two-year pay deals of, or over, 20 per cent.

The Paymaster General (Mr. Peter Brooke): None. Few such pay deals have been concluded.

Mr. Nellist: Given that the Chancellor and other Treasury Ministers have expressed derogatory views about such pay deals in the press, and notwithstanding the reasons of other right hon. and hon. Members for so doing, will the Minister explain why he and every Treasury Minister, including the Chancellor, voted in favour of a pay rise of over 25 per cent. for hon. Members for 1988-89? What peculiar brand of logic leads Treasury Ministers to tell Jaguar workers, workers at Peugeot Talbot in Coventry or home owners groaning under a 13 per cent. mortgage that they cannot demand what Ministers vote for themselves?

Mr. Brooke: In 1983, the Government opposed what became known as the du Cann amendment on hon. Members' pay linkage. The hon. Member for Coventry, South-East (Mr. Nellist) voted with the Government, but despite his help we were defeated by eight votes. In 1987, the Government respected the will of the House as expressed in 1983 and tabled a resolution to implement the amendment, because otherwise it would not have counted for pension purposes. Unlike a recent Labour Government on boundary commission proposals, this Government vote for their own resolutions.

Mr. Yeo: Does my right hon. Friend agree that whatever the consequences of two-year pay deals of over 20 per cent. may be, they are much better than the consequences of one-year pay deals of over 20 per cent., which were such a feature of the last Labour Government's period of office?

Mr. Brooke: The Government believe that pay is ultimately a matter for the parties directly concerned. I join my hon. Friend in urging pay restraint.

Mr. Mullin: What has the Minister to say about the 286 per cent. increase that Lord Hanson awarded himself last year, the 237 per cent. increase that Lord King awarded himself last year and the 168 per cent. increase that John Clement of the Littlewoods Organisation awarded himself last week? Is the Minister's plea for restraint addressed to them?

Mr. Brooke: As I said to my hon. Friend the Member for Suffolk, South (Mr. Yeo), pay is ultimately a matter for the parties directly concerned.

Public Sector Surplus

5. **Mr. John Townend:** To ask the Chancellor of the Exchequer what is his latest forecast for the level of public sector surplus in 1988-89.

Mr. Lawson: The Autumn Statement forecast for the PSBR in 1988-89 was for a net repayment of about £10 billion. I shall be publishing a new forecast in the Budget in the usual way.

Mr. Townend: When did this country last have a surplus which represented such a high percentage of GDP? Does my right hon. Friend agree that such a surplus reflects a tight fiscal stance? Does he agree also that the surplus belongs to the taxpayer? Even if financial prudence prevents him returning it in the next Budget, it will eventually be used to reduce the burden on the taxpayer.

Mr. Lawson: I am grateful to my hon. Friend. I cannot tell him when a British Government last enjoyed a budget surplus—a public sector debt repayment of this scale, but one would have to go back a very long time indeed. As for the claims on that surplus, I am sure my hon. Friend will agree with me that progress in tax reduction needs to be accompanied by progress in debt repayment, and the balance between these two in each particular year is a matter to which I shall give very careful consideration.

Ms. Quin: Is one reason for the surplus the fact that the Treasury has saved £4 billion a year from the decision to break the link between pensions and earnings and prices? Would it be an excellent use of the budget surplus to give that £4 billion a year back to those who badly need it?

Mr. Lawson: We have, as the hon. Lady knows, increased public expenditure very substantially. The increase, for example, which I announced in the Autumn Statement in November for the National Health Service was far and away the biggest increase that the Health Service has ever received. We have, like any other Government, to decide what our priorities are within public expenditure. We have decided that it is absolutely right that pensioners should enjoy price protection. Beyond that, we have decided to give extra help to the poorest pensioners so that we can then give a great deal more to the Health Service and other public expenditure priorities.

Mr. Gow: Is it the case that, if my right hon. Friend were borrowing at the same rate as borrowing took place when the Labour party was in power, this year's public sector borrowing requirement would be £40 billion? Will my right hon. Friend persevere in doing good and continue with his excellent policy of repaying debt?

Mr. Lawson: My hon. Friend is quite right. That is the scale, and indeed if we were to go back to that particular Labour Government tombstone of a £40 billion public sector borrowing requirement, I could abolish the whole of income tax and I would not get as big a borrowing requirement as that, but I have to tell the House that I shall not be doing that. *[Interruption.]* It is a very important source of strength that we have this surplus, and our sound fiscal position, and indeed the transformation, is something that has earned us the respect of the whole world.

Mr. John Smith: I thank the Chancellor of the Exchequer for his generous personal remarks. He was good enough to write to me the day I took ill, and I thank him for that. However, I observe that not much changed while I was away.

Why is the Chancellor still boasting about a public sector surplus, £10 billion of which is made up of asset sales—an exercise in transferring money from the balance sheet to the profit and loss account, which rendered some people in the private sector liable to early arrest—and the other £4 billion of which is from robbing old age pensioners? Why is that something about which he should boast? If he finds that difficult, in a spirit of goodwill

towards him, I wish him luck over the next six or seven weeks. I hope that the Prime Minister does not continually seek to express her disagreement with his monetary, fiscal or mortgage policies. Let him hope that he has at least a happy time until Sir Alan Walters returns.

Mr. Lawson: I do not altogether agree with the right hon. and learned Gentleman that nothing has changed. I observe with some envy that he has lost a great deal of weight. But apart from that, nothing at all has changed. He is as entertaining as ever, and as totally devoid of policies.

Mr. Soames: The House will note with pleasure and satisfaction the healthy public expenditure surplus, but will my right hon. Friend acknowledge that millions of British taxpayers wish substantially more money to be spent on infrastructure and will he assure the House that he will view with favour such requests from the Department of Transport?

Mr. Lawson: As my hon. Friend knows, we have a desirable convention that public expenditure decisions are taken and announced in the autumn and that the spring Budget is for judging the level of taxation and the level of borrowing, or, as it is called in the new era in which we live, the level of debt repayment. But I am sure that in that context my hon. Friend will have noted with great satisfaction the substantial increase in expenditure on transport infrastructure, particularly on roads, which I announced in the Autumn Statement in November.

Exports

6. **Mr. Buckley:** To ask the Chancellor of the Exchequer if he will provide his latest forecast for growth in the United Kingdom's visible exports in 1989.

Mr. Brooke: As set out in the Autumn Statement, exports of goods are expected to rise by 7 per cent. in 1989.

Mr. Buckley: Does the Chancellor consider that that is exceedingly optimistic in the view of the Government's high interest rate policy, which seems to be undermining British industry, and the lack of investment in future research and development, which will certainly undermine future balances of payments? Would that the balance of payments was in surplus, as the Chancellor constantly boasts about the public sector borrowing requirement.

Mr. Brooke: In the CBI's January quarterly survey, a larger balance of firms than in any quarterly survey since April 1987 is shown expecting export order books to rise over the next few months.

Mr. Bill Walker: Does my right hon. Friend agree that the difference between today's visible exports and those under the previous Labour Government is that today's visible exports generate profits while in 1979 they were generated out of losses, particularly in major industries such as steel, coal and so on?

Mr. Brooke: I am not sure that I could effect that precise correlation, but there was a great deal more subsidy to manufacturing industry in those days than in these.

Mr. Holland: The Government's optimism on visible trade reminds some Opposition Members of the words of a former Chancellor, Mr. Gladstone, who, shortly before he died, said, "I feel better now." It is clear that the Government are expecting a miracle on the visible trade side. When will they realise that the miracle has not been changing water into wine but transforming the wine of North sea oil into massive interest rate rises, and a chronic structural deficit?

Mr. Brooke: The dying words of Lord Palmerston were "Die, my dear Doctor, that's the last thing I shall do!" The Government are alive and well and continue to have confidence in their forecasts.

Mr. Brazier: Does my right hon. Friend agree that the growth in visible exports over the last two years, and, indeed, expected growth over the next year, has played an important part in the fall in unemployment in my constituency from 11 per cent. to below 6 per cent? Will he join me in congratulating two small companies in Whitstable, one selling printing materials to Japan and the other electrical parts to Taiwan?

Mr. Brooke: My hon. Friend is entirely correct in identifying the linkage between exports and jobs and I congratulate the two firms in his constituency.

Investment

7. **Mr. Nigel Griffiths:** To ask the Chancellor of the Exchequer if he will provide the latest available data on net flows of *(a)* direct investment, *(b)* portfolio investment and *(c)* banking flows into the United Kingdom in 1988.

Mr. Lilley: In the first three quarters of 1988, the latest official estimates identify net outflows of £6·3 billion on direct investment and £5·6 billion on portfolio investment, and net banking inflows of £10·5 billion. However, the balancing item indicates that there are net inflows of foreign exchange amounting to a further £12·3 billion which cannot be identified.

Mr. Griffiths: How does the Chancellor explain his high interest rates if not in terms of his record balance of payments deficit and the need to lure in to the economy highly speculative funds from abroad?

Mr. Lilley: The hon. Gentleman clearly does not realise that, in all countries, it would now be true to say that all money is hot money because we live in a world of free exchange rates where people are free to move money about. Therefore, all Governments, whether they have a surplus or a deficit, are required to maintain the confidence of their people and of international financial markets. This Government have the confidence of international markets because their policies are sound and because the prospects of election of the Labour party are negligible.

Mr. Tim Smith: Will my hon. Friend confirm that the balancing item is now so large that it exceeds the balance of payments deficit? Does not that mean either that the deficit is overstated or that the figures for capital inflows are understated? Which does the Treasury think it is, and, whichever it is, does it not show that all the figures should be treated with some caution?

Mr. Lilley: My hon. Friend is absolutely right. The answer to his question is, "A bit of each" and he is right to say that we should treat with scepticism those figures, whose importance is grossly exaggerated.

Mr. John Smith: Will the Minister confirm that the balance of payments deficit with which we have been saddled as a result of the Government's policy is one of the principal reasons for high interest rates? We have the highest interest rates among the industrialised countries because we have to pay the price of attracting into the system the hot money to which he has just referred.

Mr. Lilley: No. The right hon. and learned Gentleman has got it wrong. High interest rates are necessary to bring down inflation and keep pressure bearing down on inflation, as we shall do. I hope that he will soon take the opportunity to explain how his recipe of cutting interest rates and reimposing credit controls could possibly work in the modern world.

Inflation

8. **Mr. Harry Greenway:** To ask the Chancellor of the Exchequer what was the average *(a)* inflation and *(b)* interbank rate (i) since May 1979 and (ii) between March 1974 and May 1979; and if he will make a statement.

Mr. Lawson: The average rate of inflation since May 1979 has been 7½ per cent. compared with 15½ per cent. between March 1974 and May 1979. The average three-month interbank rate since May 1979 has been 12 per cent. compared with 10½ per cent. between March 1974 and May 1979. In other words, with interest rates 1½ per cent. higher than under Labour, we have enjoyed inflation 8¼ per cent. lower.

Mr. Greenway: Is it not clear from my right hon. Friend's reply that the Government's record on inflation is at least twice as good, perhaps nearly three times as good, as that of the last Labour Government? Is it not also clear that his policy of high interest rates is beginning to work, although the full effects will not be known for some time yet?

Mr. Lawson: My hon. Friend is right. Inflation under this Government has been less than half the rate of inflation under Labour and, of course, at the present time, it is lower still than that and it will continue over a period of time to fall.

As for the second half of my hon. Friend's question, I forget precisely what it was and I apologise to him.

Mr. Robert Sheldon: When will the Chancellor of the Exchequer stop complaining about mortgage interest payments increasing the retail prices index when, at the same time, he is obtaining great advantages from the fact that house prices are not part of the retail prices index? As they have shown an explosive inflation, is he not rather lucky?

Mr. Lawson: Asset prices are not part of the retail prices index in any country in the world and, indeed, we are one of the only two countries in the European Community, out of 12 nations, that have mortgage interest payments in their consumer price index, the only other one being Ireland. It is an eccentric, unwise and economically unsound thing to have and we get the underlying trend very much more clearly. This is widely accepted by economists of all parties and none, if we look at the retail prices index, after extracting mortgage interest payments.

I am glad to tell my hon. Friend the Member for Ealing, North (Mr. Greenway) that I have now remembered what he said. Yes, indeed, the policy is very clearly working.

Mr. Hind: Does my right hon. Friend agree that the contrast between the performances of the Labour Government and this Government is demonstrated by the survey published in the press today which showed a very bullish attitude among 500 senior managers in industry? Most of them expect orders and investment to rise this year and at least one third expect to create new jobs.

Mr. Lawson: My hon. Friend is right. Of course, the fundamental confidence of British industry is also shown by its investment intentions which continue to run very high, as was evidenced by the most recent CBI survey. The only thing that might cause a tremor among industrialists is were there to be at any future date a slight glimmer of a fear that the Labour party might be elected to office.

Consumer Credit

9. **Mr. Beith:** To ask the Chancellor of the Exchequer what estimate he has made of the impact of his interest rate policy on consumer credit.

Mr. Major: By increasing the cost of credit, rises in interest rates exert downward pressure on the growth of consumer credit.

Mr. Beith: Are Treasury Ministers sufficiently confident of the success of their policies to tell us that they will not need to raise interest rates further? Have they looked at the indices that they now use to argue that they have got control of the situation? Last year, those indices were showing even more clearly that there would not be a credit boom. If Ministers believed them then, that may be the explanation for what went wrong with the Budget strategy. Will Treasury Ministers consider alternative measures that are available to broaden the attack on inflation without going to the credit control measures favoured by the right hon. and learned Member for Monklands, East (Mr. Smith), whose return we so much welcome?

Mr. Major: No Minister can give the hon. Gentleman the firm assertion which he asked for at the beginning of his question. The problem at the moment is excess demand. The way to control the growth of credit is to increase its cost. That is what we have done. We are confident that it can and will work.

Mr. Neil Hamilton: Will my right hon. Friend remind the House that last spring Opposition Members were calling for even faster reductions in interest rates which would have fuelled the consumer boom even more? Now they are claiming the benefit of hindsight and they say that we were moving too fast. Their economic policy does not add up.

Mr. Major: I certainly recall that. I also recall that Opposition Members were asking for more public spending both last autumn and earlier this year. That would not have helped, either.

Interest Rates

10. **Mr. Cox:** To ask the Chancellor of the Exchequer when he expects to reduce interest rates.

Mr. Lilley: It is not my practice to comment on future movements in interest rates.

Mr. Cox: Does the Minister agree that that is a deplorable reply? Is he so unaware of the problems that his Government are causing to industry and to people seeking to buy their own homes? Can he tell the House what advice he would give to people who budgeted for expenditure that they thought they could undertake and are now suffering from the ongoing increases in interest rates, leading to higher mortgage repayments? What advice can he give them so that they may have confidence in the future under the Government's policies?

Mr. Lilley: Far from suffering from the present circumstances, industry is undergoing an investment boom which I hope the hon. Member welcomes. We have been very successful in our policy of encouraging home ownership; 3 million more people own their homes. Mortgage rates show no correlation with difficulties over arrears or repossessions, the biggest factors in those problems being martial discord and unemployment. Happily, the latter is coming down.

Mr. Ian Taylor: Does my hon. Friend agree that the tight fiscal policy of the Government, shown by the size of the public sector surplus, has enabled them to use the interest rate weapon flexibly? Now that it is having its effect, will Opposition Members stop ranting and raving about other measures and give the Government credit for their success in curbing consumer spending?

Mr. Lilley: My hon. Friend is right to point to the importance of having a background of sound fiscal policy. The fact that the Government are repaying £10 billion of debt means that that money is available for industry to borrow.

Mr. Chris Smith: The Minister's statement just now will go down in the House as representing the uncaring face of the Government. As millions of home owners around this country are finding it extremely difficult to meet massive increases in mortgage repayments, when will the Government give them some hope and some relief in that task?

Mr. Lilley: When the hon. Gentleman was last at the Dispatch Box he said that lots of people had budgeted prudently by borrowing up to the hilt. Happily, most hon. Members would not give that advice to their constituents. Both the lender and the borrower have an obligation to make sure that borrowing is not excessive. On occasions when the borrower has difficulties, almost invariably the building society will reach arrangements that will accommodate those difficulties.

House Prices

11. **Mr. Ashton:** To ask the Chancellor of the Exchequer what has been the total rate of inflation in the average price of a house in the United Kingdom since June 1983.

Mr. Brooke: House prices have approximately doubled since June 1983.

Mr. Ashton: As this Government are supposed to be the Government who keep down inflation, what have they been doing to help young couples to buy a house or even rent one from the council? Have not the Government priced young couples out of the market? Why did the Chancellor not urge the building societies to lend only two and a half times the annual income of an applicant, as they did many years ago? Why has the Chancellor sat back and done nothing, in the free market, when building societies are lending three and a half to four times annual incomes, and sending house prices rocketing through the roof? What advice would he give now to young couples who are desperately seeking somewhere to live?

Mr. Brooke: In response to that long question, I shall just say that in the first half of 1988, half of all building society loans went to first-time buyers.

Mr. Nicholas Bennett: Does my right hon. Friend agree that the majority of people in this country recognise the great benefits of home ownership and the fact that mortgage rates go up from time to time as well as come down, but that the advantages of home ownership outstrip the short-term disadvantages?

Mr. Brooke: My hon. Friend reflects the Government's policy correctly.

Mr. Worthington: Does the Minister agree with the statement of his hon. Friend the Economic Secretary to the Treasury a few minutes ago that people have no more difficulty in paying their bills when mortgages go up than they did when they were low?

Mr. Brooke: That is not what my hon. Friend said. According to the Building Societies Association the main causes of mortgage problems are matrimonial problems, unemployment and financial mismanagement.

Manufacturing Investment

12. **Mr. Key:** To ask the Chancellor of the Exchequer what is his latest information on the investment intentions of manufacturing industry.

17. **Mr. Anthony Coombs:** To ask the Chancellor of the Exchequer what is his latest information on the investment intentions of manufacturing industry.

Mr. Major: The Department of Trade and Industry's investment intentions survey published in December showed that manufacturing investment is expected to grow by 11 per cent. in 1989.

Mr. Key: Does not that reply indicate that manufacturing industry understands far better than the Opposition the opportunities generated in the economy by this Government? Can my right hon. Friend say by how much manufacturing investment has grown over the past five years or so?

Mr. Major: My hon. Friend is entirely correct. Manufacturing investment in real terms reached an all-time peak in the second quarter of 1988, and is expected to increase substantially next year.

Mr. Anthony Coombs: I welcome the buoyancy of manufacturing investment intentions, especially as last year there was the largest increase in manufacturing investment for 25 years. Is my right hon. Friend aware of a recent survey on industrial space take-up throughout the country which indicated that more than one third of the total industrial space taken up last year was in the west

midlands? Does not that show clearly and unequivocally how geographically broadly based the economic expansion of this country has become?

Mr. Major: Indeed it does, as does the fact that unemployment has fallen in all the regions in the past 29 months. The last CBI survey shows clearly that investment intentions remain strong for the future.

Mr. Win Griffiths: Is the Minister aware that, despite high investment in industry, the CBI survey pointed out that, for the first time for three years, more exporters are gloomy about prospects than before, and that in Wales more than one in three manufacturers who export are reporting reductions in their orders because of the high interest rate policy? Are we not suffering because of the Chancellor's desire to give money hand over fist to the wealthy?

Mr. Major: Manufacturers in Wales and elsewhere recognise clearly that renewed inflation is far more damaging to them than is the medicine necessary to ensure no renewed inflation.

As regards the CBI survey, the hon. Gentleman quoted very selectively. The CBI said quite clearly that the figures indicate that strong manufacturing investment is set to continue.

PRIME MINISTER

Engagements

Q1. **Mr. Curry:** To ask the Prime Minister if she will list her official engagements for Thursday 26 January.

The Prime Minister (Mrs. Margaret Thatcher): This morning I presided at a meeting of the Cabinet and had meetings with ministerial colleagues and others. In addition to my duties in the House, I shall be having further meetings later today.

Mr. Curry: In the light of widespread public concern about the expansion of private credit, so eloquently endorsed by the Labour party, does my right hon. Friend consider that the case for credit controls is severely undermined by the fact that tfiat party intends to launch a membership drive backed by credit cards?

The Prime Minister: I agree that those who are concerned about too much credit should not add to it, but should fully support the Chancellor's policy of getting inflation down through interest rates.

Mr. Kinnock: Will the Prime Minister agree with me that hospices in Britain meet a vital health care and humanitarian need? If so, will she now respond to the appeal by the Royal College of Nursing and the charity Help the Hospices and provide full funding for the pay increases of nurses who work in hospices, thereby ensuring that any possible bed closures are prevented?

The Prime Minister: The practice is that the health authorities make a grant for the contractual obligations that they have with the hospices to supply nurses to them. A sum of money was given to the hospices for that purpose. The Government also made it clear that they would wish it to be sufficient for authorities to supply on a non-contractual basis, which some of them do. My right hon. and learned Friend the Secretary of State for Health discussed this matter with the hospices this morning.

Mr. Kinnock: Does the Prime Minister not recall the very specific promise made by the Secretary of State for Health at the Conservative party conference that

"£4·5 million more"

would be paid to the hospices

"to pay the increases of nurses who work in hospices".

Does she know that the hospices have now been told by her Ministers, as recently as this morning, that the most that they can get is not £4·5 million but £1·3 million?

A very small amount of money is needed in Health Service terms to meet a very great need and to provide comfort and care. Will the Prime Minister immediately see to it that the Government keep their promises?

The Prime Minister: I have indicated what the arrangements are. I have indicated that my right hon. and learned Friend the Secretary of State for Health today discussed this with representatives of the hospice managers' forum of the Royal College of Nursing. He emphasised the Government's commitment to the voluntary hospice movement. Information on local funding arrangements is being collected urgently and my right hon. and learned Friend will consider the need for further action once this has been received and analysed. All that was told to them this morning—not only what the right hon. Gentleman said.

Mr. Kinnock: What is not in doubt is that the Government promised £4·5 million, and what is not in doubt either is that the Government are now saying that the sum is limited to £1·3 million. Will the Prime Minister tell the voluntary movement how it can meet the need, exercise choice and be independent when it has no money with which to do it?

The Prime Minister: Once again, the right hon. Gentleman did not listen to what I said. He had worked out his supplementaries, irrespective of my answers. *[Interruption.]* It is quite a good idea to get the facts right first. That is why information on local funding arrangements is already being urgently collected. My right hon. and learned Friend the Secretary of State will consider the need for further action once the information has been received and analysed.

Mrs. Peacock: Will my right hon. Friend take time in her busy day to consider the document on Transpennine that I have sent to her? This is an initiative by a group of business men and bankers who have come together to promote the north of England, not only to the rest of the country but to Europe and the rest of the world. Will she join me in congratulating them on their intiative?

The Prime Minister: Yes, most certainly. I congratulate many of them on the enterprise they are showing and the way in which they are providing jobs, reducing unemployment and building up prosperity for the future.

Mr. Ashdown: When the Prime Minister appointed Lord Chalfont to the post of deputy chairman of the Independent Broadcasting Authority, was she aware that he is the director of a private intelligence company with extremely grubby connections in the past and whose— *[Interruption.]*

Mr. Speaker: Order. The right hon. Gentleman must take responsibility for the questions that he asks.

Mr. Ashdown: Is the Prime Minister aware that its published aims are to provide intelligence services——

Mr. Churchill: On a point of order, Mr. Speaker.

Mr. Speaker: Order. I will take the point of order when the right hon. Member for Yeovil (Mr. Ashdown) completes his question.

Mr. Ashdown: Was the Prime Minister aware that Lord Chalfont is currently the director of a private intelligence organisation whose publicly stated aims are to provide private intelligence services for the Government? Has she no idea of the conflict of interests involved?

The Prime Minister: I am happy with the appointment I made. The right hon. Gentleman must be the first leader of his party to pursue a vendetta in that way.

Mr. Churchill: On a point of order, Mr. Speaker.

Mr. Speaker: It takes time but I shall take it.

Mr. Churchill: On a point of order, Mr. Speaker— *[Interruption.]*

Mr. Speaker: Order. It will take time out of Question Time.

Mr. Churchill: On a point of order, Mr. Speaker. Is it in order for the right hon. Member to smear a right hon. Member of another place in this way?

Mr. Speaker: Order. I was listening carefully to the right hon. Gentleman and nothing disorderly took place.

Mr. Stanbrook: Has my right hon. Friend had an opportunity to see the three Green Papers issued by the Lord Chancellor's Department yesterday? Does she agree with me that, contrary to the impression given by some, including a former Lord Chancellor who ought to know better, the Bar has no need of restrictive practices in order to maintain its high standards? Does she also agree that members of the Bar welcome the opportunity to help recast the legal professsion to give the public an even better service in the future?

The Prime Minister: Yes, I agree with my hon. Friend that those three Green Papers tackle the problems in a bold and courageous way and provide solutions. I hope that they will be widely discussed and will maintain the high standards of legal service that we are entitled to expect.

Q2. **Mr. Hoyle:** To ask the Prime Minister if she will list her official engagements for Thursday 26 January.

The Prime Minister: I refer the hon. Gentleman to the reply that I gave some moments ago.

Mr. Hoyle: Is the Prime Minister aware of the widespread feeling in this country and the House about torture in Turkey, and about the deep disappointment felt that she did not discuss that matter with either the President or the Prime Minister of Turkey last year? Did she discuss torture and human rights with the Turkish Defence Minister yesterday? If she did, what was the result?

The Prime Minister: The answer is yes. We did discuss the matter, and the Turkish Defence Minister assured me once again that the Government are taking all possible steps to see that there are no abuses in that country.

Sir Hal Miller: Will my right hon. Friend join me in welcoming the indication that a leading Japanese motor manufacturer, Toyota, is considering investing in Europe rather than exporting to Europe? Can she tell us what steps we are taking to ensure that the investment comes to this country rather than to other member states?

The Prime Minister: Yes, we believe that we are the lead country of Toyota's choice for them to invest in. They will be very welcome in this country. They are interested in a number of different areas. We shall work closely with them and shall of course consider any application for selective assistance under our legislation.

Q3. **Mr. Janner:** To ask the Prime Minister if she will list her official engagements for Thursday 26 January.

The Prime Minister: I refer the hon. and learned Gentleman to the reply that I gave some moments ago.

Mr. Janner: On another matter affecting Japan, does the Prime Minister recall that, of the 50,000 British prisoners-of-war of the Japanese who were tortured and starved, 12,433 died in captivity? Does she recall that thousands of other Commonwealth service men suffered in the same way, including over 2,800 Australians who died as a result of war crimes while working on the railways? In those circumstances, how could it happen that Her Majesty's Government would advise the Duke of Edinburgh to pay a royal visit to Japan in the circumstances he has in mind? Will she please reconsider this grotesque and offensive suggestion?

The Prime Minister: Nothing can obliterate what happened then or the memories and feelings of the people who suffered or of their relatives. There is no difference between us on that. Japan is now a democracy and is a very different country. Many people here have jobs provided by Japanese investment. We are both economic summit countries and there have been state visits. We have made the proper recommendations, which I believe are right, with an eye to the future.

Mr. Devlin: On the occasion of Australia Day, will the Prime Minister take this opportunity to communicate to the Australian Prime Minister this country's commitment not only to the future of an unrestricted European market but to the ideal of free trade throughout the world?

The Prime Minister: Yes, I will gladly do so. We have to work hard to see that there is no element of protectionism in Europe after 1992. That is very much in keeping with everything we believe and that will be the message I shall try to give the Australian Prime Minister. It is the message which my right hon. and hon. Friends and I are constantly giving the European Community. We look forward to welcoming the Australian Prime Minister to this country later this year.

Q4. **Mr. Meale:** To ask the Prime Minister if she will list her official engagements for Thursday 26 January.

The Prime Minister: I refer the hon. Gentleman to the reply that I gave some moments ago.

Mr. Meale: Bearing in mind the Prime Minister's support for the football ID scheme, and bearing in mind also the hooliganism that we saw at Henley regatta last year and on a whole variety of sporting occasions, has she any intention of trying to widen the scope of the scheme?

The Prime Minister: The hon. Gentleman is aware that it is a membership card scheme because football has developed a history of attracting hooliganism both on the pitch and outside the stadium over the years and there have been several reports upon it to both Conservative and Labour Governments.

We believe that those clubs that have membership schemes have largely eliminated hooliganism from the match, thus enabling families to watch the game. Those who are anxious to reduce hooliganism and to separate it from the game of football and to get football back as a game to which families can go should support the national membership card scheme.

Q5. **Mr. Leigh:** To ask the Prime Minister if she will list her official engagements for Thursday 26 January.

The Prime Minister: I refer my hon. Friend to the reply that I gave some moments ago.

Mr. Leigh: Bearing in mind the enormous losses suffered in the second world war by Bomber Command, which was based substantially in my right hon. Friend's home county of Lincolnshire and which resulted, unbelievably in losses of air crew in greater numbers than all the officers killed on the western front in the first world war, surely it is never too late to recall our second lost generation, to reconsider our decision not to grant a medal for Bomber Command and at least to say "We shall remember them".

The Prime Minister: There will be no difficulty about remembering all of those in Bomber Command and in other commands who gave their lives or suffered during the war. I know that these matters are very carefully considered in the Ministry of Defence, and I am sure that they were carefully considered before a decision was reached. The chances of the matter being reopened are not very good, but of course I shall pass on to my right hon. Friend the Secretary of State for Defence what my hon. Friend has said.

Business of the House

3.30 pm

Mr. Frank Dobson (Holborn and St. Pancras): Will the Leader of the House tell us the business for next week?

The Lord President of the Council and Leader of the House of Commons (Mr. John Wakeham): The business for next week will be as follows:

MONDAY 30 JANUARY—Remaining stages of the Prevention of Terrorism (Temporary Provisions) Bill.

Debate on a motion to approve the House of Commons (Services) Committee 2nd report, Session 1987-88, on access to the precincts of the House.

TUESDAY 31 JANUARY—Second Reading of the Fair Employment (Northern Ireland) Bill.

WEDNESDAY 1 FEBRUARY—Opposition Day (3rd Allotted Day). Until about seven o'clock there will be a debate entitled "The Housing Crisis". Afterwards there will be a debate entitled "The Blight of Low Pay". Both debates will arise on Opposition motions.

THURSDAY 2 FEBRUARY—Consideration in Committee of the Official Secrets Bill (2nd Day).

FRIDAY 3 FEBRUARY—Private Members' Bills.

MONDAY 6 FEBRUARY—Opposition Day (2nd Allotted Day, 2nd half). There will be a debate on an Opposition motion, subject for debate to be announced.

The Chairman of Ways and Means is expected to name opposed private business for consideration at seven o'clock.

Mr. Dobson: I thank the Leader of the House for his statement. First, can he tell us when we are to get the long-promised debate on the Fennell inquiry report into the King's Cross fire?

Secondly, following the publication of the report by the independent inquiry into the making of the Thames TV film "Death on the Rock", will we get a statement next week about inaccurate information given at the time by Ministers and subsequent lies peddled by Government press officers?

Finally, could the Leader of the House make sure that next Tuesday's statement on the future of the National Health Service discloses who has conducted the Government's market-oriented review, who was consulted and who gave advice? The House is entitled to know this, especially at a time when the ethics of the market place have penetrated so far into the British private health sector that human organs are apparently being bought and sold.

Mr. Wakeham: The hon. Gentleman has asked me three questions about next week's business. First, he asked about a debate on the Fennell report. I appreciate that this is an important matter about which he is greatly concerned. I regret that I have nothing to add to what I said last week.

The hon. Gentleman asked about the television programme "Death on the Rock" and the report on it. I do not see any likelihood of a statement next week. I have not yet seen the report, but this matter was settled by a proper court of law which returned a verdict of lawful killing. If the conclusions of Lord Windlesham's report are as the media suggest, I can say now that the Government profoundly disagree with it.

As to the National Health Service White Paper, the hon. Gentleman will have to wait until my right hon. and learned Friend the Secretary of State makes his statement to the House next week.

Sir John Stokes (Halesowen and Stourbridge): Is my right hon. Friend aware that the French Government and such bodies as the Council of Europe intend holding massive celebrations this year to mark the French revolution 200 years ago? Will he ensure that no member of Her Majesty's Government or, I hope, any right hon. or hon. Member attends those celebrations, because the revolution is entirely abhorrent to most English people?

Mr. Wakeham: My hon. Friend's request goes rather wide of my responsibilities. I know that those who will be considering the matter to which he refers will take notice of his comments, as they always do.

Mr. James Wallace (Orkney and Shetland): Does the Leader of the House acknowledge that many right hon. and hon. Members representing Scottish constituencies are inundated with representations about anomalies in the administration of the poll tax? Will he make time available for those matters to be fully aired in the House?

If the Government, in considering the Windlesham report, are not prepared to allow a Minister to make a further statement clarifying what happened on the Rock, does the Leader of the House at least accept that the report could be the useful basis of a debate on the relationship between Government and the broadcasting authorities?

Mr. Wakeham: We had a considerable number of debates on the community charge, and I cannot promise another one on that subject next week. I have said to the hon. Member for Holborn and St. Pancras (Mr. Dobson) that I propose to arrange a debate on the broadcasting White Paper in February. Whether or not the views that the hon. Member for Orkney and Shetland (Mr. Wallace) wishes to express are relevant to that report will be a matter for you to decide, Mr. Speaker, not me.

Mr. Alan Amos (Hexham): I draw my right hon. Friend's attention to early day motion 334, entitled "Hirohito's War Crimes":

[That this House, in view of alarming new evidence as contained in the BBC television programme, Hirohito—Behind the Myth, shown on Tuesday 24th January and in the book Unit 731, confirming that Hirohito was a vile war criminal, strongly urges the Foreign Secretary not to attend his funeral.]

As the House has not yet debated that very sensitive issue, will my right hon. Friend find time for it to do so?

Mr. Wakeham: My right hon. Friend the Prime Minister referred to the substance of my hon. Friend's early day motion, and I have nothing to add to her comments. I cannot find time for a debate on the subject.

Sir Philip Goodhart (Beckenham): As British Rail is likely to announce in the next few days its preferred rail link with the Channel tunnel, will my right hon. Friend give an assurance that the House may have a debate then so that right hon. and hon. Members can demand protection and compensation for constituents who may be affected?

Mr. Wakeham: I understand that British Rail is still considering the choice between the route options identified in the report it published last July. British Rail will need to

seek statutory authorisation for any route it finally chooses. Therefore, the House will have an opportunity to debate the matter in full. The private Bill procedure for authorisation of the new railway works will almost inevitably be needed.

Mr. Jack Ashley (Stoke-on-Trent, South): Is the Leader of the House aware that, in view of the need to maintain good relationships with the modern and democratic Japanese Government, our Government should invite the Duke of Edinburgh to attend a ceremonial state function in honour of Japan's new emperor rather than advise him to attend the funeral of the old emperor solely because, if the Duke of Edinburgh attends Hirohito's funeral, it will offend thousands of former prisoners of war? The Duke of Edinburgh should be advised not to attend the funeral on that ground alone, rather than because right hon. and hon. Members condemn Hirohito—something they are not entitled to do, because they do not have the evidence to do so.

Mr. Wakeham: I heard the right hon. Gentleman express those views on the radio earlier in the week, and I respect them. However, my right hon. Friend the Prime Minister answered a question on the subject earlier today, my hon. Friend the Under-Secretary of State for Foreign and Commonwealth Affairs has explained the reasons for the attendance at the funeral of my right hon. and learned Friend the Foreign Secretary, and my right hon. and learned Friend has himself written to the right hon. Gentleman. I have nothing to add to that.

Mr. Geoffrey Lofthouse (Pontefract and Castleford): Has the Leader of the House had an opportunity to see early-day motion 328, signed by 152 right hon. and hon. Members?

[That this House condemns the decision of British Coal to commission Research Services Ltd. to undertake a survey of miners at Kellingley Colliery to obtain their views on the privatisation of the coal mining industry; further condemns British Coal for providing the names and addresses and clock numbers of miners to this public relations company, without their knowledge and consent; considers this to be an invasion of privacy and a threat to civil liberties; and calls for an urgent statement by the Government as to why British Coal are spending their scarce finances to provide information for potential private owners.]

The motion expresses concern at British Coal's appointment of a public relations company to invade the privacy of miners' homes. We have evidence that that could be in breach of the Data Protection Act 1984. Will the right hon. Gentleman request his right hon. Friend the Home Secretary to investigate and to make a statement to the House?

Mr. Wakeham: I recognise the hon. Gentleman's concern, but, as I think that he will realise on reflection, this is a management matter for British Coal, and I suggest that he addresses his inquiries in that direction.

Mr. Hugh Dykes (Harrow, East): My question concerns Monday's debate. Is my right hon. Friend confident that at long last the House will offer reasonable access facilities to British MEPs?

Mr. Wakeham: The motion that I shall be tabling, which is to approve the Services Committee's report, does not deal with that subject. The question of possible amendment would be a matter not for me but for Mr. Speaker.

Mr. Eric S. Heffer (Liverpool, Walton): May I again draw the right hon. Gentleman's attention to early-day motion 241?

[That this House is deeply concerned and disturbed by the increase of accidents in the building and construction industry, leading to an increase in deaths and serious injuries; believes that this is partly due to the increase in self-employment, namely, lump labour and to some construction companies, in order to increase profits, ignoring the Health and Safety legislation; welcomes the efforts of workers and trade unions in the industry to halt the increasing numbers of deaths and injuries; fully supports the present campaign by workers and unions and other interested bodies to improve the situation; and further believes that there should be more factory inspectors appointed and that the legislation should be improved so that stronger action can be taken against those employers who ignore the legislation and thereby put the lives of the workforce at risk.]

The motion concerns safety in the building and construction industry and has been signed by 244 hon. Members, including the leader of every non-Government party in the House, excluding my right hon. Friend the Leader of the Opposition. Leaders of the Opposition do not sign early-day motions, although mine has been signed by members of the shadow Cabinet. Is it not clear that this matter concerns the whole House? Two Conservative Members have signed the motion. Should we not have an early debate on the issue, which is vital to those in the construction industry?

Mr. Wakeham: Of course the Government are concerned about health and safety in the construction industry generally, and the subject is relevant to debate on the Employment Bill, which is currently being considered and will return to the Floor of the House in due course. I am sorry that I cannot offer the hon. Gentleman a debate in Government time, but there are other ways in which he could pursue the need for a debate.

Mr. Robin Maxwell-Hyslop (Tiverton): Is my right hon. Friend determined to leave a debate on the important report by the Joint Committee on Private Bill Procedure until everyone in the House and outside it has forgotten what was in the report? Will he then only put down a motion to take note, or will he accept his duty as Leader of the House to put the recommendations of that Committee—of which I was not a member—before the House so that it can take positive decisions before its report has passed out of memory?

Mr. Wakeham: I do not think that there is much risk of that happening. The report is very important and significant, and my colleagues and I are currently studying it. I have told the House that we shall first arrange a debate so that we can hear the views of the House. When we have heard its views, we shall bring forward our proposals on how the matter should be dealt with.

Mrs. Alice Mahon (Halifax): Will the Leader of the House make time available for a debate on foreign aid? Is he aware that the Government have promised to fund a £20 million water drilling exercise in 10 states in India, but are now saying that they will not do so? Is he further aware

[Mrs. Alice Mahon]

that a firm of some excellence in my constituency stands to lose that order, and that our competitors—the Russians, the Italians and others—are more than likely to take up the Indian Government's offer of a contract because they are determined to go ahead? May we have a debate on this urgent matter in the near future?

Mr. Wakeham: I cannot promise the hon. Lady a debate in the near future, but she might like to seek to raise the matter on the Adjournment.

Mr. John Bowis (Battersea): As south-west London is for the second time suffering chaos caused by the closure of Battersea bridge as a result of a refuse barge colliding with it, will my right hon. Friend ensure that a statement is made in the House by the Secretary of State for Transport to tell us what steps he will take to raise the standards of competence and safety in navigation on the Thames?

Mr. Wakeham: I recognise the concern of my hon. Friend, his constituents and those of us who regularly pass through his constituency. I will refer the matter to my right hon. Friend the Secretary of State for Transport to see whether he thinks that a statement is appropriate.

Mr. Nigel Spearing (Newham, South): Is the Leader of the House aware that in 15 minutes' time the Secretary of State for Transport is due to conduct a press conference in his headquarters about the central London rail study report, the publication of which has been well publicised? Is he aware that that report is not available in the Vote Office, although it is the subject of a written question? Would the Secretary of State for Transport dare to announce an investment of billions of pounds in Scottish railways or transport other than in a statement in this House? In spite of the Government's policy on inflation, why have fares in London risen by double the rate of inflation? The rate precept on London ratepayers has been increased by 50 per cent. in the current order to assist London Transport. That is a very inflationary move.

Mr. Wakeham: I recognise the perfectly legitimate concern of hon. Members. However, the hon. Gentleman has not quite stated the position as it is. My right hon. Friend the Secretary of State for Transport has made an announcement by written answer this afternoon on the central London rail study report. That does not represent a new policy initiative. The report stems from a joint study by British Rail, London Regional Transport and the Department of Transport and it outlines possible options for future decisions. However, as much work remains to be done before the Government can take decisions, a debate at this stage would be premature. I recognise that certain documents are not available in the Vote Office, and I will make immediate inquiries about that.

Mr. Peter Thurnham (Bolton, North-East): Will my right hon. Friend find time for an early debate on the Lord Chancellor's legal reforms, particularly as they affect "no win, no fee" legal services for road traffic accident claimants?

Mr. Wakeham: My hon. Friend is referring to a detailed and complicated document. Perhaps it would be better to wait until right hon. and hon. Members have had time to consider it properly before I consider the possibility of a debate. However, I am sure that hon. Members will want to return to that matter.

Mr. Dennis Skinner (Bolsover): May we introduce the idea of a debate before the Budget to give the Government advice on how to spend the £15,000 million surplus that is constantly referred to in the media? Could we point out that the rate support grant for Derbyshire county council has been reduced from 61 per cent. to 46 per cent. and that that should be restored to keep the price of kids' school meals down and keep the price of meals on wheels down which Derbyshire has managed to hold steady since 1981 despite all the difficulties? If we had such a debate, we could advise the Chancellor on how to preserve services, instead of his squandering the money on tax cuts for the wealthy.

Mr. Wakeham: The hon. Gentleman knows better than to ask a question like that. He knows perfectly well that we have just had a debate on the Autumn Statement. I will be arranging a debate on the public expenditure White Paper, which is relevant to the hon. Gentleman's point, and the Budget will be on 14 March. The hon. Gentleman has plenty of opportunities to raise his points. Perhaps he would like to think carefully about what he wants to say before he says it.

Mr. Ivor Stanbrook (Orpington): When might my right hon. Friend be expected to present proposals to the House to increase the co-operation institutionally between Members of this House and British Members of the European Parliament, especially as the urgency of the matter increases as we get nearer to 1992?

Mr. Wakeham: I am anxious that there should be close co-operation, and there is no complaint from the Members of the European Parliament and the British Government about the co-operation between the two. There are difficulties about access to the House, and I had hoped that it would be possible to make progress on an agreed basis, but that does not seem possible.

Mr. Tony Banks (Newham, North-West): Another good reason why no one should go to Emperor Hirohito's funeral is the disgraceful decision by the Japanese authorities to kill 300 minke whales—*[Interruption.]* I am sorry that some Conservative Members find it funny—on the peculiar ground that they want to see how many there are. That is rather like pulling up a plant to look at its roots in order to see how it grows. Will the right hon. Gentleman tell the House what protests are being made to the Japanese authorities, and will he arrange an early debate on animal conservation?

Mr. Wakeham: I should like to initiate a debate on animal conservation and I wish that I could find time for one in the near future. Perhaps the hon. Gentleman has connected two matters which I do not consider are properly connectable. Nevertheless, I shall refer his point to my right hon. Friend the Secretary of State for the Environment.

Mr. Nicholas Bennett (Pembroke): Is my right hon. Friend able to say when the Local Government Bill, which will implement the recommendations of the Widdicombe report, will come before the House, in view of the fact that Ms. Linda Bellos, the former leader of Lambeth council,

who is still a serving councillor, is on the short list to become deputy chief executive of the London borough of Hackney?

Mr. Wakeham: I do not think that my hon. Friend will have to wait too long for what he seeks.

Mr. D. N. Campbell-Savours (Workington): Has the Leader of the House seen Mr. Speaker's comment yesterday that the following question was a legitimate question to put to the Leader of the House? Did the Leader of the House note the remark of the hon. Member for Thanet, South (Mr. Aitken) that MI5 "fingered" six Conservative Members of Parliament as unfit for office, clearly on the basis that they should not see classified material? What will happen if those Members are appointed to a Select Committee, such as the Select Committee on Defence or the Public Accounts Committee, and have access to classified information, as I have as a member of one of those Committees? Should not the Committee of Selection now ask to see and perhaps even take evidence from MI5 to establish who those Members were and whether they should have access to classified material? If not, there must be an inconsistency. I shall not drop this subject until I get an answer.

Mr. Wakeham: The hon. Gentleman knows the answer that he will get. I am not prepared to comment on matters of security, but, as the hon. Gentleman will be well aware, it is ultimately for the House to decide on membership of Select Committees.

Mr. Kenneth Warren (Hastings and Rye): My right hon. Friend will remember that last week he kindly undertook to consider the opportunity for a debate arising from early-day motions 249 and 250.

[That an humble Address be presented to Her Majesty, praying that the Price Marking (Petrol) (Amendment) Order 1988 (S.I., 1988, No. 2226), dated 20th December 1988, a copy of which was laid before this House on 22nd December, be annulled.]

[That this House notes the recommendation of the Trade and Industry Committee that petrol prices should continue to be displayed in gallon as well as litre terms on boards visible from the roadside; notes that the Price Marking (Petrol) (Amendment) Order 1988 will remove this requirement with effect from 23rd January; and calls for a debate on the Order.]

The latter has now collected more than 202 signatures. This is a matter of considerable public interest and importance. Perhaps my right hon. Friend will guide us as to what he can do to help.

Mr. Wakeham: I said that I thought that those matters were best discussed through the usual channels. I regret to have to tell my hon. Friend that the discussions are still continuing.

Mr. Doug Hoyle (Warrington, North): Referring to early-day motions 249 and 250, last week the Leader of the House said that he would have discussions. Has he nothing further to report except that those discussions are still continuing? As he knows, the order is due to come into effect.

Mr. Wakeham: I very much regret that I have nothing further to say other than that discussions are still continuing.

Mr. Richard Holt (Langbaurgh): My right hon. Friend will probably be able to tell us when we last had a debate on our relationship with the Isle of Man. I should like to refer to the current corruption trials taking place on the island, but which might be sub judice. As we provided the police who did the investigation, the judge who sits in the court and the liquidator who steals legally millions of pounds from those creditors who have lost money through the failure of the Manx Savings and Investment Bank, is it not time that the House had an opportunity to debate the subject?

Mr. Wakeham: I cannot promise my hon. Friend an answer to his question as I do not know when we last had such a debate in the House, nor can I promise him one in the near future. I shall look into the matter and write to my hon. Friend.

Mr. David Winnick (Walsall, North): Would it not be appropriate to have a statement early next week on the appointment of the deputy chairman of the IBA and its successor body, given Lord Chalfont's dubious links with commercial organisations? Is it not clear to the Leader of the House that Labour Members have no confidence in Lord Chalfont's appointment, given what has emerged so far? The Prime Minister's reponse to date has been completely inadequate.

Mr. Wakeham: I thought that my right hon. Friend's reply was extremely good. I am surprised that the hon. Gentleman wants to follow the leader of the Social and Liberal Democratic Party down his grubby path.

Mr. Jerry Hayes (Harlow): If there is to be a debate on the Windlesham report, will the Government make it clear that it would be highly unlikely that television companies would be clamouring to make documentaries if the three IRA terrorists on active duty in Gibraltar had succeeded in killing innocent men and women?

Mr. Wakeham: My hon. Friend makes his point, but I have nothing to add to what I have already said.

Mr. Max Madden (Bradford, West): Will the Leader of the House arrange for two urgent statements to be made, the first by the Home Secretary announcing that he has given a soldier's farewell to the Guardian Angels, the American vigilante group, and the second by the Secretary of State for Transport announcing that he is providing extra funds, transport staff and transport police so that law-abiding citizens who rely on public transport can travel in comfort and safety and with the maximum protection?

Mr. Wakeham: I shall refer the hon. Gentleman's points to my right hon. Friends. We are opposed to private citizens adopting a policing role, except as special constables. We are in favour of active citizens playing a full part in acting as the eyes and ears of the police. There can obviously be no objection to people travelling on the Underground if they do so in an unprovocative manner as fare-paying and law-abiding citizens. If they act unlawfully and engage in conduct likely to provoke a breach of the peace, their presence will not be welcome. In that event, they could not expect to be exempt from the ordinary processes of the law.

The number of British Transport police officers policing the Underground will be increased significantly. In the

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meantime, they will be reinforced by a loan of officers from the Metropolitan police and the City of London police forces.

Mr. Ivan Lawrence (Burton): Is my right hon. Friend aware that the Crown Prosecution Service pays solicitors two and half times as much as it pays members of the Bar for exactly the same work? Does that not show that if the independent and separate Bar is abolished—as is intimated in the Green Paper—the cost of legal services will be much greater for the ordinary person in the street? Will he therefore reconsider the answer that he gave my hon. Friend the Member for Bolton, North-East (Mr. Thurnham) and arrange an early debate on the Green Papers so that these matters can be brought before the public?

Mr. Wakeham: I have no doubt that these matters will be brought before the public, but time for study and reflection by right hon. and hon. Members on this important matter will be profitable.

Mr. Greville Janner (Leicester, West): Will the Leader of the House arrange for an early debate on the length of hospital waiting lists in Leicestershire and especially at the Glenfield community hospital in my constituency? Is it not intolerable for a man such as Mr. George Brown, who is 82 years old, to be told in December that he could not have an appointment until October of the following year? Even if the case were not urgent, surely there should be a debate; but it is urgent and he has not been given an appointment, so the matter must be dealt with swiftly.

Mr. Wakeham: The hon. and learned Gentleman is usually fair. It is obviously impossible for me to investigate the details of the matter that he has raised. We have many debates relevant to the Health Service. I cannot promise the hon. and learned Gentleman an early debate, but if he writes to me I will look into the matter.

Mr. Tim Smith (Beaconsfield): Has my right hon. Friend read early-day motion 322?

[That this House views with grave concern reports that widespread peak-time closures of motorway junctions on the M25, M3, M4 and M40 west of London are almost certain to be adopted by the Department of Transport; calls for immediate publication of the report by consultants Rendel Palmer and Tritton if it recommends this; and urges the Department of Transport not to proceed with a scheme which would have disastrous consequences for the very same local roads whose congestion problems the M25 and other motorways were designed to solve, but instead to concentrate on positive measures to improve the motorway network.]

It deals with motorway junction closures. Is my right hon. Friend aware that Sir Alan Bailey, permanent secretary at the Department of Transport, told the Public Accounts Committee last week that the Department had not ruled out widespread junction closures on the M3, M4, M25 and M40 at peak times? Has my right hon. Friend any idea of the chaos that that would cause on local roads west of London, and will he arrange for an early debate?

Mr. Wakeham: There is no truth in reports that widespread peak closures of junctions on the M25, M3, M4 and M40 west of London are being considered by the Department of Transport. Rendel, Palmer and Tritton is still completing its review of the M25. We will consider its report on where delays and queuing on the M25 and the adjacent network are occurring and recommended outline solutions for further study. It is too early to say what it will recommend for the M25. It is not looking directly at the M3, M4 or M40.

Mr. Bob Cryer (Bradford, South): Will the Leader of the House arrange a debate on the Register of Members' Interests, which is in the Library and should be in the Vote Office at any time? The register has never been debated. For instance, we could look at the shrinking number of clients that some hon. Members are listing. They seem to be registering umbrella companies. The hon. Member for Wellingborough (Mr. Fry), who appears to have done that, and other hon. Members could give an adequate explanation of why it has occurred. We could discuss other procedures that allow hon. Members to present Bills about audit committees, such as the one on the Order Paper today. They have no connection with such Bills, apart from the fact that they are parliamentary advisers to Price Waterhouse. There seem to be some good reasons for debating the issue.

Mr. Wakeham: The House has decided what information should be put into the Register of Members' Interests. So far as I know, every hon. Member complies with the wishes of the House. By the tone of his question, it seems that the hon. Gentleman wants to pursue a witch hunt, requiring hon. Members to go further than the recommendation of the House, and he will not get any support from me.

Mr. Andrew MacKay (Berkshire, East): Will my right hon. Friend find time for the House to debate the threat by a minority of lecturers in our further education system to withdraw their labour? Such a debate would allow many hon. Members to express their constituents' concern that their children's future will be damaged for ever because of a disruption of examinations. It would also give us an opportunity to say that that minority are doing a great deal of damage to the reputation of an otherwise honourable profession.

Mr. Wakeham: I sympathise with my hon. Friend. His views are shared by many Conservative Members. I regret that I cannot find time for a debate on this subject in the immediate future.

Mr. Simon Hughes (Southwark and Bermondsey): I link my protest with that of the hon. Member for Newham, South (Mr. Spearing) about the absence of a statement on the central London rail study. I gather that documents have been put in the Library and that there are three volumes of material accompanied by a written answer. In today's business questions, there have already been five questions about London transport matters. I urge the Leader of the House to try to make sure that we have an opportunity for all parties, rather than just the Government, to comment on policy options such as those being presented, and that we have an early debate before further decisions are announced or expected.

Mr. Wakeham: I do not think that the hon. Gentleman was present when I answered previously. The report does not represent any new policy initiative. It is a report of a study group. It outlines possible options. Much more work

needs to be done before the Government will be in a position to take decisions, and then a debate would be appropriate.

Mr. Harry Greenway (Ealing, North): I remind my right hon. Friend of the interest that he expressed a few weeks ago about the important national game of cricket. May we have an early debate on the recent decision of the international cricket conference with a view to discussing the different treatment of Basil D'Oliveira, who was born in South Africa, from that of his son Damian, who was born in this country?

Is my right hon. Friend aware that, in 1969, the MCC cancelled a tour of South Africa by this country because it was not allowed to select Basil D'Oliveira? He would not have been allowed to play in South Africa. That gentleman repeatedly played for England with great distinction and coached in South Africa for many years, also with great distinction. His son will not be able to coach in his country of origin or play for England in the way that his father did. Is there not a serious unfairness in that?

Mr. Wakeham: The present dispute is a matter for cricket authorities to determine. The Government's position is clear. We remain committed to the Gleneagles agreement and seek to discourage sporting links with South Africa.

Mr. Bill Walker (Tayside, North): Has my right hon. Friend noticed how the Government's policies have increased inward and internal investment in Scotland and thus increased the number of jobs available and brought down the unemployment figures? Does he agree that the apparent political problems in Scotland, resulting in a meeting of all Opposition parties in Scotland tomorrow, could have a destabilising effect and damage confidence? Is it not about time that the House had an opportunity to discuss ways and means of testing the opinion of the Scottish electorate on the future of Scotland and whether Scotland wishes to remain part of the Union?

Mr. Wakeham: I wonder whether my hon. Friend is giving perhaps a bit too much importance to what might go on next weekend in Scotland. We will have to see what comes out of the meeting. I wonder whether the goings on of various Opposition parties are quite as significant as he suggests.

Personal Telecommunications

4.5 pm

The Parliamentary Under-Secretary of State for Trade and Industry (Mr. Robert Atkins): With permission, Mr. Speaker, I shall make a statement about personal communication networks. The statement covers Telepoint, greater access to channels for cellular telephones, and new personal telecommunications networks.

First, as the House will know, on 22 September last year, we invited applications for up to four licences to run Telepoint systems. These will allow subscribers to make outgoing telephone calls from public places and other locations, wherever Telepoint base stations have been installed, using their own portable digital cordless handsets.

Based on advice from the Director General of Telecommunications, we have concluded that four Telepoint licences should be awarded. The licences are to be granted to Ferranti; a Philips-Barclays-Shell consortium; a consortium involving STC, British Telecom, French Telecom and Nynex; and a grouping involving the Motorola-Shaye consortium and Mercury. We congratulate them. We expect the first commercial Telepoint systems to be in operation within a few months.

We have already made it clear that, at the outset, the new licensees will be free to use existing proprietary equipment to bring systems into operation quickly. But we want to give the user freedom of choice of equipment. So, from the end of 1990, the licensees will be required to support a common standard which will allow the customers of any one service operator to make their own choice of handset from amongst those available on the market. And from mid-1991, or such later date as the director general may determine, the user registered with one system must be able to communicate via the base stations of any of the others.

One specific question which both the Director General of Telecommunications and we have considered with care in the light of representations made has been whether a Telepoint licence should be granted to a consortium involving British Telecom. We have decided that British Telecom should be allowed a minority interest in one of the licences, subject to additional safeguards which will ensure that neither it nor the licensee obtains unfair advantages. A similar shareholding limitation and appropriate safeguards will also apply to Mercury.

We have also had in mind the special needs of the disabled. We shall be requiring the licensees to make available on a commercial basis handsets which make provision for those whose hearing is impaired.

The director general will keep the market under review, and he will advise us of any changes to the regulatory regime which experience shows to be necessary. Where appropriate, he will initiate these himself, using his own considerable powers under the Telecommunications Act 1984.

Our second announcement concerns the two cellular radiotelephony networks run by Cellnet and Racal-Vodaphone. Strong growth in demand has led to congestion on both networks during peak periods, in particular in the area bounded by the M25.

We are pleased to announce today that the 400 channels, before now reserved for Ministry of Defence use,

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except in the area of central London, will be made available, subject to certain detailed restraints, over the whole area embraced by the M25. Together with the operators' own further investment, this should help to ease the difficulties which users have experienced, particularly in outer London. We are especially grateful to our right hon. Friend the Secretary of State for Defence for his co-operation in sharing the spectrum. We hope that, as technology permits, other sharing schemes will be possible.

Those measures will reduce cellular network congestion and allow continuing rapid customer growth. They will not of themselves add to the competition in the market with the potential for customer benefits which competition can bring. In August 1987 we announced the arrangements for United Kingdom participation in the pan-European cellular system. We made clear then that the Government would keep under review the opportunities after the pan-European system has come on stream in 1991 for licensing one or more further national cellular radio telephone operators in other parts of the spectrum.

The third announcement is that we are issuing today a discussion document, "Phones on the move, Personal Communications in the 1990s", which we shall be considering with interested parties. Copies are being placed in the Library and in the Vote Office. In that document we propose the licensing of at least two new public mobile telecommunications operators in the early 1990s by which time the pan-European digital system is expected to be on stream. They would operate within the frequency range from 1·7 to 2·3 GHz. Their networks would not be the same as the existing cellular systems but would compete with where we expect cellular systems to be in the 1990s. They would be new networks based on digital personal communicators, so linking and developing both the cellular and Telepoint concepts.

We shall be looking for innovative ideas to be put to us during the three-month consultation period that will follow today's statement and will wish to consult widely, both in the United Kingdom and in the rest of Europe, before finalising the details. Even so, depending on the outcome, from the consultation period we envisage a timetable which could permit the selection of prospective operators by the end of this year to enable the necessary development work to start.

The selection would be through a competition on similar lines to Telepoint, again with Professor Sir Bryan Carsberg as the assessor who will advise us on the merits of the claims being put forward. We shall make a further announcement on this after we have decided on the ideas put forward.

We believe that the decisions that we are announcing today, namely the immediate extension of the availability of the 400 channels, the go-ahead for the four Telepoint operators now selected and the invitation to industry to join us in the definition and development of the next generation of personal communications systems at the new frequencies, will mean investment, infrastructure development and jobs.

I am sure the House will welcome this, not only in its own right, but also because it will strengthen the United Kingdom's position as a world leader in telecommunications.

Mr. Roger Stott (Wigan): We welcome the Minister's announcement today, particularly on Telepoint, because it will give many more ordinary people access to a useful service which, in the past, has been used only by people with expense accounts in industry. This move will considerably widen the market.

The Opposition have always believed that customers' difficulties, particularly with cellular telecommunications, have been a consequence of privatisation. We welcome the fact that the Minister has overruled the Director General of Oftel—at least we assume that he has—and allowed British Telecom a licence to participate in this exciting venture.

I am sure that the Minister is aware that BT has already spent £20 million at its research centre at Martlesham on CT2, which I am advised has a world lead of 12 months in technology, with estimated United Kingdom sales of £1 billion and overseas sales of £15 billion. That is bound to stimulate employment at BT and in manufacturing industry, and we welcome that. However, there are a number of questions that I want to ask.

First, what additional safeguards will be placed on BT and will they be so restrictive as to prevent BT exploiting that 12-month world lead on CT2? The Minister said, based on advice from the Director General of Telecommunications, that the Government have concluded that four Telepoint licences should be awarded. What criteria were used in the granting of those licences and did the Minister follow the Director General of Telecommunication's advice? If not, why not?

We welcome the recognition of the needs of the disabled, but the House will want to know how much extra the hard of hearing and other disabled people will have to pay for the service, particularly since it is based on a commercial service.

I am advised that after the terrible tragedy at Lockerbie the emergency services had great difficulty in using the cellular frequency. Is it not now time that the Department of Trade and Industry looked at the allocation of frequencies in order to mitigate the real problems that exist, and will continue to exist, as a consequence of saturation of the airwaves? Is it not now time that the Department allocated special frequencies for emergency services?

We welcome the Minister's statement, but is it not time that Oftel started the same monitoring and setting of performance indicators for cellular telephones as it uses for public telephone boxes?

Mr. Atkins: I am grateful to the hon. Gentleman for his warm welcome, which I would have expected from someone with his background. He recognises the advantages that today's announcements will give ordinary folk.

The hon. Gentleman asked a number of questions and I shall deal with them in the order that he raised them.

Safeguards for BT will involve a complete separation of businesses. There will be arm's length arrangements for accounts, billing, marketing, personnel, other commercial information and similar areas. In addition, BT will have to offer its network on a fair basis to all Telepoint operators. The consortium in which BT is a minority member must not receive favourable treatment over that received by other Telepoint operators. The Director General of Oftel will take a close interest in how those arrangements are made.

We have made our judgments on the criteria set out in the general duties contained in the Telecommunications Act 1984. Those include the provision of services to meet reasonable demand, obtaining effective competition, the quality and variety of services available to the user, research in new techniques and the enabling of companies to operate and compete well overseas. The direct answer to the hon. Gentleman's question about the Director General of Oftel's advice is yes, we took his advice as presented to us in confidence.

The hon. Gentleman made a good point about the hard of hearing. We have been impressed by the proposals made by the consortium members. We cannot say at this juncture exactly what the costs will be, but since the handsets are likely to cost £200 or less, we anticipate that, although we do not know the full technological detail about how it will work, it will not be too difficult to provide what is required for the hard of hearing within the cost of existing handsets. However, that remains to be seen as developments go on.

This is the first time that I have heard about the problems experienced after the Lockerbie disaster, to which the hon. Gentleman referred, and I should like to investigate and take advice on that in order to discover the extent of the problem. The hon. Gentleman will understand that, particularly in relation to the cellular network, we have sought to address his point about the spectrum and congestion. The Director General is also addressing that point in terms of the quality of the service that he and my Department are introducing.

I think that that covers all the hon. Gentleman's points and I emphasise again that we are grateful to him for the support that I would have expected from him.

Mr. Michael Grylls (Surrey, North-West): Does my hon. Friend accept that this welcome announcement on Telepoint is proof that freeing the telecom market has resulted in this remarkable innovation and technological advance, giving us a real chance to have a world winning product, which the Government's decision will help to establish? There is also the by-product advantage—if I may call it that—of giving millions of people of modest means the opportunity to have mobile telephones rather than the rather expensive cellular phones. That will be a tremendous help to millions of self-employed people and those who run small businesses who cannot afford the more expensive Cellnet system. We wish the programme every success.

Mr. Atkins: I am grateful to my hon. Friend for his warm welcome. It is interesting to extract one simple statistic. The objective was that there should be 100,000 cellular telephone users by the end of next year. There are now 510,000. That is a measure of the demand. That is a sign of how successful privatisation has been.

Mr. John McWilliam (Blaydon): Is the Minister aware that the members of the National Communications Union which I represent will be delighted with his statement? It represents a good opportunity for the future of international markets, but those markets depend on his officials being tough in the negotiations for international standards and making sure that, for once, they look after British interests rather than the interests of other companies, bearing in mind that we have the technological lead.

The Minister should not take too much comfort from his hon. Friend the Member for Surrey, North-West (Mr. Grylls). The process would not have been so complicated if British Telecom has not been privatised. In his statement, he referred to the safeguards that Oftel, British Telecom and Mercury think are necessary and to complete financial separation. He is of course aware of the absolute bar to cross-subsidisation of services to which the Telecommunication Act refers, so why are such safeguards necessary?

Mr. Atkins: I must reject the implied suggestion that officials of my Department are not looking after the best interests of Britain in their negotiations in Europe. *[Interruption.]* I shall rephrase that: there was a suggestion that we were not defending Britain's interests. I reject that because it is clear that one of the reasons why we are world leaders in this field and why Europe is coming to learn the lessons from us is that my Department has achieved such great things in developing telecommunications in many areas and is therefore to be congratulated.

The Director General of Oftel will look carefully at the question of cross-subsidy to make sure that the problem mentioned by the hon. Gentleman does not occur.

Mr. Michael Marshall (Arundel): Does my hon. Friend accept that his welcome statement highlights both a complementary range of liberalisation and services in telecommunications and an increase in competition? Surely he accepts that the fall in the prices of cellular telephones will be accelerated by the developments in Telepoint. Will he continue to monitor the availability of radio-spectrum and band width through the Ministry of Defence, bearing in mind that from time to time specific problems, such as those his Department has already experienced in the case of theatre broadcasting, may occur in other areas?

Mr. Atkins: My hon. Friend is right to point to the effects of free enterprise and competition in pushing down the prices of equipment that has become so popular. It is evidence yet again that the Government's policies show that we can lead the world in new technology and provide it at an economic cost.

We are grateful to the Ministry of Defence for releasing what it has and we shall continue our conversations to ensure that, where it is possible, it will do so again, bearing in mind the need to retain emergency service facilities.

Mr. Charles Kennedy (Ross, Cromarty and Skye): I welcome the increased availability and the exciting national and international growth potential that the Minister has announced today. However, is he satisfied, despite the qualifications in his statement, that leaving the matter to market forces will not lead to a persistence of the problems that we have already had, such as difficulties in accessibility and high tariffs for consumers? Will those problems be dealt with as a result of the statement? In view of the increased space, particularly in the area around the M25, does he acknowledge that we want to spread the available technology further north so as to balance out the regional inequalities? When will we see such technology in Ross, Cromarty and Skye, where, on the few occasions that I have tried it, it has been singularly unimpressive?

Mr. Atkins: The hon. Gentleman will recognise that many of the problems of congestion relate to the M25 and the surrounding corridor. Demand is not yet great in my

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constituency, or, I suspect, in the hon. Gentleman's constituency, although it is very real and to be welcomed. It is generally accepted that Sir Bryan Carsberg has been singularly effective and well respected in the implementation of the licence conditions in the wide range of activities for which he is responsible. I am satisfied that he will continue to watch over this area of development, especially the expansion of the cellular network. That is evidence of the demand and we must ensure that we continue to encourage the operators to provide the service that is demanded by so many people.

Mr. Simon Burns (Chelmsford): I welcome in general terms my hon. Friend's announcement about Telepoint. However, is he aware that many people in Chelmsford will be bitterly disappointed that Marconi Communications was not successful in its application for a licence? Is today's decision for four licences final, or will any further licences be offered later if any companies or groups of companies believe that it is viable to apply for them?

Mr. Atkins: The 11 applications that we received for Telepoint were, almost without exception, of a high standard. That is an indication of the demand and shows how well prepared so many of the applicants were to meet that demand. Unfortunately, in every competition, there have to be some winners and some losers, but that does not mean to say that Marconi's application, or any other application, was deficient; it was simply bettered by others. I cannot make any definite commitment as to when further applications will be accepted but, as the market develops, if the demand is like that for cellular communications, there may be chances in the future for those companies to be involved.

Mrs. Ann Clwyd (Cynon Valley): I welcome the generality of the Minister's statement, but will he consider the frustration of people who have paid over £2,000 for their telephone receivers and then found that they are not able to use them in certain parts of the country? I am glad that the frustration of people stuck in traffic jams on the M25 will be alleviated. Will the Minister consider the way Vodafone and Cellnet market their products? They give inadequate information to customers about the best systems for particular areas. I have had an unsatisfactory correspondence with Oftel on this subject.

Ten miles north of Cardiff, in the Pontypridd area—where telecommunications will be very important in the next few weeks—portable telephone systems do not work at all. Further north, in my constituency, there is no service whatsoever. When will coverage be extended to the rest of the country? Will the Minister give firm instructions to the suppliers of the equipment that they must give their consumers proper information about the best system for their particular areas?

Mr. Atkins: It is not for me to give such instructions. The market will dictate what is required. It is up to us to ensure, through the Director General of Oftel, that standards are maintained. The quality of service initiative that we have introduced and the pressure from the Director General of Oftel, who is considering the matter at present, together with the increase in channels made available for the M25, will go a long way to improving the service. On the question of the Pontypridd area, I shall ask the Director General of Oftel to report to me in three months' time.

Mr. John Maples (Lewisham, West): My hon. Friend's statement is most welcome and brings portable telephones within the price range of many people. Does he agree that, under the old British Telecom state monopoly regime, it is highly unlikely that we would have seen this or many of the other recent extensions of telecommunication services? Does not that prove conclusively the benefits of a much freer market and the competition within it?

Mr. Atkins: My hon. Friend is right. As I indicated in the statement, and on other occasions, we are where we are because of privatisation. We are the best in the world, the country to which all others beat a path to find out how and what we do. That surely must be the best evidence to demonstrate that this is successful technology which is being provided economically to people at all levels who wish to use it.

Mr. Bob Cryer (Bradford, South): Will the Minister assure the House that all the people who will reap the rich rewards which the Department has doled out did not contribute in any way to the financing of the Tory party at the general election? Since this is a growth area for yuppies and property is involved, why cannot the Government impose conditions to make the companies provide telephones for the disabled, particularly bearing in mind that Right-wing extremist councils like Bradford are closing down telephone shopping facilities for the disabled? Could not this wonderful private enterprise provide assistance for people who cannot afford these yuppie facilities?

Mr Atkins: Contributions to the Conservative party were not deemed by the Director General of Oftel to be a criterion on which applications should be judged. The hon. Gentleman's implied criticism of "yuppiedom" flies in the face of the welcome given by his hon. Friend the Member for Wigan (Mr. Stott) to the availability that this will bring to more people. That is to be welcomed. The hon. Gentleman's question is a sign of how out of touch many members of the Labour party are if they think that, somehow, this is only for wealthy people, when its very raison d'etre is to improve the telecommunications available to ordinary folk at a reasonable price.

Mr. Ian Bruce (Dorset, South): May I press my hon. Friend further on the question of when Telepoint licences will be expanded? The technology of the service means that the full band width is used by all four operators. Therefore, a fifth, sixth or seventh operator would make no difference to the band width, but obviously would affect the return on capital of the four licensees who will spend a lot of money on establishing the system. Has the Minister given a guarantee to the four licensees that further licences will not be issued within a certain period? Can he assure us that, as soon as competition allows, he will grant further licences?

Mr. Atkins: I cannot add to what I said earlier about the further availability of licences. The four licences, which have been given to wide-ranging consortia, are for a period of 12 years. We hope that that will bring about the availability to which I referred earlier, which has already

occurred with cellular telephones. At this stage I cannot comment further on what the future may hold for other applications.

Mr. Dennis Skinner (Bolsover): How many executive directorships will be available as a result of the Minister's statement? How many Tory MPs have left the Chamber since he started speaking to get their names on the Register of Members' Interests? Is not the statement an indictment of the savage, brutal, materialist society in which the Government are concerned about providing telephones for yuppies at the same time as they are depriving local authorities of the necessary finance to provide telephones for the chronically sick, the disabled and the elderly who badly need them to communicate with their friends and families? It is another example of private affluence versus public squalor.

Mr. Atkins: I thought that in recent weeks and months the hon. Gentleman was looking more and more like a yuppie. I am sure that he, being a man who represents his constituents to great effect, will be more than delighted to know that in future many of his constituents can contact him more easily by using the Telepoint service. I know that he will enjoy the extra burden of constituency correspondence and activity that this will give him.

Mr. Phillip Oppenheim (Amber Valley): Will my hon. Friend accept that his announcement, and particularly the Telepoint element, is welcome? Many people have doubts as to why there was a need to limit the franchisees to four. None the less, this shows the benefits of deregulation and a freer market, more geared to consumer needs. Is it not also welcome that the Opposition Front Bench seems finally to see the benefit of a freer and more deregulated market, bearing in mind that the Telepoint service would almost certainly never have come about in the bad old days of a state-owned monopoly telecommunications authority, cossetted by a producer-oriented Government?

Mr. Atkins: I am grateful for my hon. Friend's support. He is an authority on these matters in the House and appreciates the full extent of what is involved. He makes a fair point about the hon. Member for Wigan (Mr. Stott) who understands these matters because of his background and therefore has had the farsightedness to recognise what an important and welcome statement this is. I only wish that the rest of the Labour party were as farsighted.

Mr. Michael Jack (Fylde): Will my hon. Friend confirm that the announcement will be welcomed by many small businesses which have benefited from the growth of mobile communications? Can he also confirm that in no way will the announcement deter the Government from continuing their high level of support to technological development in telecommunications, particularly for projects such as RACE and LINK?

Mr. Atkins: We are already ahead of the game in this area. It is my intention, and the intention of the Department and the Government, to stay that way. We have achieved great things as a direct result of the new technology which has developed largely because of privatisation and the release of resources and enterprise following privatisation. My hon. Friend is right to draw attention to RACE and LINK in which he well knows there are distant developments which are coming ever closer. Our commitment is strong. The more we are involved in that development, the better it will be for the future in this interesting and exciting sphere.

Mr. Clifford Forsythe (Antrim, South): Will this facility be extended to Northern Ireland?

Mr. Atkins: Yes, it will.

Security (Heathrow)

4.36 pm

Dr. John Reid (Motherwell, North): I beg to ask leave to move the Adjournment of the House, under Standing Order No. 20, for the purpose of discussing a specific and important matter that should have urgent consideration, namely,

"the permission given to Skyliner Services Limited and Fernley Aeroclean to resume aircraft cleaning operations at Heathrow."

This is a matter of considerable urgency because thousands of passengers pass through Heathrow airport every hour. The House is entitled and, indeed, obliged to be satisfied that any possibility of a breach of airport security has been eliminated. It is a matter of considerable importance because of the widespread public concern about airport security in the wake of recent breaches of security, and in particular the tragic circumstances surrounding the Pan Am crash at Lockerbie.

Less than a fortnight ago public confidence in airport security received a further hammer blow as a result of revelations that journalists, posing as cleaners, had gained access to airliners, exposing considerable laxity in the security operations of the two firms that I have mentioned. So important were those revelations considered by the Secretary of State for Transport that he immediately called in the chairman of the British Airports Authority and then came to the House with a full statement in which he announced the withdrawal of passes from employees of the two firms.

Yet only 10 days later, without a statement in the House, we read in *The Daily Telegraph* today that both companies are being allowed to resume operations at Heathrow. The House is entitled to know what dramatic changes have taken place in the companies in the last 10 days to justify the restoration of their normal service. We are entitled to know that guarantees and assurances have been given to the Secretary of State. We are also entitled to know why the right hon. Gentleman believes that, only 10 days after such a breach of security and such a shattering of public confidence, these firms should be allowed to resume normal operations.

In view of the sudden reversal in the Secretary of State's opinion of the competence of both firms, he should be answerable to the House and should justify his decision to allow Skyliner Services Limited and Fernley Aeroclean to resume operations. I therefore ask for an emergency debate in the interests of public confidence and safety so that this important matter may be discussed in greater detail.

Mr. Speaker: The hon. Gentleman asks leave to move the Adjournment of the House, under Standing Order No. 20, for the purpose of discussing a specific and important matter that he believes should have urgent consideration, namely,

"the permission given to Skyliner Services Limited and Fernley Aeroclean to resume aircraft cleaning operations at Heathrow."

As the House knows, under Standing Order No. 20, I have to take into account the requirement of the Order and to announce my decision without giving reasons to the House. I have listened with care to what the hon. Member has said, but I regret that I do not consider that the matter he has raised is appropriate for discussion under Standing Order No. 20. Therefore, I cannot submit his application to the House.

Points of Order

Mr. Martin Flannery (Sheffield, Hillsborough): You will remember, Mr. Speaker, that yesterday I raised a point of order regarding the first oral question, which was about council house sales. Instead of giving me the answer that I wanted which everybody could hear, the Minister referred me to a written question that had been tabled the day before. It must have been tabled very late, as it was the last one on the list. I wanted that answer, because it would have some effect on the business in here and on my supplementary question, and I looked in *Hansard*. The question was not there. Therefore, it seemed to me that the Minister had referred me to an answer that did not exist. This was completely wrong, and there is a deep principle involved here, as I said yesterday. I am grateful to you, Mr. Speaker, and I know that you have looked into this. I wonder whether you can do something about it.

Mr. Speaker: I undertook yesterday to look into the matter which the hon. Gentleman raised with me concerning question No. 1. I can give the House an assurance that no rule was contravened at any stage, nor, as I made clear yesterday, was the answer given by the Minister in any sense a blocking answer of a kind described at page 342 of "Erskine May".

As I said yesterday, it is not for me to comment upon answers. It was, however, unfortunate that the written answer referred to by the Minister had not yet appeared in *Hansard*. Perhaps Ministers would be good enough in future to check on this point before giving oral replies of this kind and consider giving a more substantive reply in cases where they discover that the relevant answer has not yet been published in the *Official Report*.

Mr. Alan Williams (Swansea, West): Further to that point of order, Mr Speaker. I am grateful for that clarification, particularly on the blocking point. In view of what you have just said about the duty being on the Minister to ensure that the answer has been published, may I ask whether in your interpretation of your ruling on points of order you would be willing to accept a point of order, during or immediately after Question Time, although not continuing into the time allowed for statements? Would that be in order in a situation where, say, my hon. Friend had *Hansard* with him and received the same answer as he received yesterday, and then checked and found that there was no such information in the published *Hansard*? Would that be within the scope of your discretion, which you have said you are willing to exercise?

Mr. Speaker: I take points of order at the proper time, which is after statements. In order to clarify this matter, yesterday the answer, which I had not seen, contained a list of figures. I am satisfied that nothing untoward took place.

I hope that in future, if the situation were to occur again, Ministers would ensure that a substantive answer was given so that the hon. Member concerned would have an opportunity to put a relevant supplementary.

Mr. Flannery: Further to the point of order, Mr. Speaker. Grateful as I am for your answer, it still leaves a great and serious problem. It is a strange coincidence that exactly the same question as mine, which had been put in a fortnight before, was from a Sheffield Tory MP and clearly took precedence. It was the duty of the Minister to find out that answer. He has left everybody thinking that he prompted that question in order to avoid answering my question properly.

The Lord President of the Council and Leader of the House of Commons (Mr. John Wakeham): Further to the point of order, Mr. Speaker. I am sorry that I was slow in getting into the Chamber when you started your statement, and so did not hear the beginning of it. But I can say that when my hon. Friend the Under-Secretary of State for the Environment answered the hon. Gentleman's question he believed that he had properly answered the question and the question had been delivered. It had not been published in *Hansard*. He was unaware of that fact. The publishing of *Hansard* is, of course, a matter for the House authorities and not for him. He very much regrets any inconvenience.

I take the point that Ministers should check whether the House authorities have managed to publish the answers in *Hansard*, and if not they ought to refer in more detail to the answers that they have already given. My hon. Friend regrets any inconvenience to the hon. Gentleman.

Mr. Alan Williams: I must say how grateful I am, Mr. Speaker, to the Leader of the House for having looked into this and given that information. Can I make the point that every Department has a parliamentary office, which exists specifically for this purpose. Therefore, there should be no problem for any Minister in ensuring that by the time he comes to the House at 2.30 pm *Hansard* has been checked.

Mr. Andrew F. Bennett (Denton and Reddish): Further to the point of order, Mr. Speaker. I am sure that there is nothing in the rules against one hon. Member putting down a question that another hon. Member has put down, and which has been drawn out for oral answer on a particular day. But I am sure that you agree that it would not really be in the best interests of the House if, as a regular practice, hon. Members looked through what was drawn out for a fortnight hence, and two or three days later put down the same question for written answer. That would bring our proceedings into disrepute. I hope that, although it might not be out of order, you would make it clear that you do not approve of the practice of someone slipping in a written question later which replicates an oral question that is already on the Order Paper.

Mr. Tony Banks (Newham, North-West): Further to the point of order, Mr. Speaker. Sometimes the oral question begets a reply that is very lengthy and, therefore, is probably not best delivered in the form of the Minister coming to the Dispatch Box and reading out a range of figures. If we are to take the Leader of the House's statement at face value, that there was no intention to conduct a bit of sharp practice on my hon. Friend the Member for Sheffield, Hillsborough (Mr. Flannery), surely the best thing would have been for the Minister to have had the courtesy to supply a copy of the written reply to my hon. Friend. The Minister could have gone to the Dispatch Box and said, "I refer the hon. Member to the written reply that I have given him a copy of." That would have enabled us to proceed. There are times when it would be tedious for a Minister to read from a great slab of statistics. If the Minister was intent at the time on meaning no discourtesy, that would have been the best way of handling this matter. But, as it seems to us, this was a bit of sharp practice that went badly wrong.

Mr. Patrick McLoughlin (Derbyshire, West): Further to the point of order, Mr. Speaker. You have often made it clear to Ministers that you do not like long answers. If my hon. Friend the Under-Secretary had read out yesterday all the figures from 1975 to 1986, which is 11 years of figures, you might well have said that that was a long answer, and complained to the Minister for giving such a long answer.

Rev. Ian Paisley (Antrim, North): Further to the point of order, Mr. Speaker. Is it not a fact that when Ministers answer a question which gives statistics they say that it will be printed in the *Hansard* of the day's proceedings? I should like you to rule whether it is right for a question to be received at the Table Office that has already been tabled for answer on a particular day.

Mr. Speaker: Yes, that has always been in order. I think the whole House would appreciate that, because a question has to be on the Order Paper a fortnight in advance, it would be a dangerous practice to sterilise questions for that period. Something might arise that needed an answer earlier.

I have looked into this in considerable depth because I was concerned that nothing untoward should have taken place in respect of Question No. 1 yesterday, and I am satisfied that it did not.

Mr. Simon Hughes (Southwark and Bermondsey): On a point of order, Mr. Speaker. Earlier this afternoon you heard matters raised with the Leader of the House during business questions about the press conference at the Department of Transport. May I raise further matters that have come to light now, which go against the practice that you have indicated you frown on, in terms of the order of release of information to the House, and outside the House?

This morning I made inquiries of the Secretary of State's office and the office of the Minister of State, Department of Transport, about how the central London rail study would be given publicity. I was eventually told that there would not be a statement in the House but an answer to a written question, which was tabled yesterday by the hon. Member for Westminster, North (Mr. Wheeler).

I was eventually told that the matter would be made public in the Vote Office, through my pigeonhole, by the board and in other ways at 3.30 pm. I have subsequently learnt that the press were given all this information at 1 o'clock. The press conference was held at 4 o'clock. At 4.30 the document had still not arrived on the board, although the Secretary of State's office had assured me that it would arrive.

On previous occasions, you, Mr. Speaker, have said to Ministers that, although the conduct of their Departments is not in your direct control, none the less the proprieties are that the House is given information before outsiders and the press. Will you say in the strongest terms, and invite the Leader of the House to respond if he is able, that to inform the press two and a half hours before the first likely time of publication of information to the House, and thereafter to fail to comply with undertakings given to hon. Members that they would receive information at that time, is a gross abuse of the relationship of Ministers to the House and should be discouraged forthwith?

Mr. Speaker: I am concerned always that hon. Members receive information at least at the same time as the press and not afterwards, and, if there is an embargo on it, that the press should not use the information or ask questions of hon. Members in the corridors outside about a document that hon. Members have not seen.

I was told at about 4 o'clock that a copy of the booklet entitled "Transport in London" had been deposited in the Library, that 50 copies were in the Vote Office and that a copy would be sent to each London Member.

Mr. D. N. Campbell-Savours (Workington): On a point of order, Mr Speaker. In the light of developments today in the House, I want to raise with you the question that I raised with you yesterday. You will recall that I put it to you that those six Conservative Members of Parliament who, in the words of the hon. Member for Thanet, South (Mr. Aitken), were "fingered by MI5" because they might be security risks, might have access to Select Committees which study and examine classified material. I put it to you that we must find some way of blocking access to those hon. Members in the event that they have been blocked by the Whips or the Prime Minister for ministerial appointment. There can be no inconsistency in the position.

I took your advice, Mr. Speaker, and I asked the Leader of the House a question. He hid behind the traditional reply that these matters cannot be discussed in the House of Commons. We are now in a position where I go to you, Mr. Speaker, you advise me to go to the Leader of the House and the Leader of the House says that he cannot discuss it; and yet this inconsistency of approach to classified material remains.

This is a serious matter on which I seek your guidance. Where do I go now—because I will not let go?

Mr. Speaker: The hon. Member must go to the Procedure Committee. I myself regard all Members of the House as honourable and treat them as such.

Several Hon. Members *rose—*

Mr. Speaker Order. We cannot have a debate on procedure this afternoon. I have told the hon. Gentleman that he should take it to the Procedure Committee.

Mr. Tony Banks: On a point of order, Mr. Speaker. I do not wish to tax your patience but, going back to the question of the central London rail study, during business questions the Leader of the House said that he did not feel that it was appropriate at this stage for the Secretary of State for Transport to make a statement on the study.

I realise that the sort of subjects that we discuss are not your responsibility, but it makes a nonsense of what we are doing here today, for example, for the Secretary of State to have put into the Library a written reply that begins:

> "I am today publishing a booklet entitled 'Transport in London', setting out the Government's policy aims for transport in London and the steps being taken to achieve them".

That is a wholly approporiate subject for the Secretary of State for Transport to make a statement on in the House today. It is a matter of major concern, not only to those who live in London but to others throughout the country. But instead of discussing in the place where we should have discussed it something which will be in the newspapers tomorrow we had a statement on yuppie car phones.

I know that you are not responsible for business, Mr. Speaker, but it is about time that the Government started treating this place seriously.

Mr. Speaker: The hon. Gentleman has said it himself—it is a matter for the Government and not for order.

Mr. Simon Hughes *rose*——

Mr. Speaker: No, I am on my feet.

I am about to draw the ballot for motions on 13 February. The point raised by the hon. Gentleman would be an admirable subject, it seems to me, for the hon. Member who is successful in the ballot to choose.

BALLOT FOR NOTICES OF MOTIONS FOR MONDAY 13 FEBRUARY

Members successful in the ballot were:
Mr. John Ward
Sir Hal Miller
Mr. Nicholas Baker

BILL PRESENTED

COMPANIES (AUDIT COMMITTEES)

Mr. Tim Smith, supported by Mr. Sidney Bidwell, Mr. Matthew Carrington, Mr. Hugh Dykes, Sir Anthony Grant, Mr. Jeremy Hanley, Mr. Robert McCrindle, Mr. Anthony Nelson, Mr. Dafydd Wigley, Mr. Mark Wolfson and Mr. Dudley Fishburn, presented a Bill to amend the law relating to public companies and the contents of the directors' reports; to make provision concerning the appointment of audit committees of the directors of certain public companies; and for connected purposes: And the same was read the First time; and ordered to be read a Second time on Friday 3 February and to be printed. [Bill 52.]

Mr. Simon Hughes: On a point of order, Mr. Speaker. In your answer to my further point of order, you said that you had been informed that the document would be tabled in the Library, quite properly, by 4 o'clock. Would you consider ruling—not necessarily today—on whether, if documents are to be made public in that way or another, it should be done in due time for the publication of answers to written questions, 3.30 pm, and that wherever the publication is to take place, be it in the Library, be it to hon. Members on the letter board or be it to the press, there be one time and not a diversity of times, to the detriment of hon. Members? Would you feel able to rule on that?

Mr. Speaker: Answers to written questions are available at 3.30 pm. It may take a little while for them to get to the Library. What I told the House was that I had received information at 4 o'clock. They may have been there before that.

Orders of the Day

Elected Authorities (Northern Ireland) Bill

As amended (in the Standing Committee), considered.

New Clause 2

OFFENCE OF BREACH OF DECLARATION

'Where a person has made a declaration for the purpose of section 3, 4 and 5 of this Act and has acted in breach of the terms of that declaration he shall be guilty of an offence, punishable on summary conviction to a fine or to imprisonment.'—*[Mr. Clifford Forsythe.]*

Brought up, and read the First time.

4.55 pm

Mr. Clifford Forsythe (Antrim, South): I beg to move, That the clause be read a Second time.

Mr. Speaker: With this, we may consider the following amendments:

No. 23, in schedule 2, page 11, line 11 at end insert "and I understand that breach of this declaration is a criminal offence.".

No. 24, in schedule 2, page 11, line 22, at end insert ' and I understand that breach of this declaration is a criminal offence.'.

Mr. Forsythe: This new clause and the two amendments should be generally regarded as coming under the heading of making a breach of the declaration a criminal offence. From the very beginning, we felt that we could support the Bill if it proved to be effective, and so in Committee we suggested certain amendments to try to make it effective. There are two main ways of doing this. One is that we should have a strong declaration and the other is that there should be a strong penalty—a very effective penalty—for breach of the declaration. We feel that the Bill must be strengthened in this way, otherwise we will be unable to support it even though we supported the Second Reading.

It is pointless our passing legislation through the House if, after the Bill becomes law, it is completely ineffective. Unfortunately, even though hon. Members on the Opposition Benches and elsewhere in the House have impressed upon the Minister that we must change the Bill to make it more effective, our proposals have been ignored.

There may be objections to our making a breach of the declaration a criminal offence. Amendments 23 and 24 mean that that little bit would be attached to the declaration, pointing out that if anyone signed the declaration and then breached it he would be committing a criminal offence, and that would cover the matter.

It is only fair that if the Government introduce legislation, they should enforce it. They should enforce it so that it will be effective, and accepted as effective, so that when candidates sign the declaration they know what they are taking on. Surely it is reasonable that in a democratic state those seeking democratic office should be willing to sign a declaration and, in all honour, suffer the penalty if they break it. True democrats would sign such a declaration under those terms.

5 pm

Comments have been made about the fact that if the declaration is enforced and it comes before a council which has a majority party, that council, through its majority

[Mr. Forsythe]

party, could try to enforce the declaration against the minority party's wishes. I am sure that such risks exist. That being so, surely it would be better and fairer for it to be a criminal offence to break the declaration. That would mean that other people would make the decision—if necessary the Director of Public Prosecutions—as to whether the declaration had been breached. That would mean that throughout the Province there would be consistency in applying the law. That would be fair to every council, regardless of which party holds the majority.

No one would argue that murder, bombing, extortion and kangaroo courts are not criminal offences. It seems strange that there is great resistance to making it a criminal offence to break a declaration which will be signed by people who are supposed to be against such acts. It is reasonable to expect that if such acts are against the law, the breach of the declaration should also be against the law and should be treated as a criminal offence.

The voters in Northern Ireland, regardless of their views, would wish those standing for election to local councils to be totally opposed to terrorism, murder and everything that the declaration is against. If that is so, we must draft the legislation so that it is effective in that way. It must be signed by all candidates, regardless of their views, and regardless of against whom it is directed. We should expect those who wish to run as democratic candidates for a democratic election to agree with that.

In Committee, I said that for most of the time I was ploughing a lone furrow. The Committee accepted that because it was obvious when we voted that it was true. I am pleased that today I have a few extra players on my team and because of that, and because I spoke for some time in Committee, I shall pass the ball to the rest of the team.

Rev. Ian Paisley (Antrim, North): I welcome the opportunity to be allowed to comment upon the clause and to speak to the amendments. Under the procedures of the House, my party had no say in Committee. I have been a Member of this House for 20 years and I have sat on Committees when I was the sole representative of my party. I was disheartened when the Minister said that the Bill was an exercise in democracy in Northern Ireland and that we would no longer be governed by an Order in Council but by a Bill, with everyone having an opportunity to move amendments and to consider the matters involved.

I suggested to the powers in the House that the Bill did not concern anyone in England, Wales or Scotland but concerned only the people of Northern Ireland. I said that it seemed strange that the House should see fit to exclude representatives from my party—which has more votes in Northern Ireland than the Social Democratic and Labour party—and the hon. Member for North Down (Mr. Kilfedder). This is the only opportunity that I have on behalf of my people to say anything about individual clauses. How will legislation such as this stick in Northern Ireland when the representatives of Northern Ireland are not given a chance to debate the matter? As we heard, the Official Unionist party Member ploughed a lonely furrow in Committee and gave the impression that he was the only person in Northern Ireland with grave reservations about the Bill.

I agree with the hon. Member for Antrim, South (Mr. Forsythe). If the Government want to proceed with this flawed and meaningless Bill and a law that cannot meet the intended objectives, on their heads be it. Those in Northern Ireland who know about local government know that the Bill, as drafted, will not tackle head on—as the Government said it would—the members of local councils who publicly advocate the killing and maiming of people in Northern Ireland, and want to be considered as properly elected and democratic representatives.

Many councillors who represent Sinn Fein in Northern Ireland have terrorist records. For example, one councillor who sits on the City of Derry council was convicted in 1970 for blowing up the Guildhall. Now he sits in the Guildhall and administers the city. Another councillor, on the Belfast city council, has had an exclusion order served on him preventing him from coming to Great Britain. So here we have a councillor who is eligible to sit and is going to continue to sit under the terms of this Bill, because the Bill fails to achieve the objective which the Government said that they wanted to achieve, but who cannot enter Great Britain.

It is ludicrous that such people are permitted, under the law, openly to canvass support for violence and murder and to hide behind a veneer of democracy as they seek further to promote the aims of the murderous IRA. Until the Government take this matter in hand and face up to the situation—not simply undertaking this cosmetic exercise in the House today through this Bill—this situation will continue.

Of course, the amazing thing is the Government's double standards. Ministers refuse to meet representatives of Sinn Fein when they, and particularly those elected chairmen of their councils, lead a deputation from their councils. When they come to Stormont they are put into a room and a deputation goes in and sees the Minister, because the Minister refuses to meet them. But those people elected to councils in Northern Ireland whose loved ones have been murdered, maimed and slaughtered by those very same men, when there have been instances in which a council has wanted to pass a vote of condolence after a person has been murdered and Sinn Fein representatives have refused even to get to their feet and take part in that act of condolence, have had to tolerate those representatives. And they are lectured by the Government and told that they should sit down and do business with the Sinn Fein representatives.

The chief of the Royal Ulster Constabulary—and I am not a fan of the chief constable, even though he did marry a distant relative of mine recently—is the white-haired boy of the Northern Ireland Office. He is the man whom they all quote and support, refusing to listen to any legitimate protest against him. He said that Sinn Fein was the murder executive of the IRA. The Government want us to sit down with the murder executive of the IRA. That is an intolerable situation. It is very clear that to all intents and purposes Sinn Fein and the IRA are identical, and the key figures in the two organisations overlap considerably.

The Sinn Fein representatives' purpose in being on local councils is not to advance the welfare of the people they represent but to seek further to undermine and abuse democracy and to further support for the Irish Republican Army. They ought not to be allowed the platform of the council chamber to defend, encourage, condone and incite the murder of members of the security forces. We heard the hon. Member for Workington (Mr.

Campbell-Savours), before you took the Chair, Mr. Deputy Speaker, express his concern about certain Members who were named in the House as security risks. But what about those members of certain councils who have information concerning council employees who are perhaps members of the security forces? That information is available to representatives of Sinn Fein simply because they are members of the local council. So a list is being opened up from which these people can set up a series of murders. Furthermore, the House may know that council members have been murdered through information that certainly could have come from the possession of information in council offices. The IRA will have no hesitation in setting up such employees to be murdered.

5.15 pm

We had a ludicrous situation recently concerning Smithfield market, which is owned by the Belfast city council and was blown up by the IRA. The representatives of Sinn Fein on the Belfast city council are members of the markets committee and when the plans for the reconstruction, renovation and rebuilding of the market were prepared each of these councillors received a copy. We talk about Guy Fawkes having the run of the cellars of this House; certainly those men have the run of the cellars of Smithfield market and will know from the plans precisely the best way to blow it up again.

The intolerable situation for Unionist councillors and all those who have any respect for democracy, be they Unionist or Nationalist, has been made much worse because the Government announced what they were going to do and then, sadly, retraced their steps. I regret that the Government had not the guts to go forward on the first statements that were made by the Minister at the Dispatch Box. No doubt some of my hon. Friends on the other side of the House will have remarks to make about that, because in their comments on the situation they drew attention to it. These sad matters that we are considering tonight surely merit an effort by the House to find a way whereby this problem can be dealt with properly. In my opinion, there is only one way to do this and that is by proscribing Sinn Fein, for it is part of the IRA. Unfortunately for us, the Government have dragged their feet and have now produced what is going to be weak and insipid legislation. Long before the council elections——

Mr. Deputy Speaker (Mr. Harold Walker): Order. I had hoped that the hon. Gentleman was paving the way for his judgment on the merits of the new clause and the associated amendments. He is taking a long time to do that, and I have a duty to safeguard the rules of the House. I hope that the hon. Gentleman will address his remarks more directly to the new clause.

Rev. Ian Paisley: I said at the beginning of this debate that this was the only—*[Interruption.]* Mr. Deputy Speaker is in the Chair and is quite able to defend himself. I have never known a Speaker who has not been able to rule the House and I have been here for over 20 years. Mr. Deputy Speaker is quite capable of doing his own job without assistance from those on the Labour Front Bench.

I am tracing the background of this new clause and why it is necessary. I am trying to put it into context. I know that what I am saying may upset those on the Labour Front Bench, but they are not sitting in council with people who have murdered their brothers and sisters. They do not have to do it: it is my people who have to do it and that is why I am speaking in this way.

Recently there was a terrible crime in England when a man ran amok and shot some people. Let us suppose that a political party was brought into existence which supported that murderer and that its members were elected to councils. Would Opposition Members say that members of such a party should be allowed to sit on councils and advocate murder and mayhem in England? Not likely. I was in the House after the Birmingham bombing and I remember the type of speeches made then by Opposition Members. They were just as strong as the speeches that Unionist Members make in similar circumstances when our people are being murdered.

I shall now trace the background to the Bill and show why I think that this new clause is relevant. Six and a half years have passed since the Government mooted that they intended to do something about this. The Bill was produced and those who had made representations were alarmed to discover that the Government intended to ease themselves out of their responsibilities. It is the responsibility of the Government to govern and they should not say to civilians, councillors, or to a council as a whole, "Do the dirty work for us." That is the objection strongly lodged in Northern Ireland against the Bill.

If a councillor advocates murder, violence or the shooting of members of the security forces—as some councillors have done—will the Government or the Law Officers of the Crown move in? No, because Pilate-like, the Government will wash their hands of any responsibility and an ordinary councillor or a council will have to take action and be responsible for it. The Minister argued that a whole council could take action, but in areas where that could happen the problem does not exist. Thank God, some councils in Northern Ireland do not have Sinn Fein members. Long may that continue. Those councils are in strong Unionist areas or are Nationalist councils with members other than members of Sinn Fein. We are dealing here with areas where councils cannot take such action.

Let us suppose that someone brings a successful prosecution and, under the terms of the Bill, has a Sinn Fein member removed from office. In such a case, what would Sinn Fein do? It would simply murder the person who took the action because, of course, gun law is the order of the day in Northern Ireland and, unfortunately, we have it on both sides of the divide. I was in a home last night from which a husband, a young man of 26, went out one morning, having kissed his wife and his child of nine months, little Emma, goodbye. Last night I saw him return to that home in a box. That exemplifies the situation in Northern Ireland. The Government must govern. It is not for individuals to take on such responsibility.

Mr. James Molyneaux (Lagan Valley): The hon. Gentleman spoke about the possibility of a council as a body bringing forward a prosecution. Even in the event of such a prosecution being successful, does he have any degree of assurance that the Alliance party in Northern Ireland would not specialise in its usual dirty-dog activity of penalising jointly and severally councillors who take action to uphold the law that the Government are not prepared to uphold?

Rev. Ian Paisley: I am sure from the actions of the Alliance party in the past that it would be prepared to do

[Rev. Ian Paisley]

such dirty work as it did for Sinn Fein. The leader of the Liberal Democrats—if that is the name of his party—*[Interruption.]* The right hon. Member for Yeovil (Mr. Ashdown) smiles. He comes to Northern Ireland for a few hours and then disappears but we live in Northern Ireland and saw what happened in Belfast city council about the furtherance of the aims of Sinn Fein by the Alliance party. Sinn Fein did not need to go to court or do any legal work because the Alliance party did it for Sinn Fein.

Mr. Paddy Ashdown (Yeovil): I want to put a matter on the record. Everybody will have his own opinion of the Alliance party. I know it and respect it, and the work that its members have done in Northern Ireland towards the kind of reconciliation that the hon. Gentleman has done so much to damage is widely respected. The hon. Gentleman is entitled to his view, but I should like to put the record straight as far as I am concerned. I do not go to Northern Ireland for a few minutes and then return. I am a northern Irishman and I am proud to say that. I was brought up there, my parents are northern Irish and I have returned to fight the terrorists on the streets of Belfast. The hon. Gentleman's comments about me are inaccurate and unjustifiable.

Rev. Ian Paisley: I am delighted to know and I am sure that the people of Northern Ireland will be delighted to know that the right hon. Gentleman is a Northern Ireland man because nobody knew that. I am glad that this will get wide publicity. People in Northern Ireland will be amazed to discover that the right hon. Gentleman is a Northern Ireland man.

Mr. Ashdown: Will the hon. Gentleman permit me to intervene?

Rev. Ian Paisley: No.

Mr. Ashdown: Ah ha!

Rev. Ian Paisley: I have already permitted the right hon. Gentleman to intervene. He need not wave his finger at me and say, "Ah ha." I say to the right hon. Gentleman that people come to the House by votes. The Alliance party does not come here because it does not get votes. The right hon. Gentleman may seek to pass judgment on any Northern Ireland Member, but we are here because people have voted for us. In elections in which I have taken part the Alliance party forfeited its deposit. The right hon. Gentleman can continue to praise the Alliance party as much as he likes, but if he thinks that his great weight and standing will help it I invite him to the European election——

Mr. Deputy Speaker: Order. I hope that the hon. Gentleman will not persist in that matter. I hope that he will return to the terms of new clause 2.

Rev. Ian Paisley: Liberal Democrats lead people astray and I confess that I was led astray. I shall now turn to a far more important matter, the background to the situation in Northern Ireland and what will happen if the Bill becomes law.

My hon. Friend the Member for Antrim, South (Mr. Forsythe), in his new clause, emphasises—and it needs to be emphasised—that the breaching of an oath would be an offence punishable on summary conviction by a fine or imprisonment. That would completely lift this matter from the civil law to the criminal law and that is what needs to be achieved. It is the duty of the Law Officers of the Crown to proceed against offenders. It is not the duty of the ordinary citizen to take such proceedings because by doing so he would put himself at risk. The Government should uphold the law of the land and it is intolerable to ask any ordinary citizen in the Northern Ireland situation to take such a responsibility.

5.30 pm

The House may not be aware that the security services themselves cannot defend the populace. Recently, I visited a home three miles from Antrim town where a burning took place at 8 o'clock in the evening. The police were summoned, but as they were unable to attend because of the fear of booby traps or bombs in their way, they arrived the next day at 11 am. The occupants concerned were placed at risk, and their farm buildings were put to the flame.

When the people of a country cannot be guaranteed security by the state, how can one ask them to take upon themselves the responsibilities of the Law Officers of the Crown? That is what the Bill proposes. If such a thing were suggested in England, Scotland or Wales, it would be thrown out. Perhaps it will help the right hon. Gentleman who leads the Democrats to know that the Alliance parties in Northern Ireland support my view. It is not just one part of the community that objects to the Government's proposals, but many factions who otherwise hold opposite views on many political issues affecting Northern Ireland. That is because they know the reality of the situation. They are calling for the Government, too, to face reality.

It is not too late for the Government to alter the Bill. It is not too late for them to weigh up the arguments, rather than put the Bill through the House tonight. Those who will suffer if they do that will be the patient people of Northern Ireland. It is they who will reap the sad results of the seeds that the Government have sown.

Mr. Roy Beggs (Antrim, East): Does the hon. Gentleman agree that the Bill bears no resemblance to the substance of the representations made by Northern Ireland councillors to the Minister three years ago? We consider those representations to have been a complete waste of time. That feeling is being echoed because of the way in which the matter is being dealt with in the House. The majority of elected hon. Members affected by the legislation have played a minimal part in it.

Mr. Deputy Speaker: Order. It would have been more appropriate if many of the remarks that we have heard today had been made on Second Reading rather than when considering new clause 2. I hope that hon. and right hon. Members will confine their remarks to new clause 2 and its associated amendments.

Rev. Ian Paisley: I take on board the hon. Gentleman's comment, because he has wide experience of local government and speaks with that degree of authority. One council after another told the Government that any new law must be exercised not by councillors, councils or individuals, but by the Law Officers of the Crown. What was the use of those representations being made if the Government respond only by saying no? The Minister must answer that question tonight.

I wonder how the House would feel if a right hon. or hon. Member said, "We are very glad that a police officer was shot dead today. He got his deserts." I know what would be the reaction. The right hon. Member for Yeovil may shake his head, but certain Northern Ireland councillors have said worse than that in open council in Belfast. The interesting point about the Bill is the line of demarcation that it draws between those who serve as representatives in this House and the representatives serving on a council, or an assembly that does not exist in Northern Ireland. The Bill apparently aims at producing two laws, so that there will be two different standards. One does not need to sign anything if one wishes to be a Member of Parliament, but if one wishes to serve on a Northern Ireland council, one must play charades.

The Bill is seriously flawed. Unless the Minister has second thoughts, is prepared to reconsider the representations that were made to him by Northern Ireland councils and by the individuals concerned, and to meet the needs of those who serve on local councils who must face up to the problems involved, then I will be in absolute agreement with the hon. Member for Antrim, South. We cannot bring ourselves to vote for this legislation, for the very heart of it has been torn out. The promises that were made and the objectives that were meant to be achieved have not been observed, and that is the sad situation in which we find ourselves tonight.

Mr. Ken Maginnis (Fermanagh and South Tyrone): It is important to examine not just the attitudes of the people in my party but the Government's alleged motives for introducing the Bill.

The background to the legislation is that in 1985, a considerable number of people who openly advocated violence were elected to Northern Ireland local district councils. They were successful not just because they appealed to a certain section of the community but because they were able to finance their election campaign to the tune of well over £100,000 with money provided by certain north African sources. One contrasts Sinn Fein campaigning with funds of more than £100,000 with my own party—the major one in Northern Ireland—entering the same campaign with finance of well below £20,000.

The problem of Sinn Fein advocating violence in the council chamber was recognised by the Minister in his consultative paper published in October 1987. However, it was not just 15 months ago that the Government had the opportunity to consider the matter, but more than four years ago. Nevertheless, the Minister's discussion paper stated:

"A serious threat to stable local democracy in Northern Ireland has come from Sinn Fein, whose candidates make no secret of their support for 'the armed struggle'—a euphemism for the terrorist crimes, including murder, carried out by the Provisional IRA."

In Omagh district council, for example, a Sinn Fein councillor stated that, under certain circumstances, it would be acceptable to him and his party to have members of that council's staff murdered at work. That point is recognised in paragraph 4 of the discussion paper, which states:

"In the case of Sinn Fein, their councillors support their party's 'military wing' which has been responsible for a number of assassinations of elected representatives, in Northern Ireland and in Great Britain; and prominent Sinn Fein councillors have sought to justify the IRA's terrorist campaign".

Not only did the Government identify the problem at that stage, but they recognised that those of us who believe that our democratic institutions should be protected had endeavoured to do something about the fact that the promoters of violence sat in the council chambers with us. They recognised how we, in our efforts to prevent Sinn Fein from undermining the democratic process, had ourselves been brought to court. The law of the land proved inadequate, as it does in many circumstances, to deal with terrorism.

The discussion paper says:

"the judgements drew attention to the close relationship between the political activities of Sinn Fein and the murders and other violent crimes committed by the IRA to overthrow democratic government in Northern Ireland."

That is the crux of the matter. We are dealing not with individual sensitivities but with a co-ordinated, well-financed attempt by people who support terror for political reasons to undermine the very democratic structures on which we depend.

When the Government brought out their discussion paper we were not altogether happy with some of the measures that it suggested, but we decided as a political party that we would respond positively. Not only did we respond positively, but we did so in as mild a way as we believed possible, because we did not wish to make it difficult for the Government to bring forward the kind of legislation that would be necessary to deal with those who used violence for political ends.

When we submitted our comments, we nevertheless warned the Government that they should not wrongly assume that our submission would be a basis for debate and negotiation. We suggested that it was the least that we could accept in terms of legislation. One point that we made very strongly was that we did not want the Government to be seen to rely, or be suspected of relying, on Unionist elected representatives to do the job of excluding men of violence from the council chamber. We knew that that would be to the disadvantage of both the Government and those of us who were councillors.

We also saw a great difficulty if prosecutions for breach of declaration were brought by Unionists, because such prosecutions would be misinterpreted as Unionists being petty and trying to deny a franchise to a certain section of the community. On the other hand, we recognised that if Unionists did not bring forward prosecutions, the men of violence would deem them to be afraid to face a by-election.

5.45 pm

Our real fear, however, is that anyone—a councillor or a Member—who is obliged to bring a prosecution against a Sinn Fein councillor for advocating violence will himself become a victim of the IRA. Not only those in the council chambers but those outside wait for instructions with their guns at the ready.

We were not the only people to recognise the difficulties that would arise if it were left to individuals to bring prosecutions. The Standing Advisory Committee on Human Rights said in an advisory paper to the Government:

"the Government should mark the seriousness with which it views certain statements and actions of councillors and others by placing them more clearly in the context of criminal law".

That committee was set up by the Government to advise them, and I wonder how the Minister can reject such professional advice.

[Mr. Ken Maginnis]

Let me add that I do not always agree with what the committee says. In this instance, however, I believe that, like the majority of people in Northern Ireland, it recognises that the purpose of the legislation is to deal not with individual problems, but with the whole problem of whether democracy is to be given a chance in the district councils after May 1989.

The committee also recognised that the sort of legislation that is before us could be to the advantage of the IRA. After signing the declaration, members of Sinn Fein may well behave properly for a considerable length of time and then, at an opportune moment, choose to infringe the declaration and so create a crisis that would benefit the Provisional IRA. The committee says:

"it provides the elected extremist with the opportunity at a time of his own choosing, probably when party fortunes are at a low ebb, to boost electoral support by claiming that the declaration is a symbol of oppression".

The standing advisory committee was considering a situation in which I or a fellow councillor was forced to bring a member of Sinn Fein to court for a breach of the declaration when it suited Sinn Fein to be brought to court so that the Sinn Fein member could point a finger at me and state, "Look, there is a Unionist who is denying the minority community its elected right."

The Parliamentary Under-Secretary of State for Northern Ireland (Mr. Richard Needham): As the hon. Gentleman knows, SACHR is against any form of declaration. Is the hon. Gentleman arguing that he is against any form of declaration, however that may be proposed?

Mr. Maginnis: I am certainly not. If the Minister had been listening to me, he would have heard me say that I do not always agree with SACHR. However, I said that, on this point, it has put forward a cogent and reasonable argument.

Now that the Minister has raised the issue of the declaration, it is incumbent on me to sidetrack my comments for a moment and reply to him. The Minister must surely recognise that the declaration is a weakness. A declaration that does not prevent an advocate of violence being elected to a council, but which places the onus on councillors or others to have him disqualified after he is elected, is nonsense. My party said that there should be a repudiation, not of violence as such, but of paramilitary organisations proscribed under the emergency provisions legislation. That would have created a dilemma, if not a total obstruction, for men of violence who want to be elected. It would have been very difficult for someone prior to election to repudiate Provisional Sinn Fein and then hope to go forward on a platform supporting Provisional Sinn Fein. That kind of approach would have made more sense than the Minister's proposal.

Rev. Ian Paisley: Is not the great weakness of the declaration the time that it comes into effect? During the election someone can say anything. Someone can say, "Shoot every policeman." I received some literature, and I am sure that the hon. Member for Fermanagh and South Tyrone (Mr. Maginnis) must have received a copy as well, from Sinn Fein yesterday in which Gerry Adams wished his opponents a bloody new year. That kind of language can be used during the election, but the declaration only has power over someone making such statements after that person has been elected.

Mr. Maginnis: The hon. Gentleman is right. Unfortunately, if I read the selected amendments correctly, we will not have the opportunity to consider that specific point. That is a weakness in this debate.

The Minister has made a grave mistake about enforcement. In his discussion paper he implies that, while the enforcement of the declaration could occur in the criminal or the civil courts, it would be more effective through the criminal process. I want to draw the attention of the House to the points that my party made about enforcement. In our submission to the Minister we said:

"Any breach of the Declaration must be deemed a criminal offence. Let there be no equivocation on this issue. The proposed legislation is neither for the convenience nor the protection of an individual. It should be portrayed as neither a salve for Unionist sensitivities bruised by 17 long years of terrorism nor as a weapon to be placed in the hands of Unionists."

The one thing that worries Unionists about the way in which the legislation is to be enforced is that it will constantly be interpreted as a weapon placed in the hands of Unionists by the Government and it will cause the greatest chaos and animosity in council chambers where at the moment peace and constructive work is proceeding.

Our submission continued:

"Rather, the Declaration is urgently required in order to protect and maintain those electoral processes upon which our democratic system of Government is founded. It is the primary duty of Government to sustain those processes for the benefit of the electorate."

We believe that no self-respecting Government could contemplate an abdication of that responsibility. I hope that the Minister is taking me seriously.

However, we are facing a dilemma. Do we vote against this legislation on Third Reading because it is inadequate and will make a mockery of the Government?

Mr. Deputy Speaker: Order. We are not debating Third Reading yet. The hon. Gentleman should wait for that debate before advising the House of his position.

Mr. Maginnis: I am grateful to you, Mr. Deputy Speaker. I would not dream of digressing into that or other areas.

The new clause is crucial to the Bill. If we do not have a common-sense approach to it, and if we cannot convince the House of the necessity to accept it and so stop the Government falling into the trap that they have set themselves and also prevent those of us who must serve as elected councillors from having to endure the ridicule that would be a consequence of failing to pass the new clause, the Bill will not have the attributes that would allow us to support it on Third Reading. I urge every hon. Member to vote for the amendments so that we can have some hope of carrying necessary legislation which will sustain the democratic process.

6 pm

Mr. William Ross (Londondery, East): Nothing is worse than a law that does not fulfil its stated objective. We are discussing just such a Bill which undoubtedly will become law and eventually prove ineffective. As usual, the Government will then blame the people of Northern Ireland rather than their own actions for its failure to deliver.

This group of amendments is intended to make the offence criminal. The Government are dealing with a terrorist conspiracy which combines the openly violent actions of the IRA with the activities of its political mouthpiece, the Sinn Fein. It may well be that in the world at large or in the United Kingdom, some folk still regard those two organisations as separate and distinct, two manifestations of Irish republicanism or Irish nationalism. Those people are making a very grave error of judgment. In Northern Ireland, those two organisations are seen as a single seamless web; they act in concert under the same instructions from the same source. They have an army command. The IRA is a military organisation which runs on orders from the top. Decisions are taken from the top in the same way as the Conservative party take its orders from 10 Downing street and carries them through for good or for ill. The IRA and Sinn Fein organisation has always worked in that way. That is why all Sinn Fein councillors are members of the IRA.

In the past, Ministers at the Northern Ireland Office have related to the House the statistics of convictions of those who serve as Sinn Fein councillors. It is evident from those convictions that all those councillors who had been convicted were active, ruthless members of that terrorist organisation. Those who know the situation in Northern Ireland know perfectly well that all the other Sinn Fein councillors are people whom the IRA can trust or they would not have been chosen. The IRA can trust them, because, until now, they have carried out the orders which the army council of the IRA issued to them and which they obeyed.

The House is treating this matter far too lightly. Looking around the Chamber, I see rather less than a dozen Members of the House of Commons which is one of the oldest democratic institutions in the world. Hon. Members are failing in their duty to turn up and listen to a debate on how an attack on the democratic structures of this country has evolved and has reached the stage were the democratic structure itself is being used by a terrorist organisation to undermine and destroy the will of the majority. It is very sad that Members of Parliament of the United Kingdom do not take a far greater interest in this matter. If they did, their understanding of the situation would increase rapidly and there would be much more willingness to listen to the Unionist case which is so soundly based.

The Government are trying to treat one aspect of the activities of the IRA and Sinn Fein as a civil matter when it is simply part and parcel of the IRA strategy. The IRA violence is half that strategy, which set off a bomb in Londonderry last night. Not for the first time, the action was aimed at the legal structure because the bomb was placed in front of the court house. The Sinn Fein councillors who sit and take notes of what Unionist councillors say and carry that information out are the other half of that strategy. It represents the Armalite in one hand and the ballot paper in the other in action and the Government have not seen fit to treat it with the seriousness or the legislative precision that would defeat the purposes of the organisation which the matter deserves and demands.

The Minister was busily shaking his head on a number of occasions during the speech of my hon. Friend the Member for Fermanagh and South Tyrone (Mr. Maginnis). No matter what the Minister thinks, I can tell him quite bluntly that Sinn Fein councillors and Sinn Fein candidates could not lightly or easily repudiate or disavow the IRA or the PIRA—to be precise, we are discussing the Provisional IRA, and not the official IRA. No Sinn Fein council candidate and no Sinn Fein candidate for election to this House could easily say, "I repudiate my military masters." They could not do that. The Minister, the Prime Minister, the Government and the Conservative party have not accepted that reality. They simply refuse to listen to those who live in Ulster, have grown up among such people and know how they think and how they act, as I do. The Northern Ireland Office and the Government, in refusing to accept the amendments, are demonstrating once more the double thinking, the double standards and the parallel attitudes that are so often evident in their approach to Northern Ireland.

As has already been pointed out, Ministers will not meet the Sinn Fein members of any council. Two Sinn Fein councillors were elected out of the five representatives of my local area, so no one can tell me that I do not know about Sinn Fein republicanism. Ministers will only meet them at arm's length through their officials. The same Ministers who refuse to make this a criminal offence will come to the House next Tuesday to defend their attitude in another Bill applying to Northern Ireland, clause 5(7) of which treats what is in effect contempt of court as a criminal offence.

If Ministers think that we do not notice their double standards and double think, let them take note that we understand what they are doing. It may well be that Ministers at the Northern Ireland Office are so blind that they do not realise what they are doing and they do not understand that they are not presenting a cohesive policy against murder and terrorism in Northern Ireland. But we see it and we understand it. The IRA understands it and believes that lack of decision and cohesiveness is a clear sign that the Government will some day surrender. If we are ever to convince the political mouthpieces of the IRA that they will be defeated, the Government had better produce a cohesive policy.

The Government's approach is wrong. They know that it is wrong. Paragraph 15 of the Government's consultation paper referred to by my hon. Friend the Member for Fermanagh and South Tyrone states:

> "Enforcement of a declaration could either be through the criminal or the civil courts. Breach of a declaration could be made a criminal offence."

Paragraph 16 stated, "alternatively"—the Government always need to have at least two doors open and if those do not suit them they will invent a third. It further says that the enforcement procedures might operate through the civil courts.

What force moved the Government to adopt the second option? Which argument persuaded them to take a road that they must know—as we know—in our heart of hearts will prove completely ineffective?

Rev. Ian Paisley: The Anglo-Irish Agreement.

Mr. Ross: The hon. Gentleman correctly anticipates what I was about to say. Pressure was put on the Government by another source. The Government are so weak and so lacking in understanding that they were incapable of understanding the result they chose. The pressure resulted from the Anglo-Irish Agreement and came from Dublin.

We have had the softly-softly approach for 20 years —20 years of murder, arson, violence, defeat and retreat.

[Mr. Ross]

Within the next month, this Government will have been in power for 10 years—10 years under the rule of the party of law and order. If this is the best that they can do, the sooner the Northern Ireland Office is cleared out and replaced by people who mean what they say, the better for us all. They have failed to deliver peace, to deliver order on the streets, to defeat the IRA and to deliver the economy. Failures have no place in the esteem of Unionist Members.

Mr. Ashdown: I apologise for the fact that from time to time I might have to leave the Chamber.

I rise for the second time to correct the inaccuracies of the hon. Member for Antrim, North (Rev. Ian Paisley). The hon. Gentleman said earlier that he did not know—and by the way in which he said it, it appeared that the world did not know—that I am an Irishman and proud to be so. The fact that I was brought up in Ireland has appeared many times in the *Belfast Telegraph* and the *Newsletter*. I imagine that the hon. Gentleman does not read those newspapers to bring himself up to date with Irish affairs.

A further incorrect statement issued from the mouth of the hon. Member for Antrim, North about the Alliance party in Northern Ireland. He misled the House into believing that it supported new clause 2. I make it perfectly clear that it does not. No doubt this is not the first occasion on which the House has had cause to doubt what the hon. Gentleman says or whether he—who claims to be an authority on Northern Irish matters has nevertheless misled the House—perhaps inadvertently—on important issues.

I am delighted to hear the comments of the hon. Member for Antrim, North and the overheated comments made elsewhere because it shows that the Alliance party is having some effect in Northern Ireland. In the few years that it has been in existence, it has done more for peace and reconciliation than has the hon. Member for Antrim, North throughout the long and bitter years of his political career. I say that with all the passion of an Irishman who knows what he is talking about.

The record should be clear about the Alliance party's attitude to new clause 2. In evidence that it submitted, it said:

"We are concerned that making the declaration a criminal offence will lead to unnecessary problems regarding proof and evidence. Would, for instance, a refusal to stand as a mark of respect to someone murdered by terrorists be grounds for disqualification? While it may be reprehensible, we feel it would not be sufficiently serious on its own merits to justify a criminal prosecution."

New clause 2 would create and give publicity to the people to whom we are trying to deny it. The proposals of the hon. Member for Antrim, North, like so much else that he proposes, would not add to the cause of peace but would precipitate and foment trouble.

6.15 pm

Mr. Jim Marshall (Leicester, South): With your customary generosity, Mr. Deputy Speaker, you have allowed a wide-ranging debate on new clause 2. I will keep my brief remarks in order, but at times I may stretch your generosity of spirit when replying to one or two of the points that have been made.

Every debate on Northern Ireland arouses deep feelings and emotions. Those feelings and emotions were illustrated by the speeches of the hon. Member for Antrim, North (Rev. Ian Paisley) and those of hon. Members of the Official Ulster Unionist party.

I share some of the feelings of the right hon. Member for Yeovil (Mr. Ashdown) about the hon. Member for Antrim, North. The hon. Gentleman is a symptom and cause of the problems of Northern Ireland. Every time he speaks in the House he does nothing to advance the causes of consensus but pours petrol on its problems, inflaming passions in the troubled Province. I find it difficult to take a lecture from him about violence, especially given his ambiguity over the use of it in the past and presumably in the future.

I shall refer briefly to an article that appeared in the *Irish News* on 11 November 1986. I understand that the hon. Member for Antrim, North was present at the launch of what was called Ulster Resistance. At the meeting, the hon. Gentleman is alleged to have read a statement of intent by the leadership of Ulster Resistance which said that it

"resolved to band together to take whatever steps are necessary to destroy the Agreement and the ongoing republican conspiracy."

A report states that the hon. Gentleman said that the new movement would mobilise

"the men of Ulster into an organised and disciplined force and would embark on a recruitment of men willing and prepared to take direction as and when required. Such action will be strictly disciplined, calculated and controlled.

To rapturous applause"—

presumably the hon. Gentleman is accustomed to such a reception in the circles in which he moves—

"Mr. Paisley said he was prepared to give the movement 'his undivided support' and"—

the next words should be noted—

"'whatever political cover it needed' . . .

Mr. Paisley said that he was aware of the seriousness of the course of action he was embarking on, but said it was necessary if they were to destroy the Agreement. To prolonged applause he warned that the new force was not a 'bluff'."

To my simple mind, that would appear to be incitement to the use of violence and to effect political ends in the north of Ireland.

Mr. Martin Flannery (Sheffield, Hillsborough): On the same subject, which is related to the amendment, does my hon. Friend remember the picture and the articles that appeared in the press some years ago when the hon. Member for Antrim, North (Rev. Ian Paisley) stood on a well-known hillside in Northern Ireland with a group of men in serried ranks who were holding aloft their gun licences? The hon. Gentleman was clearly acknowledged as their leader. I cannot imagine that such actions will help the people of Northern Ireland, and it amazes me that the hon. Gentleman should do them.

Mr. Deputy Speaker: Order. The hon. Gentleman's intervention has nothing to do with declarations about standing for local government. We must get back to the new clause.

Mr. Marshall: It is certainly my intention to get back to the new clause, Mr. Deputy Speaker.

I gave those quotations to illustrate the hon. Gentleman's ambiguity on the use of force. It ill behoves the hon. Gentleman to lecture the House on its attitude towards either the Government's policies or the

Opposition's policies on the north of Ireland, when many of his statements and intentions appear to exacerbate an already serious situation in that troubled Province.

Hon. Members from the Province are urging the Government to accept responsibility for the implementation of legislation. Unfortunately, that does not form part of the new clause, but it has been the main thrust of their arguments. As Official Unionist Members know, Labour Members share their desire to make the Government responsible for the implementation of the legislation. If hon. Members from the north of Ireland are so intent on achieving that objective, I suggest that they support amendment No. 8.

The criminalisation that new clause 2 would introduce will not achieve those ends. I agree with the right hon. Member for Yeovil that it will make worse an already desperate situation in the north of Ireland. It will lead to further intimidation of witnesses and to people being extremely reluctant to come forward and give evidence in criminal cases. For that and the other reasons that I have stated, if there is a Division we shall support the Government and oppose the new clause.

Mr. Molyneaux: Some of my hon. Friends have remarked on the comparatively small attendance at the debate. We do not have far to look for the cause of such low attendance. With all its defects, the House of Commons has a degree of collective perception. It can perceive occasions when it is doing a real job of work—fortunately, that is most of the time—and it can also perceive when it is acting out a charade. Hon. Members both present and absent are aware that the latter is the case tonight. Hon. Members would be required to participate in a charade in which they and the country do not believe. The few representatives from the press—the news industry—who are present will confirm that statement.

There is hope on the horizon. The Under-Secretary has it in his power to bring purpose to the debate and the legislation.

To do him credit, shortly after the local government elections in the spring of 1985, the Under-Secretary responsible for local government engaged in the most exhaustive discussions and consultations with practically every legitimate group of councillors in Northern Ireland. He had submitted to him reasonable and workable proposals to do what he wanted to do, which was to remedy the hideous situation that had resulted from the local government elections which had shocked hon. Members on both sides of the House. They could not understand how people in their right minds could vote for Sinn Fein candidates who openly and unreservedly supported and advocated the policy of the ballot paper in one hand and the Armalite in the other, and who had no hesitation in condoning acts of violence on occasions when it suited them. Unfortunately, that was on a good many occasions.

Faced with what they recognised as a serious and grave problem, Ministers made one correct decision. They resolved that, as Ministers of the Crown, they would not meet or consort with Sinn Fein elected representatives. I agree with that decision. However, they did not follow it up. Some of my right hon. and hon. Friends are serving councillors. The Government did not absolve them from the requirement to sit side by side in council chambers with Sinn Fein councillors and to listen to abuse dished out by those councillors to members and relatives of fallen members of the security forces.

If an individual councillor is now to take any action—this is the problem with which we are faced—he will be intimidated first and later shot, if not by some Sinn Fein councillors doubling up as members of the IRA, by their fellow travellers who are not far removed from them.

I hope that my next point will be returned to in debates on subsequent amendments. I refer to a council's difficulty in taking action and initiating a prosecution if that council is to be at the mercy of the public auditors, and its members severally and individually surcharged. As things stand, there does not appear to be any way in which members of a council of any party can acquire cast-iron legal advice and guidance on what may or may not subject them to surcharges and penalties. I hope that that will be resolved.

After three and a half years of reflecting on all the advice—I am sure that he did it with the best intent and that he tried to find a solution—the Minister must be generous and realistic and admit that he has not found the remedy for the problem. Sinn Fein will sign the declaration. It has already announced that it will do so. I imagine that, at its conference, along with its fellow travellers, no doubt sitting with their guns at the ready, it will reinforce and clarify its determination to sign the declaration. It is equally certain that Sinn Fein will proceed to breach the declaration. Unfortunately, no effective action can or will be taken. We might as well face up to that, because it will be the reality.

My hon. Friend the Member for Fermanagh and South Tyrone (Mr. Maginnis) stated that we had sought to avoid tendering our advice to the Minister. The subject of our new clause was one element in the advice that we gave him in the early days. My hon. Friend said that we had done our best to avoid making the Minister's task more difficult and that, for that reason, we put forward what we and the House would consider to be reasonable and workable proposals. We take the same attitude tonight.

New clause 2 is designed to carry forward that work. It offers the Minister yet another opportunity to make the Bill more effective. I hope that he will accept the new clause or, if he is not inclined to do that, that he will undertake to introduce something similar in another place.

6.30 pm

Mr. Needham: This has been an excellent Second Reading debate and an even better Third Reading debate, and it has covered most of the amendments down for consideration. I shall try to keep as close as I can to the new clause and be as quick as I can.

The hon. Member for Antrim, North (Rev. Ian Paisley) and the right hon. Member for Lagan Valley (Mr. Molyneaux) and several of their hon. Friends called for proscription. The new clause is not about proscription, but even if there were proscription in Northern Ireland it would not do away with the need for this legislation.

Mr. Molyneaux: If the Minister were asking me now whether I advocated proscription, I would say yes. But I am seeking not to embarrass the Minister by asking for something that might embarrass him. That was why I did not suggest or request proscription. I would prefer to settle for new clause 2.

Mr. Needham: The right hon. Gentleman does not embarrass me in either event. Even if there were proscription, which the right hon. Gentleman now says he would call for, which I think was accepted on Second Reading, there would still have to be a Bill of this nature to ensure that those who stand under different colours and different guises were caught if they were to advocate terrorism or support violence in further elections. The hon. Member for Antrim, North, in his tour around the glens, said nothing against the need for the Bill.

The hon. Member for Londonderry, East (Mr. Ross) said that the wording, to which he particularly referred, would not be effective because it avoided the words that had been put forward by his hon. Friend the Member for Fermanagh and South Tyrone (Mr. Maginnis) in, as he said, a helpful document calling for repudiation. The hon. Gentleman criticised the Government for their failure to introduce effective legislation in the past. If there is to be legislation, the House would want it to be effective. There could be nothing worse than to introduce legislation which would not work in practice.

The hon. Member for Londonderry, East said that the use of the word repudiate would make it much harder for the followers of terrorism, from wherever they may come, to sign such a declaration. I do not understand why, because, if they were so minded, I suspect that they could find whatever arguments they so wished to get round it.

If the word repudiate formed part of the declaration, it would apply only at the time that a candidate signed the declaration. What form would the repudiation take? There is nothing in the declaration, nothing suggested in any amendment here or in Committee, to say how representatives would be asked to handle repudiation. Would they be asked to repeat their repudiation? Would there be certain propositions to which they would be asked to assent to show that they had fulfilled their repudiation? The whole point of the declaration is that it is concerned with deeds and words, not with a form of prior approval for terrorism which would be unenforceable in the courts.

Mr. Maginnis *rose*——

Mr. Needham: I shall give way to the hon. Gentleman in a minute. I want to finish this point. I have listened to the hon. Gentleman for quite a long time this afternoon.

I am not a lawyer, but when bringing forward legislation it is sensible to ensure that we do not fall into the trap of using political words which sound wonderful on the lips of the hon. Member for Londonderry, East, but mean nothing when it comes to making the legislation effective in the courts of Northern Ireland. Nothing that has been said today by the hon. Member for Londonderry, East, the hon. Member for Antrim, East (Mr. Beggs) in Committee, or the hon. Member for Fermanagh and South Tyrone would in any way lead me, the Government or anybody else listening to believe that the word repudiate would be effective or achieve its end within the courts.

Mr. Maginnis: I am grateful to the Minister for giving way, even though he did so reluctantly.

Mr. Needham: Not reluctantly.

Mr. Maginnis: I understand the Minister's embarrassment, because in putting forward his argument against the word repudiate he has defeated his argument for any sort of declaration. However, let me help him by giving him the proper legal opinion about the word repudiate. A learned senior counsel states:

"I am quite clear that the word repudiation in any other situation will be construed by the courts according to its 'ordinary and natural meaning'. My authority for that is the extremely important House of Lords case Brutus *v.* Cozens (1973) AC 854 that said the meaning of an ordinary word of the English language in a statute is not a question of law but of fact. Accordingly a normal dictionary meaning will be given which according to the Oxford Dictionary means . . . disown, disavow, reject, refuse dealing with, refuse to recognise'. Accordingly it seems that the word repudiated is appropriate for the declaration in the Elected Authorities (Northern Ireland) Bill."

That is the opinion of a senior counsel.

Mr. Needham: With respect, the hon. Gentleman cannot have paid attention to the second part of what I was saying. He may be right about the word repudiate if, as the hon. Member for Londonderry, East suggested, its use meant that the declaration was not signed. The hon. Member for Fermanagh and South Tyrone appears not to be interested in the argument.

Repudiation applies to a particular time and it faces backwards. What actions would have to be taken thereafter once a councillor was elected which would prove whether that repudiation had continued? There is nothing to suggest that words or deeds are required within the declaration and the Government have been advised that the use of the word repudiate would, on its own, be ineffective. That is the point to which I want to come.

I have listened to hon. Members carefully. We are talking here about the effectiveness of the declaration. Will it or will it not work? Is there any reason to make the failure to sign it a crime or a civil offence? If it is to be a crime, is it more or less likely to be effective? I am not impugning, and have not at any time impugned, the integrity of Opposition Members about their consideration and concern on the effectiveness of the declaration. Unfortunately, they have not taken the same line with me. Therefore, the question that I want to ask is why Opposition Members seek to make it a crime when there are strong arguments, in principle and in practice, against doing so.

Mr. William Ross: Will the Minister give way?

Mr. Needham: I shall not give way to the hon. Gentleman as I have already done so twice.

First, I am not sure that fines and imprisonment are necessarily the appropriate sanctions for the breach of a declaration. Breaching a declaration is not a criminal act. The hon. Member for Kingston upon Hull, North (Mr. McNamara) has pointed out during our debates the amount of criminal legislation that exists for acts and deeds. A breach of the declaration is not a criminal act. If expressions of support are used by councillors or assembly members, those people can be removed from office. Disqualification is the right penalty for people who, in council chambers or in the assembly, support acts of violence or terrorism.

Secondly, existing electoral law is enforced largely by civil means through election petitions. That is a much more appropriate analogue than using the criminal law, which will not have the effect that hon. Members seem to think. It is not right for the prosecuting authorities to bring actions for breach of the terms of the declaration. As the right hon. Member for Yeovil (Mr. Ashdown) said,

there could be no quicker way to create martyrs and give a propaganda advantage to the supporters of violence than to have actions brought by the Director of Public Prosecutions.

Mr. William Ross *rose*——

Mr. Needham: I shall deal with the hon. Gentleman's point as to whether it should be the DPP or the Attorney-General when we come to the next group of amendments.

The standard of proof, which is different in the civil and criminal laws, would mean that criminal cases required evidence of reasonable doubt to be successful, whereas in civil cases only the balance of probability needs to be proved. These amendments would not, as the right hon. Member for Lagan Valley seems to believe, make the declaration easier to enforce or more effective. It would have exactly the opposite effect. Hon. Members have argued that the Bill will not work because it depends on who brings the action, but, in the next breath, they propose an amendment that makes it more difficult to bring an action and obtain a conviction. What do hon. Members want? Do they understand the difficulties of introducing criminal, rather than civil, law?

If, unfortunately, these amendments were incorporated in the Bill, the people of Northern Ireland would find that the legislation was less effective. When they studied the evidence, they would see where the blame for that lay. On that basis, I ask the House to reject the amendments.

Mr. Flannery: I want to take up a point made by my hon. Friend the Member for Leicester, South (Mr. Marshall). He suggested that we agreed with the Government. That may be so in respect of this amendment, but, generally speaking, I profoundly disagree with the Government, as I do with the hon. Member for Antrim, North (Rev. Ian Paisley) and the right hon. Member for Lagan Valley (Mr. Molyneaux), because they are all wrong. I do not condemn my hon. Friend the Member for Leicester, South.

Mr. Jim Marshall: I am sure that my hon. Friend does not condemn me, but may I make it clear that I said that, if a Division were called on this group of amendments, we would vote with the Government.

Mr. Flannery: I assumed that, although I am not sure about the form of words used by my hon. Friend.

This debate was inevitable. It is not often that I act as a referee. My hon. Friend and I do not live in Northern Ireland, whereas the hon. Members to whom I have referred do. They are subjected to terrible fears and horrors that we do not experience, although we receive many threats through the post. I know how they feel and appreciate that there is a historic background to the issue.

When this Bill, to which we are totally opposed, was introduced, it was clear that it represented an intensification of the struggle and would therefore cause all kinds of upsets. There is already enough trouble without Bills that intensify the struggle.

6.45 pm

New clause 2 states:

"Where a person has made a declaration for the purposes of section 3, 4 and 5 of this Act and has acted in breach of the terms of that declaration, he shall be guilty of an offence, punishable on summary conviction to a fine or to imprisonment."

Section 21 of the Northern Ireland Constitution Act 1973 prohibited the requirement of oaths, undertakings or declarations as a condition of appointment or of service on public bodies in Northern Ireland. That provision was introduced because Ireland was oath-ridden. The Bill is hagridden with this kind of thing. The Government must be dreaming if they believe that someone who wants to be a Sinn Fein councillor—the Bill concentrates on Sinn Fein —will not take an oath to be a councillor. Many will take the oath, but it lays itself open to all kinds of abuse. If such a person cannot be a councillor, even though he might be opposed to violence, it means that a certain section of the electorate in Northern Ireland cannot vote for that kind of thinking. Eleven per cent. of the vote is Sinn Fein.

There are no hon. Ladies present. It is disgraceful that we do not have sufficient women in this place, but the Establishment is not bothered about having women in here.

Hon. Members will disagree with what I am saying because they are so desperate to find a solution that they keep thinking up quick solutions to the problem. They did not put forward this amendment in Committee but have brought it forward here.

Mr. Clifford Forsythe: I must point out to the hon. Gentleman that this amendment was tabled in Committee.

Mr. Flannery: The hon. Gentleman said earlier that he ploughed a lone furrow. I apologise, and pay tribute to him for putting his view so ably.

As soon as this appalling Bill came into existence, it became inevitable that such discussions would take place without a solution being found. The Government will accept no amendments tonight. Hon. Members feel the frustration that we feel, although not as desperately. No matter how long the debate lasts, the Government will have their Bill; they will have their way. *[Interruption.]* Conservative Members have been drafted in, but they know little or nothing about Northern Ireland. They are all saying, "Hear, hear". That is the difficulty we face with a load of ignoramuses who do not understand the problem. In spite of all the cheering and counter-cheering, I prophesy that there will be no changes in the Bill. We will put it on record that it is a bad, squalid little Bill which will deepen the problems of Northern Ireland by forcing people to swear an oath in which they do not believe. The new clause is almost as silly as the Bill, and would get us nowhere. It is born of an honest desperation, but I oppose it for the reasons I have given.

The debate has roved over the whole gamut of Northern Ireland. That is a pity. The hon. Member for South Down (Mr. McGrady) was going to speak, but he felt that the debate had been so broad and so removed from the new clause that it would be difficult for him to say what he wanted. I have tried to speak to the new clause. I am against it, as I am against the Bill.

Mr. James Kilfedder (North Down): I have been provoked into intervening in the debate by what I have heard. The hon. Member for Sheffield, Hillsborough (Mr. Flannery) is a regular attender at Northern Ireland debates and always takes part in them. As he has pointed out, suddenly from nowhere quite a few hon. Members have been brought in by the Government Whips to show that the Government have some support for the measure.

The Bill has been spawned by the Government's desire to be seen to be doing something in Northern Ireland—not

[Mr. James Kilfedder]

too much but just enough to impress the people. The Bill will not frighten the IRA. It is meant to impress the honest, decent, law-abiding people of Northern Ireland and to make them believe that the Conservative Government are determined to defeat the IRA and its political spokesmen. I do not wish to be a party to that deception of the decent people of Northern Ireland who have suffered for 20 years at the hands of evil terrorists.

The families of those who have been murdered deserve the sympathy of the whole community, whether the victim was a Protestant or a Roman Catholic. The murderers are contemptible and deserve to be punished with the full force of law and order. I regret that after 20 years we still suffer from terrorism to an extent which would not be tolerated in this part of the United Kingdom. *[Interruption.]* It shows the utter disregard of the Conservative party for the people of Northern Ireland that Conservative Members talk among themselves when we are attempting to debate a serious matter affecting Northern Ireland. I hope it is brought to the attention of everyone in the Province that during the debate there have been at most only about half a dozen Conservative and Labour Members present. Only recently has the pack been brought in to show some support for the Government and, I suppose, to disconcert an hon. Member from Northern Ireland. I resent it. I think that I speak for the people of Northern Ireland when I say that they would resent it and that they will take note of it.

What is the new clause about? All that my hon. Friends seek to do is to take the initiation of legal proceedings out of the hands of individuals and place it in the hands of the Director of Public Prosecutions. The trend over the last 10 or 20 years in Northern Ireland has been to remove political influence from prosecutions. My hon. Friends wish to remove the burden from the individual elector or councillor and place it in the impartial hands of the Director of Public Prosecutions.

The Bill will not achieve anything. It is an attempt to pull the wool over the eyes of the Ulster people. Let my hon. Friends and I, as Unionists, put it on the record that we wish the onus of prosecution to be placed in the hands of an impartial person—the Director of Public Prosecutions. What would happen under the proposal put forward by the Government? An elector would have to decide whether to take legal proceedings. The opinion of another lawyer might contradict the opinion of his lawyer. The elector will have to take the risk of going to court. That will cost money. Will the Government provide financial aid to an elector who wishes to initiate proceedings under the Bill?

The elector may fail in court and may have to bear the cost of the proceedings. Even if he succeeds, the person who is disbarred may decide to appeal. Who will pay the heavy costs of all the legal proceedings which may arise from the Government's proposal?

Mr. William Ross: Does the hon. Gentleman also appreciate that many Sinn Fein councillors are people of very little means and that the chance of ever recovering costs, should costs be awarded against them, is minimal?

Mr. Kilfedder: Yes; I agree with my hon. Friend.

This is a miserable Bill. It is an insult to the Parliament of the United Kingdom. *[Interruption.]* Again, a Government Member is trying to disconcert me and cause offence to the decent people of Northern Ireland by his remarks. Despite the interruption from the claque, I will go back to the point that I was about to make.

The student of law is taught that the law must not be brought into disrepute or made the subject of ridicule and contempt. This measure would do that. I cannot support anything which will bring the law of the realm into ridicule and contempt. Therefore, I shall certainly not support the Bill. I should like the Government and every hon. Member —sadly, most of them are elsewhere—to know that the people of Northern Ireland are not deceived by this legislation which will make no contribution to ridding Northern Ireland of the evil of terrorism.

7 pm

Mr. Eddie McGrady (South Down): The Bill has been opposed by different parties for a variety of reasons. The multiplicity of antagonism lies in the origin of the Bill. It was promulgated back in October 1987 with the White Paper, not as a security measure or as anything to do with violence, but as a token to the Unionist parties to return to the council chambers which they had abandoned after the signing of the Anglo-Irish Agreement in 1985. That was the thrust and argument for the Bill. It was a panacea to allow a face-saving exercise to be undertaken to allow the Unionist parties to return to the fold. Then, in the summer of 1988, it was buried and lost for ever, never to be resurrected.

But after certain terrible and horrible atrocities in Northern Ireland, the Government decided that they should introduce some "new measures" against terrorism. They dusted off the cover of this proposal and brought it forward, not as something to entice Unionists into the council chamber again but as an anti-terrorist measure. It was a cynical exercise because the Bill will have no effect in diminishing terrorism in Northern Ireland, nor will it keep terrorism down or reduce the publicity that terrorism attracts and feeds upon. It will do the very opposite.

Let us consider what will happen in the council chamber, or before the signing of the declaration. If I may digress for a moment, Mr. Deputy Speaker, may I say that other hon. Members have spoken exclusively about the violence of Sinn Fein. They have led the House to believe that only the Sinn Fein councillors have participated in or used violence. Nothing could be further from the truth. From most parties in Northern Ireland, although I can proudly boast that my own party is the particular exception, members sitting in the council chamber give active or tacit support to the men of violence. Even in my own council, a member of the Official Unionist party has been charged with manufacturing machine guns. Let us not assume that violence will come from only one source; it is coming from several sources simultaneously, and those sources have representation in the council chambers.

What will happen when the various parties—Sinn Fein or any other party—decide whether or not to sign the declaration? It will be done on the basis of political expedience, not because members are for or against violence. They can sign or not sign. If they decide to sign the declaration, it means that they are prepared to, and have instructions to, sign the declaration against all violence and to go into the council chamber. Their modus operandi will then be that at a time convenient to the terrorist organisation, say, a time of low publicity, or to attract attention from some atrocity that they have

committed, they will commit an offence under the proposed legislation in order to create disharmony within the council chamber and the community that that council represents.

Ultimately, there will be the continuing propaganda of litigation going through the courts for as long as that may take. Money will be no object, as many hon. Members have said, for many of these paramilitary organisations. They will have continuing and total publicity. So much for strangling the so-called oxygen of publicity. The Bill will build a new pipeline, with an open-ended cylinder of oxygen, which will keep them going for ever and a day.

Let us suppose that councillors do not sign the declaration or participate in local government elections in May 1989. Then there will be a propaganda cry that they have been debarred and excluded from the democratic process and that 11 per cent. of the electorate do not have public representation. Therefore, in their warped thinking, they will justify the case that they have no alternative but to use violence. Just think of the propaganda weapon that that will provide for terrorist organisations in Northern Ireland, here, and in Europe, and especially in north America. Whatever way we look at the legislation, it will cause untold problems.

The amendment suggests that the acts should be of a criminal nature. There was much argument in Committee about whether the Attorney-General or the Director of Public Prosecutions should take action. As has been pointed out time and again, in any court cases witnesses have to provide the evidence of a particular offence. It does not matter who takes the action, because those same witnesses, be they councillors, or a corporate body of the council, or an elector within the district, must do what they must anyway. In terms of the political reality of the councils of Northern Ireland, it will be essential that the decision to take action be visited upon those who are taking it. I say that for this reason. It has been said that the Official Unionists or the Democratic Unionist party will be taking action against Sinn Fein. I have no doubt that Sinn Fein will be taking action against other parties on the same basis, because other political parties occasionally express support for violence. Sinn Fein will be delighted to use the legislation to take other parties to court.

I have no doubt from my experience of local government in Northern Ireland, which goes back over 27 years, that the majority parties will on occasion—I do not say always—use their majority to pursue minority causes. The Bill provides for money from the ratepayers to pursue such a course of action. That is what will happen.

Mr. Seamus Mallon (Newry and Armagh): Does my hon. Friend agree that the hypocrisy of this legislation is that there is existing public order legislation which can deal with incitement to hatred. Every offence committed under this legislation could be dealt with by the public order legislation. Therefore, this is superfluous as well as hypocritical legislation.

Mr. McGrady: I thank my hon. Friend for his intervention. Several other measures, including legislation on incitement to hatred, were put on the statute book but have never been used, to my knowledge, in Northern Ireland. They were enacted to enable prosecutions of people who incite hatred. They are the breeders of violence.

I feel rather sorry for the Minister tonight, because this is very bad legislation. He has an impractical Bill which will cause great disharmony, first in the council chamber and then in the community.

The irony of the situation is that this child is loved by nobody. When the Bill started its passage, it was supported totally by, as I understand it, the Unionist fraternity. [HON. MEMBERS: "No."] I am grateful for the intervention of the hon. Member for North Down (Mr. Kilfedder) because that was the only remaining doubt in my mind. Now every representative of Northern Ireland in this Chamber is opposed to the Bill. In other words, all the elected representatives of Northern Ireland across the political divide are opposed to the Bill. Who is legislating for whom? That is the question I leave to the House.

Mr. Deputy Speaker (Sir Paul Dean): Order. This is a wide debate but I should like to hear a little more about new clause 2 and the accompanying amendments.

Rev. William McCrea (Mid-Ulster): As one who has for 16 years been a member of a local authority in Northern Ireland, and still am, and as a member of an authority where the Social Democratic and Labour party and Sinn Fein joined together to share the chairmanship and vice-chairmansip of the council, I cannot let the remarks of the hon. Member for South Down (Mr. McGrady) pass. I do not say that he has deliberately misled the House but he is misleading when he tries to give the impression that the Bill before the House is a sop to the Unionist population to get them back into the councils. That is not true. I remember a time when many elected representatives were making representations to the Department to have meaningful action taken against Sinn Fein representatives, the spokesmen for the murderers on the streets of Ulster.

When I hear SDLP Members say that they are against this legislation, I find it rather strange. I was on a deputation from our council when one of the SDLP members of that council asked the then Minister to take action against Sinn Fein and to bring legislation before the House that would debar Sinn Fein from the council. It is rather hypocritical for the SDLP Members to suggest——

Rev. Ian Paisley: To get an MBE.

Rev. William McCrea: It was not the hon. Member who received the MBE but one who is perhaps still waiting for an MBE who made the representations to the Minister.

Many SDLP council members wanted action taken to remove Sinn Fein because of a personal threat to the SDLP caused by the presence of Sinn Fein in the councils. I know from a former Minister who sat on the Front Bench on similar occasions to this that members of the SDLP, whom he knew, made strong representations to him in private to have action taken against the Sinn Fein in the councils and to put a halt to the charade that is taking place in councils in Ulster. It is, therefore, rather hypocritical when the SDLP pretend to the people of Ulster, lest the Sinn Fein might hear, when in private they were making representations to have the Sinn Feiners removed from the councils.

Mr. McGrady *rose*——

Rev. William McCrea: The hon. Member has just sat down. I am sure that he will agree that he does not want to make two speeches at one time.

[Rev. William McCrea]

I must make it absolutely clear that those who care for democracy in Northern Ireland demand that action is taken to remove the representatives of gunmen from elected chambers in the Province.

Mr. McGrady: On both sides.

7.15 pm

Rev. William McCrea: Yes, I accept what the hon. Member says, and I am sorry that I missed most of his speech a few moments ago.

The House had better realise how dangerous it is for elected representatives from the Unionist community and the SDLP. They know that if they step out of line there are members of Sinn Fein sitting in the council chambers and measuring them up for a coffin if they speak openly against Sinn Fein in the council. It must not be forgotten that many of the Sinn Fein councillors come to the councils through having been activists in the IRA. So let us not pretend that these are little, genteel people who are interested only in democracy. The last thing that they are interested in is the democratic process except where they can use it to destroy it. We in Ulster have been denied democracy for many years. It is about time that local government democracy was allowed to live and that those people who make representations on behalf of the good and decent people of Ulster are allowed to do so.

It is hypocritical for the SDLP to tell the House that all parties except the SDLP have aided terrorist organisations. I find that interesting in view of the fact that in Fermanagh council the SDLP voted with Sinn Fein to put them into the chairmanship of that council. It is also strange that for the past four years, since the SDLP representatives came into our council in Magherafelt, the SDLP have voted on every occasion to put Sinn Fein into the vice-chairmanship and into every other committee post. It is also strange, considering the question of aiding and abetting terrorism, that when they were embarrassed enough to remove the mandate from the chairman in Fermanagh they went to my own constituency and put into the chairmanship of Strabane district council the Sinn Fein representative. That was done just this year: the SDLP voted Sinn Fein into the chairmanship of the Strabane district council.

Mr. Deputy Speaker: Order. I am finding it difficult to relate the hon. Gentleman's remarks to new clause 2. I am sure that he will come to the new clause.

Rev. William McCrea: This is background information, Mr. Deputy Speaker, to what is a very important matter affecting the very lives of the elected representatives that the new clause refers to. It is easy for members of the SDLP, who joined hands with Sinn Fein in the council chambers, to laugh, but it is the Unionist members that Sinn Fein usually measure up for a coffin and shoot through the head, as they have done in councils in our province up to the present time.

In the new clause—and this has already been touched on by the hon. Member for North Down (Mr. Kilfedder)—the onus is put on the individual person or on the individual councillor to take action against the representative and supporter of terrorism. I live in a district which has such a council.

Towards the end of his speech a few moments ago, the hon. Member for South Down said that the majority of councillors would take action just to get at Republican representatives. The proposed new clause permits a council to take action, but I ask the House to consider carefully the fact that the places where there are Sinn Fein representatives, as in the west of the Province, have a majority of Republican councillors. Dog does not eat dog. There is no chance of the SDLP, which is in the majority with the Sinn Fein in the west of the Province, taking action against the Sinn Fein representatives of murderers. So the onus, with its implications of cost and everything else, is put upon some individual in the community.

Certain people on this side of the water may count the lives of Ulster people cheap and may not think that we are very valuable at all. There are even those who would prefer us not to be able to speak on behalf of our constituents in this Chamber—but I am delighted that they do not have the final say on that.

Rev. Ian Paisley: Perhaps it has come to my hon. Friend's attention that even serving soldiers from this side of the water are treated in a shameful way. Their dependants are offered the paltry sum of £1,300 when they are blown to pieces in Lisburn.

Mr. Deputy Speaker: I hope that when he responds to the intervention, the hon. Gentleman will direct his remarks clearly to new clause 2.

Rev. William McCrea: Thank you for drawing my attention to that, Mr. Deputy Speaker, I am sure that the House will note carefully what my hon. Friend said. It is a sound fact. The legislation was not introduced as a sop to anyone in the Unionist community. It was resurrected because of the dastardly murder of eight soldiers in my constituency. After that we were promised that action would be taken in the councils to stop representatives of terrorism becoming spokesmen who were heard on the media. Other action was promised, including the removal of such people from councils.

The people that I represent would be delighted if meaningful legislation were introduced that went to the heart of the problem and dealt with spokespersons for terrorism, from whichever source. Such legislation would be meaningful and it would be backed by Members of the Unionist family in the House.

The Bill is watery and places elected representatives and individuals who wish to stand against the spokesmen of terrorism in more danger than ever.

Mr. Peter Robinson (Belfast, East): My hon. Friend will have heard during the speech made by the hon. Member for South Down (Mr. McGrady) an intervention from the hon. Member for Newry and Armagh (Mr. Mallon) who said that existing legislation on incitement to hatred could be used. Will my hon. Friend confirm that such legislation would not disqualify anyone from local government but the purpose of such legislation should be—we suspect that ultimately it will not be—to remove from local government people who support violence?

Rev. William McCrea: I concur with my hon. Friend's remarks. The startling fact is that the legislation would not act against spokespersons for terrorism in council chambers because it would not remove them from those

chambers. Elected representatives who simply wanted to be good, decent councillors would still have to suffer verbal and other abuse.

It is interesting that the legislation mentioned by the hon. Member for Newry and Armagh has already been used. It was used against Official Unionist members of Belfast council. It is strange that while we hope to deal with the spokespersons for terrorism—they say, without apology, that they carry the bullet in one hand and the ballot box in the other—there seems to be no desire to use that legislation against them.

Mr. Mallon: It seems strange that when the public order legislation came before the House, I was the only Northern Ireland Member who voted for it. While I was voting for it the hon. Member for Mid-Ulster (Rev. William McCrea) and many of his friends were on the streets protesting against it. That legislation contained the incitement to hatred clause. The hon. Gentleman owes the House an explanation as to why he did not vote for the public order legislation.

Rev. William McCrea: It shows the weak and pathetic nature of the hon. Gentleman's intervention when he has to scrape the bottom of the barrel. He knows that the Official Unionist representatives, backed by the Unionist population, refrained from making their voice heard in the House because the procedures of the House were a fiasco and they were not permitted to speak for the people of Northern Ireland. The House will find it strange to hear that the hon. Member for Newry and Armagh voted for something because he usually votes against legislation dealing with terrorism. Let it be put on record that the hon. Member for Newry and Armagh has no right to talk about action against terrorists or about those who support action proposed by the Government to deal effectively with terrorism, such as the emergency provisions legislation, and so on. Perhaps he will tell the House why he continues to vote against legislation which could be taken right into the terrorists' dens and deal effectively with them.

Rev. Ian Paisley: Is it not true that the legislation dealing with incitement to hatred was on the Northern Ireland statute book long before the legislation mentioned by the hon. Member for Newry and Armagh (Mr. Mallon)? Is it not true that it was used against two Protestants and was never used against Sinn Fein or any person guilty of murder or incitement to murder?

Mr. Deputy Speaker: Order. In responding to that intervention, I remind the hon. Member for Mid-Ulster (Rev. William McCrea) that we are talking not about other legislation but about the legislation before the House and new clause 2. I must ask him to restrict his remarks to what is in order.

Rev. William McCrea: You will understand, Mr. Deputy Speaker, that I find that difficult to understand because other hon. Members have mentioned such matters and their speeches have not been stopped in mid-flow.

The intervention of my hon. Friend the Member for Antrim, North (Rev. Ian Paisley) was telling. He told us how the legislation was used and it perhaps explains why the hon. Member for Newry and Armagh was so keen to vote for it. The legislation would be used in only one way and it would not touch Sinn Fein representatives.

I and the people I represent want meaningful and purposeful legislation that will deal with the threat to the shreds of democracy left in the Province. There is little democracy left because elected council representatives have little with which to deal. They concern themselves only with a few meagre jobs such as burying the dead, emptying bins and some recreational facilities. Hon. Members who take an interest in local government in Northern Ireland are shocked to find that the elected representatives on the councils in Northern Ireland have so little power. Power was taken from local authorities in Northern Ireland as a sop to the SDLP and the other Nationalists. I and my colleagues will vote against this legislation because it will not deal with the problems. If it were effective, I would be delighted to go into the Lobby with the Government. The Minister knows that I want to have such legislation on the statute book to deal with Sinn Fein and the threat that it poses to our community.

7.30 pm

Mr. Mallon: I have been a councillor for the past 16 years and I have lived through some harrowing experiences in district councils involving some people who would represent violent Republicanism and others who would represent violent Unionism. Nothing that I could imagine would be strange to anybody who has served as a councillor in Northern Ireland. That is why I want to make one point.

Like other hon. Members, I believe that this legislation cannot and will not be successful but will simply be a means by which those who want to make propaganda and use legislation for their own benefit will do so, to the detriment of councillors. The unsung heroes of politics in Northern Ireland are people who serve on district councils. Many of them have served for many years. They get no credit, none of the plaudits and none of the great advantages. They are the people who will have to live with the consequences of this legislation, which is unworkable from their point of view, will be very much to their detriment and will make them—the true councillors; the people who are there to serve the community—pawns in a much wider political game.

For that reason, I believe that the Bill is grossly unfair and completely unworkable. I do not believe that we shall be able to say within the lifetime of the next councils that this legislation has fulfilled the purpose the Government believe that it will fulfil. I think that it will be utterly counterproductive.

If people read the existing public order legislation very carefully they will see that the amended incitement-to-hatred provision is sufficient to deal with the type of problem that we are considering. Under this Bill, unless it can be shown that a person has in some way supported violence or an act of violence, he cannot be taken to court. The public order legislation has a sufficiently wide section on incitement to hatred to allow action to be taken that would not have detrimental effects on councillors, council business or the entire community.

I found it very difficult to understand—and I thank the hon. Member for Mid-Ulster (Rev. William McCrea) for giving way on this—the position adopted by some hon. Members from Northern Ireland when that previous piece of legislation, which I believe was most valuable in allowing people to live their lives without the threats and pressures that we all experience, was going through the

[Mr. Mallon]

House. They were on the streets protesting against that legislation. Indeed, I may be wrong but I believe that some of them went to gaol in opposition to it. It is very difficult to accept the rationale of people who will go out on the streets, causing problems for police and security forces, and go to gaol in opposition to an Act that was passed when they were seeking this legislation, which they now find is not strong enough. That is the terrible anomaly that we face and I wish that hon. Members would read the public order legislation, particularly the section on incitment to hatred, because it could be very valuable indeed.

This is not the first time that elected members from the Unionist community have boycotted councils. I learned a very hard lesson——

Mr. Deputy Speaker: Order. The hon. Gentleman is now straying. I am sure that he will come back to the new clause.

Mr. Mallon: I will indeed, Mr. Deputy Speaker, because part of the new clause relates to summary conviction, a fine or imprisonment. I was one of the people who sought to have that implemented so that the business of district councils could continue. When I took legal action, not just through the lower courts but in the High Court, I had absolutely no support from the Northern Ireland Office; it did not want to know. It was a very costly episode for me; it cost an awful lot of money. So much so that I believe the precedent is there and people are not going to take that course even if they have good grounds, and I do not believe the grounds are there.

Mr. Molyneaux: The Alliance party was invited to help.

Mr. Mallon: This was many years before the Alliance party even got elected to some of the councils. That is a matter of historical record.

I take your direction, Mr. Deputy Speaker, but I make the point that I do not believe that the Government are at all serious on this. Had they been, they would have taken action many years ago to ensure that councils operated properly. They are doing what they are doing with every other piece of Northern Ireland legislation that has been rushed through. It is an exercise in machoism and window dressing. It is for the optics and will do absolutely no good in Northern Ireland.

Mr. Peter Robinson: Like so many other hon. Members, I start by stating the vested interest of being a local government councillor. I have served on a local authority since 1977 and can honestly say that the purpose and intention of the overwhelming majority of people who give of their time and energy, for very little thanks, by involving themselves in local government are to better the lot of the people who live in the local community. The vast majority of them are not there to further some greater and wider political cause; they are there to deal with the small issues of bins, recreation, community centres and so on. That is the full extent of the authority and power they have in local government.

Therefore, we are not talking about issues that affect the overwhelming majority of local government councillors, because they are not directly affected by the legislation. But they are directly affected by those whom this legislation was initially stated to be aimed at—those who might come into local government to make it more difficult for people to work for the advantage and benefit of their local communities.

The specific matter to which we are asked to address ourselves—and I can see, Mr. Deputy Speaker, that you are surprised that somebody is actually going to refer to the new clause—is whether the matter should be one with a criminal content or something dealt with by individuals through a civil process. The purpose of the legislation, as stated by the Government, was to remove from district councils people who gave public support to terrorism. One would have thought that if that was the real intent of the Government they would have been prepared to put their full muscle, authority and finance behind it to ensure the result that the legislation was intended to give.

I do not believe that the stated intent of the Government was ever their real intent. It is more than likely that the Government were attempting to put up a smokescreen, to give the impression of activity when there was no indication from within the Northern Ireland Office that the action provided for in the Bill could work.

It cannot work in its present form, and the Minister knows that it will not work. Therefore, it will lie on the statute book to be the source of some considerable discontent, to be used and abused in local government for one group to get at another, knowing that there will be no conclusive outcome. And no doubt there will be considerable expenditure within local government and from personal finances in the quest for what effectively will be a public show. It will be for the publicity of Sinn Fein in taking Unionist councillors to court if they should call for the annihilation of the IRA. All that is likely to happen over the next few years.

The real intention of the Government was to give the impression rather than the reality of activity. They were not prepared to give the Director of Public Prosecutions the power to take the necessary action when utterances contravening the legislation were made. That would have been the natural consequence that would have flowed from a genuine attempt by the Government to deal with this problem.

The Government decided to avoid it and had to pass the buck to somebody else. They tell us that Joe Citizen will be entitled to take to court someone who has publicly advocated violence and have him disqualified. I do not think that the Minister could be unaware of the consequences to a person who took that kind of action. There is a high likelihood that someone who publicly advocates violence and terrorism would be displeased at such action by a citizen, and would show that displeasure by the method that he has publicly advocated.

The Minister must be aware that there are unlikely to be any takers for pursuing action against those in local government who advocate violence. Knowing that fact, the Minister put in a catch-all that the council can take the action against an individual, but he knows that the vast majority of councils will not do so. We will probably find that an angry Loyalist will be in a predominantly Unionist council while an angry Sinn Fein member will be in a predominantly Nationalist council. We will probably find that no action will be taken by any council against any of its members who make public comments. It may happen in perhaps only two or three councils. I can think of a Sinn Fein member in Belfast council making a comment and, as that is a Unionist council, action could flow from that. Lisburn council is another such council, although Sinn

Fein members never seem to speak in it. There are few councils that would take such action and we are left either with Joe Citizen or a councillor taking action.

The Minister is dodging his responsibility in the most cavalier and dangerous manner by suggesting that people other than the Director of Public Prosecutions should take such action. They do not have the security that surrounds the director in his bullet-proof car with its security driver and police backing. They do not have at their homes the security devices that the director has to safeguard him and his family from those who would undoubtedly attempt to attack him for such action. To ask ordinary people to put their lives on the line is quite outrageous and in attempting to pass it off in the way that he has the Minister has shirked his responsibility.

The legislation will not work. The House must change the Bill so that it can do the job that the Government say they want to do. If they want to make the legislation work they will have to include the new clause; without it the Bill will not work.

Rev. William McCrea: Perhaps I could give my hon. Friend an illustration of the danger to elected representatives. A former Northern Ireland Member, the late Robert Bradford, was elected in Belfast, South and paid for his stand in politics with his life. Mr. Edgar Graham, a noted and learned young man, paid for active service in politics with his life. A former deputy mayor of Craigavon, Mr. Calvert, took a stand and was fortunate to escape alive. There is a plaque in the House that reminds hon. Members when they walk through the door of another gallant and hon. Member who sacrificed his life, the late Mr. Airey Neave.

Mr. Robinson: My hon. Friend draws attention to the price that elected representatives in Northern Ireland have to pay. Many of them have paid that price, and not just those that my hon. Friend has mentioned. I can think of Councillor Armstrong from Armagh and of SDLP councillors in Belfast and in other parts of the Province who have been killed. It is not easy to be an elected representative in Northern Ireland. It is a dangerous job and no matter which party one represents, one's life is on the line. The Minister wants to make elected representatives even more of a target and that is the real danger of the legislation.

Mr. Needham: I am not sure whether the hon. Gentleman was in his place when I made my speech on the new clause. If he was not, I suggest that he reads *Hansard* to see what I said. If he refers to paragraph 16 of the discussion paper "Elected Representatives and the Democratic Process in Northern Ireland" he will see at no stage did the Government say that they would take powers. We invited views about the best way to deal with this problem, and we have brought forward proposals that are likely to be more effective than the proposals that the hon. Gentleman is putting forward. If he had been here to listen to my speech, he would have learned why our proposals are likely to be more effective.

7.45 pm

Mr. Robinson: Since being elected to the House 10 years ago I have missed very few of the great parliamentary occasions, but I must confess to having missed the Minister's contribution. I should have been interested to hear him and watch him wriggle. The Government went through a consultative process and asked the community as a whole to give its views on how this matter should be dealt with. The overwhelming majority of the people asked for it to be dealt with in the way that I have described, but the Minister chose another way.

Mr. William Ross: The hon. Member for Belfast, East (Mr. Robinson) will have noticed that in his intervention the Minister mentioned paragraph 16 of the discussion paper. If the Minister had cared to do so he could also have referred to paragraph 15 which says:

"Enforcement of a declaration could either be through the criminal or the civil courts."

If it is to be a criminal procedure, the Director of Public Prosecutions or the Attorney-General would have to be used.

Mr. Robinson: There is no doubt about that, but I did not think that anybody was taking seriously what the Minister said and did not think that it was worthy of any further comment.

The hon. Member for Newry and Armagh (Mr. Mallon) attempted to give the impression that Unionist Members were asking for a tightening up of security through action taken against Sinn Fein. He said that we had had an excellent opportunity under the public order legislation, but that we had voted the wrong way. The hon. Gentleman well knows that Unionists voted against that and went to gaol because the public order legislation was on the parades issue. I know, Mr. Deputy Speaker, that you will not allow me to go too far down that road, but it was because Northern Ireland was being treated differently in the public order legislation from the rest of the United Kingdom that we voted against the order. Again I tell the House that if it wants legislation that will work it must give its full support to the new clause.

Mr. Clifford Forsythe: I feel rather like the young boy who overturned a beehive. We have had a good debate. I cannot say that many hon. Members stuck to the new clause and the amendments but I shall certainly not deviate from them.

I was surprised at the Minister deviating down the road of repudiating and disavowing. We had quite a debate on that in Committee and that had nothing to do with the amendments either. I am sorry that the hon. Member for South Down (Mr. McGrady) has just left the Chamber. If he were here I would remind him that long before 1985 I led a deputation of councillors to protest to the Minister about this matter. I am sure that the Minister remembers.

The Minister also surprised me when he said that trying to go down the road of criminal investigation into declarations would make things harder. It should not be difficult to prove that a law has been broken and everyone should have the right to prove whether he has broken it. The right to fight against those who feel that the law has been broken should be properly tested. Those hon. Members who favour the amendments feel that the supporters of terrorism should be treated in the same way as those who actually carry out terrorist acts. If terrorists are to be brought to account under the criminal law, their supporters should be also. We shall be pressing the clause to a Division.

Question put, That the clause be read a Second time:—

The House divided: Ayes 10, Noes 176.

Div No.53] **[7.50 pm**

AYES

Beggs, Roy
Forsythe, Clifford *(Antrim S)*
Kilfedder, James
McCusker, Harold
Maginnis, Ken
Molyneaux, Rt Hon James
Paisley, Rev Ian
Robinson, Peter *(Belfast E)*
Smyth, Rev Martin *(Belfast S)*
Walker, A. Cecil *(Belfast N)*

Tellers for the Ayes:
Mr. William Ross and
Rev. William McCrea.

NOES

Alexander, Richard
Amess, David
Amos, Alan
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Tom *(Hazel Grove)*
Ashby, David
Ashdown, Rt Hon Paddy
Aspinwall, Jack
Atkins, Robert
Baker, Nicholas *(Dorset N)*
Barnes, Harry *(Derbyshire NE)*
Barnes, Mrs Rosie *(Greenwich)*
Batiste, Spencer
Bendall, Vivian
Bennett, Nicholas *(Pembroke)*
Boscawen, Hon Robert
Bowden, Gerald *(Dulwich)*
Bowis, John
Braine, Rt Hon Sir Bernard
Brandon-Bravo, Martin
Bright, Graham
Brown, Michael *(Brigg & Cl't's)*
Brown, Nicholas *(Newcastle E)*
Browne, John *(Winchester)*
Bruce, Ian *(Dorset South)*
Buckley, George J.
Burt, Alistair
Butler, Chris
Butterfill, John
Campbell, Menzies *(Fife NE)*
Carlisle, John, *(Luton N)*
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Carttiss, Michael
Cartwright, John
Channon, Rt Hon Paul
Chapman, Sydney
Chope, Christopher
Conway, Derek
Cook, Frank *(Stockton N)*
Cook, Robin *(Livingston)*
Coombs, Simon *(Swindon)*
Corbett, Robin
Corbyn, Jeremy
Cran, James
Cryer, Bob
Cummings, John
Currie, Mrs Edwina
Davies, Q. *(Stamf'd & Spald'g)*
Davis, David *(Boothferry)*
Day, Stephen
Devlin, Tim
Dorrell, Stephen
Dover, Den
Dunwoody, Hon Mrs Gwyneth
Durant, Tony
Dykes, Hugh
Emery, Sir Peter
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Finsberg, Sir Geoffrey
Fishburn, John Dudley
Flannery, Martin
Fookes, Dame Janet
Forsyth, Michael *(Stirling)*
Fox, Sir Marcus
Franks, Cecil
Gale, Roger
Garel-Jones, Tristan
Gill, Christopher
Golding, Mrs Llin
Gordon, Mildred
Gower, Sir Raymond
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Gregory, Conal
Griffiths, Peter *(Portsmouth N)*
Ground, Patrick
Hanley, Jeremy
Hardy, Peter
Harris, David
Haynes, Frank
Heathcoat-Amory, David
Hill, James
Holt, Richard
Howarth, Alan *(Strat'd-on-A)*
Howarth, G. *(Cannock & B'wd)*
Hughes, John *(Coventry NE)*
Hughes, Robert G. *(Harrow W)*
Hunt, David *(Wirral W)*
Hunt, John *(Ravensbourne)*
Hunter, Andrew
Irvine, Michael
Jack, Michael
Janman, Tim
Janner, Greville
Jones, Gwilym *(Cardiff N)*
Kellett-Bowman, Dame Elaine
King, Roger *(B'ham N'thfield)*
King, Rt Hon Tom *(Bridgwater)*
Knapman, Roger
Knight, Greg *(Derby North)*
Knowles, Michael
Lang, Ian
Lawson, Rt Hon Nigel
Lightbown, David
Livsey, Richard
Lloyd, Peter *(Fareham)*
Lord, Michael
Lyell, Sir Nicholas
McGrady, Eddie
MacKay, Andrew *(E Berkshire)*
McLoughlin, Patrick
McNamara, Kevin
Mallon, Seamus
Mans, Keith
Marshall, Jim *(Leicester S)*
Martin, David *(Portsmouth S)*
Maxwell-Hyslop, Robin
Meyer, Sir Anthony
Michael, Alun
Montgomery, Sir Fergus
Morris, Rt Hon J. *(Aberavon)*
Morrison, Sir Charles
Mowlam, Marjorie
Mullin, Chris
Needham, Richard
Newton, Rt Hon Tony
Norris, Steve
Parkinson, Rt Hon Cecil
Pike, Peter L.
Porter, David *(Waveney)*
Prescott, John
Raffan, Keith
Riddick, Graham
Roe, Mrs Marion
Rooker, Jeff
Rowe, Andrew
Sackville, Hon Tom
Sayeed, Jonathan
Shaw, David *(Dover)*
Shaw, Sir Michael *(Scarb')*
Shepherd, Colin *(Hereford)*
Sims, Roger
Skeet, Sir Trevor
Skinner, Dennis
Smith, Tim *(Beaconsfield)*
Speed, Keith
Spicer, Michael *(S Worcs)*
Stern, Michael
Stevens, Lewis
Stewart, Andy *(Sherwood)*
Stradling Thomas, Sir John
Summerson, Hugo
Taylor, John M *(Solihull)*
Taylor, Matthew *(Truro)*
Taylor, Teddy *(S'end E)*
Temple-Morris, Peter
Thompson, Patrick *(Norwich N)*
Thorne, Neil
Thurnham, Peter
Tracey, Richard
Twinn, Dr Ian
Viggers, Peter
Waddington, Rt Hon David
Waldegrave, Hon William
Wall, Pat
Wallace, James
Warren, Kenneth
Watts, John
Wells, Bowen
Wheeler, John
Widdecombe, Ann
Wood, Timothy
Yeo, Tim

Tellers for the Noes:

Mr. David Maclean and
Mr. Michael Fallon.

Question accordingly negatived.

8 pm

Mr. William Ross: I beg to move amendment No. 17, in page 1, line 14, leave out from 'is' to end of line 15 and insert 'a Commonwealth citizen'.

It is evident from a reading of the Bill that the amendment could gain the same result if rather different words were used. Those, however, are the words that we have chosen, and I am sure that they will meet the case in allowing yet another debate in the House on the voting rights of foreigners in the United Kingdom.

The Irish Republic enjoys a unique position in the United Kingdom. In raising the question of entitlement to vote in any United Kingdom election, I believe that we are doing the House and the country a favour, as although the matter is examined periodically, it is not examined in any great depth. Sadly, as is so often the case, there are relatively few hon. Members present, but no doubt the time will come when more will turn out to argue the pros and cons of such entitlement and to highlight the dangers posed to any country that allows foreigners to take part in its electoral process.

In my view, people are assumed to have a duty to the national territory in which they were born. Those who have subsequently worked against the interests of that nation, or are judged to have done so—especially in time of war—have always been branded traitors. Peacetime spies have been similarly pilloried. When certain individuals said recently that they had been part and parcel of the machinery that had sprung a Russian spy from prison in this country, there was an immediate and terrifying outcry in the press calling for their prosecution. I do not know how far the proceedings have gone, but no doubt action of some kind will be initiated if it proves possible.

I understand that those who try to diminish the sovereign's realm, territory or power in the United Kingdom are guilty of treason. In the United States only United States citizens are entitled to vote, and the class of citizenship is given to immigrants only after they have demonstrated a belief in the institutions of the United States and an allegiance to that country. They must forswear their allegiance to the nation in which they were born.

I appreciate that a number of people both inside and outside the House do not believe that that is right. They believe that anyone who comes to live in this country should be given the right to vote as soon as he has crossed the border. I do not adhere to that view, however. I tend to agree with the United States that those who wish to be given the precious right to vote in a state should declare their allegiance to that state. Whether they are coming into the United Kingdom or going to the United States, Australia, Germany or anywhere else is immaterial.

As I have said, the Irish Republic enjoys a special position in that its citizens can vote in this country. It enjoys such a position also in that, despite the best efforts of the Government, it has not been persuaded to extradite those whom the police in Northern Ireland and Great Britain would like to question and to charge with serious offences. It is different, of course, if their offences have no terrorist manifestation. If terrorism is involved, it is almost impossible to lay hands on them; in other circumstances they are chucked over the border so fast that their feet do not touch the ground. There never seems to be anything wrong with the extradition warrant for the chap who has committed a burglary or thumped some poor soul over the head, but if he has murdered someone, acting on behalf of the IRA, all sorts of things go wrong when the warrant is being prepared.

I appreciate that some hon. Members will say that people from the Republic work in this country and pay taxes here: that they have taken part in the life of the community, perhaps for many years, speak the same language and share a common cultural experience with those among whom they live. I am not sure that all those born in Ireland would go along with that. Many of them think that they should speak a different language and that they have a different cultural background, and hold that there are reciprocal agreements with the Republic on voting rights. That, however, is not the point at issue. What is at issue is whether those who leave the Republic and come to what they see as greener pastures have any personal allegiance to this country and its welfare.

There is a considerable body of evidence to suggest that such people have in no way changed their allegiance—that they still believe in looking after the interests of the Irish Republic, and carry that interest into the polling booth in the United Kingdom. As I have said, I believe that if they are to vote here they should demonstrate their allegiance by taking on the nationality and responsibilities of British subjects and British citizens, as well as benefiting from the privileges that they clearly see in this country, or they would not come here. I think that if we consulted the British public we should find that view widely shared, and we have often heard it expressed in private by many Conservative Members. It is a pity that they do not tell the Government that they have got it all wrong—that all foreigners are the same and should be treated in the same way in the electoral process.

What of the voting rights granted to United Kingdom citizens in the Irish Republic? That is a matter for the Irish Republic. I personally believe—for reasons that I have already given in relation to the United Kingdom—that the Republic was wrong to give United Kingdom citizens voting rights.

Rev. Martin Smyth (Belfast, South): Is it not a fact that that concession was given to British residents in the Republic of Ireland because of the mounting reaction here about votes for Irish citizens in British elections?

Mr. Ross: Of course. That was one of the few cases when pressure from the British public had an effect on legislation in Dublin.

Citizens of this country who reside in the Irish Republic can cast a vote there. However, we should consider one or two factors which this amendment raises. Within this group of British islands, England has been the destination of a vast amount of immigration from elsewhere in the island group. The people of England have increased in number not for generations, but for centuries, not only through a natural increase, but as a result of a tremendous amount of immigration from Scotland, large parts of which were depopulated, from Wales and from Ireland.

People came to England for the economic benefits and they are still coming. The result of the immigration to England from the rest of the British Isles has been to preserve a sense of Scottishness in Scotland, Welshness in Wales, and Irishness in Ireland which could not have continued if there had been emigration to those areas from England. The people who went to those countries from England always represented a small proportion of the total population and they became absorbed into the general society. However, as people left Scotland, Wales and Ireland, the Scottishness, Welshness and Irishness of the folk who remained behind was intensified and not diluted by the impact of the wider world in the British Isles as a whole.

The Irish Republic is still exporting many people to Great Britain and, to a much lesser extent, to Northern Ireland. Those people have an electoral influence on some hon. Members in this House. That is inevitable because they have the vote and they must be catered for. Hon. Members must look for their votes and sell cases to them.

Suppose for a moment that the immigration course was reversed. Suppose that the 40 million or 50 million people living in Great Britain, specifically those in England, had a change of economic circumstance. I believe that there are certain straws in the wind which show that there might be changes in circumstances, not least with regard to 1992 and all that, and the change of relationships within the EEC. The Republic of Ireland might one day be a convenient and pleasant place for people from England to live.

Let us suppose that 2 million people, a tiny proportion of this wealthy and highly densely populated country of England, decided to emigrate to the Irish Republic. In fact, 3 million could easily go to the Republic without markedly changing the total population of England. Suppose those 2 million or 3 million people began to exert their opinions and wills by voting for the political parties in the Irish Republic. How long would the concession given to the United Kingdom electors in the Irish Republic last? The Irish Republic places a very high premium on its Irishness —its ethos and its cultural and national identity. It would believe that that was threatened.

8.15 pm

I visited Wales for two days last summer. It is a very pleasant part of the United Kingdom. However, like every hon. Member in this place, I read the papers. I have read of cottages being burnt in Wales. That is a foolish activity,

[Mr. Ross]

but the underlying reason for that activity—and this was revealed clearly in a television programme that I saw some months ago—is that the Welsh people see the Welshness of their community being overwhelmed by immigration from England. Exactly the same threat would apply if there was so much English emigration to the Irish Republic.

Two people from England recently moved within 10 miles of me in my constituency. They owned houses in the south-east of England, close to London, which had acquired phenomenal values. They sold those houses last year, moved over and bought equally good dwellings in my constituency and they have a large sum of money left over to invest. I am talking about people in their late 50s who have retired. One had a family tie as he had a daughter-in-law in that part of the world. However, the other had no family ties.

If the Irish Republic wants to maintain its cultural and national identity, it would be wise to withdraw the concession to English voters. I believe that we have never adequately considered why we should restrict, like nearly every other nation, the voting rights in our elections to people who have an allegiance to the country in which they live and who have proved by their actions and attitudes over the years by taking out citizenship that they possess that allegiance. That is why this short and simple amendment is before the House. We should reconsider our views about this issue.

I have some qualms about saying that Commonwealth citizens who have allegiance to the Commonwealth, to the Queen as head of state and to the Britishness of their own environment should be allowed to vote in Northern Ireland. I believe that it is far better that citizens with an allegiance to a particular country should have the right to vote in elections in that country.

This is a serious matter, but I do not expect the Government to accept the amendments. I raise the issue so that the House can have another opportunity to consider it in the light of my remarks. If my words are read in the Irish Republic, and no doubt some people there will read what has been said here this evening, I hope people there will see the real danger for the Irish nation should circumstances develop there as they have developed in Wales and Scotland where there is large scale emigration from England.

Mr. Needham: One of the main purposes of the Bill is to bring the franchise for local government elections in Northern Ireland into line with the parliamentary franchise here. The amendment takes us in exactly the opposite direction. It would prevent citizens of the Republic of Ireland, who are not Commonwealth citizens, from voting at district council elections in Northern Ireland.

The amendment does nothing to address the problem of Irish citizens voting in United Kingdom elections. I am sure that the hon. Member for Londonderry, East (Mr. Ross) accepts that that would produce a wholly anomalous position. Such people may live in Northern Ireland at the moment without any restriction. They can vote at parliamentary elections, European parliamentary elections and assembly elections in Northern Ireland. Where on earth is the logic in saying that citizens of the Irish Republic should be precluded from voting in district council elections only in Northern Ireland?

That would mean that an Irish citizen could vote in Bath, but not in Belfast. They can vote in Chippenham but they could not vote in Carrickfergus. They can vote in Great Britain but they could not vote in one part of the island of Ireland.

The proposal would be regarded as discriminatory and vindictive. It would deprive Irish citizens who currently are able to vote, in particular circumstances different from anywhere else in the country. Even Stormont, when it passed the Electoral Law Act in 1962, baulked at that. I can see absolutely no case for the amendment and I ask the House to reject it.

Mr. McGrady: I was struck by the new-found concern of the hon. Member for Londonderry, East (Mr. Ross) for the culture and traditions of the Republic of Ireland. In his speech, he wandered around the British islands. He referred to the cultures of Wales, Scotland, England and the Republic of Ireland. Strangely enough, he did not refer to Northern Ireland. I hope that he did not mean by that that we do not have an unique culture in Northern Ireland. That portrayed to me, and perhaps to the House, a sense of lack of identity from which my parliamentary colleagues representing Northern Ireland sometimes suffer. Perhaps that is the real background to the amendment.

We should be looking forward to 1992, but the hon. Member for Londonderry, East has taken us back to 1962 when the Electoral Law Act was passed by the then Unionist regime in Belfast for political reasons, to prevent citizens of the Republic of Ireland from voting in local government elections. Today, there are people in Northern Ireland who moved there when they were very young, and who have brought up their families and have children and grandchildren but who have never been able to vote in local government elections. Like other residents, they have paid their rates, so in the past 30 years there has been taxation without representation in Northern Ireland.

Underlying what might be described as the honeyed words of the hon. Member for Londonderry, East was a degree almost of racism and sectarianism. I found that very sad because I thought that we were slowly moving away from such attitudes, and that we were trying to bring together the communities in Northern Ireland. The people whom he wishes to disenfranchise are, whether he likes it or not, part of the people of Northern Ireland, who perhaps 30 years ago came to live among us, are married and have brought up their children in Northern Ireland. The amendment is almost racist and sectarian. It is certainly a political attack on a measure to grant universal franchise to the people of Northern Ireland. Ironically, it contradicts the expression used by the Leader of the Official Unionist party, who frequently uses the phrase "the totality of relationships within these islands". I feel that the amendment is trying to put up the electoral wall running from Derry to Newry, which I consider is a retrograde and small-minded step backwards.

The amendment also belies what I hoped to be some sign that the Unionist parties were prepared to stretch out their hands a wee bit more than they have in the past, as I hoped that I and my party would be able to do to heal and cement divisions. The amendment is a retrenchment back to 1962. When the veneer of macro-economics is stripped away, it is clear that the hon. Member for Londonderry, East is really saying, "Don't let those people vote because they are not likely to vote Unionist", despite

the fact that the franchise would be extended to many people who are not inclined towards Nationalism. I understand that the spouses of British forces stationed in Northern Ireland would be enfranchised for the first time under the Bill, but not under the amendment which would disenfranchise them. Sadly, in the honeyed words of the hon. Gentleman I detect the old entrenched position of giving not an inch and I hope that the House will see the amendment for what it is—just another political sectarian gimmick that is 30 years old.

Mr. Kevin McNamara (Kingston upon Hull, North): I shall not delay the House for long because I agree almost entirely with what the Minister said about the amendment. The Opposition tabled a reasoned amendment to the Bill on Second Reading because we appreciated the value of clauses 1 and 2. The Government were very clever to include those clauses in the Bill because they had us on Morton's fork; if we voted against the Bill, we were voting against giving the vote to the citizens of the Republic of Ireland, but if we let it through we would be seen as agreeing with the rest of the contents of the Bill. However, we refused to fall into that trap.

I wish to raise two points of considerable importance. First, the amendment goes against the trend of what is happening in western Europe. There is a breaking down of boundaries between nations and an understanding and sharing of burdens across national borders, across the Irish sea and across the English channel. There is an understanding that we are part and parcel of a greater community. The amendment goes against that trend.

Secondly, at a time when we are seeking to heal people within a community, if one were to accept the logic of the hon. Member for Londonderry, East (Mr. Ross) for the sake of argument, one could concede his position about votes for national Governments but surely that does not apply to local government. We are seeking to knit people together in a local community and to make them part of the community in which they live and for which they pay their local rates and local taxes, and to get them to accept responsibility for their immediate environment and their relationships with their fellow citizens. For that reason we believe that it would be regrettable if the amendment were accepted.

Finally, perhaps the hon. Member for Londonderry, East has forgotten that citizens of the Republic of Ireland serve in our security forces in Northern Ireland. Are they to be denied the vote?

Mr William Ross: There are also Gurkhas serving in our security services as part of the Army of the United Kingdom. The hon. Member for Kingston upon Hull, North (Mr. McNamara) spoke about breaking down boundaries and national identities. I wonder whether he has thought about where that might lead in the case of the Irish Republic and Irish nationalism in general, and the logical conclusion of his argument.

The hon. Member for South Down (Mr. McGrady) spoke about people who are not British citizens voting in British elections. Such people cannot get British passports at present, but they could easily become British citizens if they wished to do so. The fact that they do not wish to do so only adds to the strength of my argument that folk need to show an allegiance to the state in which they wish to vote.

I confess that I did not mention Northern Ireland, but I referred to all of Ireland as an area from which there has been emigration to this island. That has not been on such a large scale in some parts of the north-east of Northern Ireland because people could go to the Belfast basin where there was a large industrial city and greater employment opportunities than existed in most of the Irish Republic.

I believe that the fact that we have been losing people from Northern Ireland has helped us to maintain our Ulster identity. Earlier in the debate I detected the willingness of the hon. Member for South Down to be considered as an Ulsterman rather than an Irishman. I almost always welcome such a change in attitude, even from the hon. Gentleman. The hon. Members for Kingston upon Hull, North and South Down tied the local government franchise to rates and local taxes. I thought that the House had buried that idea a long time ago. It was one of the principal reasons for the civil rights movement and one man, one vote. The hon. Gentlemen said that they regarded the qualification as desirable for local government elections.

8.30 pm

The Minister drew attention to the similarities in voting rights but neglected to mention what was said in Committee, which he defended—that one must still be resident in Northern Ireland for three months before one can vote in local government elections. He said that there was a fear of people crossing the border from the Irish Republic to vote in Unionist-vulnerable wards, thus tipping the balance. By his defence of that difference, which is maintained by the Bill, he proved the validity of my case.

As the amendment has no chance of being made, and because I believe that the House will return to the matter in a national context, I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Clause 6

BREACH OF TERMS OF DECLARATION

Mr. Needham: I beg to move amendment No. 25, in page 3, line 5, after 'Act', insert

'in connection with a local election, an election to the Northern Ireland Assembly or the filling of a casual vacancy in a district council'.

Madam Deputy Speaker (Miss Betty Boothroyd): With this it will be convenient to take Government amendments Nos. 26 and 27 and amendment No. 22, in schedule 2, page 11, line 5, leave out ', if elected,' and insert

'after nomination until the declaration of the count and, if elected, during the life of the elected authority'.

Mr. Needham: Amendments Nos. 25, 26 and 27 seek to tidy an ambiguity in the Bill.

The declaration in schedule 2 makes it clear that it will apply only if the declarer is elected. Clause 7(1) refers to breaches of declaration committed by someone while a member of a district council or of the Northern Ireland assembly. It is not immediately evident to the reader of clause 7 that the councillor or assembly member concerned must have been elected at an election in respect of which the declaration against terrorism was made. The purpose of the amendment is to make it explicit that the position is

[Mr. Needham]

such. The obligations imposed by the declaration relate only to the period of office following the election at which the declaration was made.

The amendments are important because they clarify the position of sitting councillors who will be candidates at the district council elections in May 1989 by ensuring that sitting councillors are not bound in 1989. They reflect the principle that the declaration binds only in respect of the period of office for which it was made. At the 1993 and subsequent local elections, some councillors will be sitting councillors. All will be bound by declarations entered into before they were elected or co-opted to councils. The declaration will continue to bind sitting councillors during the election campaign—unless of course they resign before the election campaign starts—as is right and proper when councillors are exercising the responsibility of elected office, which under the Bill includes an obligation not to express support for or approval of proscribed organisations or acts of terrorism.

Amendment No. 26 makes it clear that the declaration binds from the moment that a councillor or assembly member is declared to have been elected.

Mr. Clifford Forsythe: I am relieved to note that Government amendment No. 26 is similar to amendment No. 22. Without wishing to cast any reflection on the civil servants in the Box, I believe that amendment No. 22 is better drafted. The difference between amendment No. 26 and amendment No. 22 is that amendment No. 26 does not cover the election period, whereas in amendment No. 22 we suggest that it should be covered.

At present, certain organisations are not allowed to appear on the media. In the forthcoming elections in Northern Ireland in May, representatives of those organisations will have access to the media and will be able to express all the views that are currently banned. During election campaigns in my constituency, posters were pasted across motorways, roads and pedestrian walkways. I received a number of complaints because they caused offence to local residents. In future, I will have to tell my constituents that because they are electoral posters they cannot be removed until the election campaign is over.

Regardless of their views, candidates will be able to send whatever they like by post at the taxpayers' expense. Those who are trying to bring down democracy will be entitled to send seditious leaflets by post. Indeed, they will be encouraged to do so by the Bill.

There are certain areas in most constituencies in which election workers and canvassers will be entitled and encouraged by the Bill to canvass. I can imagine the complaints that the police will receive when large crowds of party supporters enter estates, bearing various coloured flags and banners.

During election campaigns, cavalcades enter every district and estate. Music is played and the candidate addresses voters through a loudspeaker. I can imagine certain areas where that would be most unwelcome. Those who support terrorists, murder and bombing will be entitled to enter those areas.

Leaflets are put through ratepayers' doors during election campaigns. One can imagine the enormous offence, aggravation and anger they cause simply by being dropped on to the mat. Let us think about polling day, polling stations and the cars that are used to take people to vote. People are faced with certain emblems at polling stations. I can well imagine that they insult and anger various people. There are personation agents inside polling stations. I can imagine the anger that they cause. All those matters are banned during non-election periods. That does not seem sensible.

We are disappointed with the Bill, and if the amendment is not accepted, we will not support it. I must make it clear to the Minister that Unionist Members had high hopes of a Bill that would improve matters. I am sad that we have not yet managed to achieve such a Bill. We will push the amendment to a Division.

Mr. William Ross: Amendments Nos. 25, 26 and 27 are interesting, because they are the only ones that the Government have chosen to move. They will weaken the Bill. For that reason, my party opposes them. The Government's amendments are defective in that they are designed to allow all candidates to say whatever they like during an election campaign.

The Government believe that if folk are allowed to advocate violence during an election campaign, they will diminish their support. That is completely wrong. IRA members are doing what their supporters want. The Government believe that IRA members can establish themselves as the folk who support the armed struggle, that that will carry on even after an election, and that they will always be known to their own supporters—after all, there are 100,000 of them—as the people who support the boys behind the wire, or the fellows in the black masks supporting the murderers. If the Secretary of State and his Ministers are acting on that assumption, they have been sold a small pig in a poke. They should have looked at it more carefully before they bought it.

IRA supporters glory in the murders and the successful acts of violence by the IRA. They glory in the fact that people are prepared to stand up publicly to defend such acts. They will vote for those who support the people who commit murders, bombings, intimidations and knee-cappings. Anyone who lives in Northern Ireland and knows the IRA cannot doubt that that is so.

Having made their statements during the election campaign, if they wish to remain members of the council, and if they wish to remain beyond the reach of the law, Sinn Fein councillors will be extremely careful about what they say. Third parties will make the statements that they might otherwise make. Therefore, the Bill has a great big barn door right in the middle of it.

8.45 pm

The Unionist amendment is a practical way of dealing with the matter. It is a highly accurate targeting exercise. Perhaps I should not say "targeting exercise", in deference to what it could mean in Northern Ireland. The amendment would be accepted by any Government who were serious about making life difficult for murderers in Northern Ireland.

There have been differing approaches by the Government and Unionist parties. That illustrates the Government's feeble effort. The only reason we oppose the Bill is that we believe that it is so feeble that it is ineffective. As the hon. Member for North Down (Mr. Kilfedder) said, it will bring the law into disrepute. The IRA's Sinn Fein element will sign the worthless declaration that the Government have drawn up. The Government refuse to consider our point in relation to "repudiation" and

"repudiate". The Minister dealt with that point, but he failed to give way to me. I hope that we will have a chance to deal with it again on Third Reading to show how wrongly he has assessed the matter. The Government are making it clear that they are prepared to allow an easy way out for the IRA. I say "IRA" advisedly, rather than "Sinn Fein". There are matters of credibility and of selling itself if the IRA signs a repudiation and then breaks its word.

A proper appreciation of the need for a properly effective Bill is absent from the Government's thinking and from the advice that they have taken. Perhaps I am wrong. Maybe the Government have been given advice from other sources and they have ignored it also. I am simply pointing out the effect of ignoring that advice. The result will be more disillusion in Northern Ireland whenever the Bill fails to deliver. There will be more despair in Great Britain when another addition to the legal armoury is seen to be ineffective. Once again, the Government have added another feature to the long catalogue of failure which has characterised their approach to Northern Ireland in the past 20 years.

What will happen whenever a fellow goes outside the law? The IRA will not go outside the law hotheadedly. It will do so cold bloodedly, deliberately, and for a carefully thought out reason. IRA members may perform acts en masse or as individuals at different times and in different places. If they decide to do something, they will be careful. They will do it wisely and well from their point of view. They are not stupid. Our amendment would ensure that council proceedings are taped. The amendment arises from an incident in a council in my constituency, about which the hon. Member for Mid-Ulster (Rev. William McCrea) will be aware, where words spoken were apparently noted by a reporter but were not available next day. Councils do not keep records such as the one that is being kept of my words this evening. They record only decisions, and perhaps votes.

How is any accusation to stand up in court if there is no accurate record of the words spoken? I hope that the Minister will be able to answer that, and also that he will be prepared to say from where the funds will come—something that he has so far ignored—if the individual councillor or citzen is supposed to meet the cost. So far, we have not had a satisfactory reply. The Bill is useless, but it is even more useless if the funds are not available from some source or another.

Rev. William McCrea: I support amendment No. 22 which seeks to insert the words

"after nomination until the declaration of the court and, if elected, during the life of the elected authority."

rather than the Government amendments. Ministers have once again allowed a clear flaw in the Bill.

The Sinn Fein representatives of the terrorists will be fully aware that they can say whatever they like during an election campaign. They can pass every insult against the security forces that have defended democracy through trying years in our Province; security forces who deserve the fullhearted support of every hon. Member. They can gloat over every atrocity. They can mock at the murders that they have already committed. They can vocally support the IRA during an election campaign. They can drum up support for the men of terror during that campaign. Yet nothing will be done against them. Nothing that they say will be used against them, because it will be said under cover of an election campaign.

We all know that the IRA and its spokespersons will be fully aware of that fact. They know that under this legislation there will be a curb on their vocal outbursts in the council chambers if some member of the general public is courageous enough to use it and to put his life on the line. If such a person takes a stand against a spokesperson for the terrorists in defence of freedom of speech and democracy, he may pay for it with his life.

The IRA knows that it can say whatever it likes. It can gloat over every atrocity in the United Kingdom. It laughed at the eight soldiers who were blown to bits on the Ballygawley road in my constituency. That was the forerunner of this legislation. In the light of that, the Government said that something would be done. The IRA can gloat over UDR members and the sorrow and grief of RUC members. During the election campaign it can call upon young people to join its ranks and proclaim that the IRA deserves the population's fullhearted support.

It is a fact that to be elected at the next election the IRA will do all that because there is a hard core Republican vote. As my hon. Friend the Member for Londonderry, East (Mr. Ross) said, there are around 100,000 Sinn Fein voters in Northern Ireland elections. Their support will be drummed up during speeches by spokesmen for the terrorists. There is no doubt that the IRA will be delighted to parade through the streets of Ulster clasping the Armalite in one hand and the ballot in the other.

The Minister finds nothing wrong with that; that is all right. Those people are doing it to be elected. If they can use the lack of legislation before the election, they will certainly use the legislation after the election. Those who think that the members of Sinn Fein are all fools, that they are illiterate and do not know how to exploit Britain's neglect of democracy in Northern Ireland, are far mistaken. I am convinced that during an election campaign we shall be faced with continuous gloating over the destruction and murder of the good people of Ulster, whether they be soldiers, UDR personnel, members of the RUC or the innocent citizens throughout the community.

Why should Sinn Fein get off? It will be interesting to hear the Minister tell the House why he thinks that those who are vocal in their support and calling for support of the Armalite and the ballot box should get off during the election campaign. The people of Ulster have suffered for too long. I am convinced that if Sinn Fein members stood on the mainland during an election campaign and gloated over the murder of the eight British soldiers in my constituency a few months ago, a Minister would soon be rushing to the Dispatch Box to close any loophole because there would be such a volume of objection from the community.

Mr. Roy Beggs (Antrim, East): Does the hon. Gentleman agree that, especially at election times, from nomination day onwards, measures should be in place to ensure that no one exhorts others to violence for political gain, and that it is most important that every candidate should guard his words to ensure that he is elected on the basis of good common sense and reason to deal with the practicalities and needs of the constituents whom he desires to serve?

Rev. William McCrea: I thank the hon. Gentleman for his intervention and wholeheartedly agree with him.

I am convinced that the vast majority of those who stand in an election will say nothing to the detriment of

[Rev. William McCrea]

democracy in Northern Ireland, but, alas, there is a group of people in our Province, which is part of the United Kingdom, who have no thought for democracy. They do not care how hurtful their words will be or how vicious their actions. There will be support for acts of terrorism in our Province.

When an election is called, we should ensure that candidates who are elected to local councils in Northern Ireland have an interest in the people and in democracy and are not out to destroy the basis of democracy in the United Kingdom.

9 pm

Mr. Maginnis: I need scarcely add to what my hon. Friends have said about amendment No. 22 which states:

"after nomination until the declaration of the count and, if elected, during the life of the elected authority"

members should be prevented from promoting violence, or at least commit themselves not to promote violence.

I wish to seek clarification from the Government about their amendments Nos. 25 to 27. I want to paint for the Minister a picture which I hope he will either refute or confirm. If the Bill is enacted, I, as a presently elected member of a district council, could not, during the lifetime of the next council and coming up to the council election in 1993, promote violence of any sort. However, a new candidate who has not previously been elected would be quite free, during the run-up to an election, to do so.

Mr. Needham *indicated assent.*

Mr. Maginnis: I see the Minister nodding, so he is obviously telling me that there is an anomaly in the Bill.

Mr. Needham: No.

Mr. Maginnis: I cannot promote violence during an election campaign, but a new member can do so. What the Government have done about that anomaly is astounding. Instead of saying that we must ensure that no one is able to promote violence during an election campaign, because we believe in democracy and not in the use of violence for political ends, and saying that we must bring the new candidate under the same rules as someone who is already a sitting member, the Secretary of State has decided that it is not a good thing that I, as a sitting member, cannot promote violence for political ends. He is, in effect, asking the House to ensure that I have the same opportunity as a new candidate to promote violence for political ends during an election campaign. That is utter nonsense. It is a shameful proposal from those who are responsible for trying to ensure that the democratic process is maintained in the difficult circumstances that pertain in Northern Ireland at present.

Are right hon. and hon. Members prepared to support Government amendments that promote the very thing that the Bill is intended to prevent? From the first moment that I saw the discussion paper that the Minister produced in October 1987 I had grave reservations about whether there was any possibility of dealing properly with people who have a ballot paper in one hand and an Armalite in the other, determined to undermine what the vast majority in Northern Ireland hold dear. In my wildest dreams I could not have imagined that a member of Her Majesty's Cabinet—the amendments are in the name of the Secretary of State for Northern Ireland—would bring to the House amendments which permit the promotion of violence.

Let us imagine the use that presently elected members of Sinn Fein will make of the legislation. For three weeks after nomination for council elections they will parade the highways and byways, the housing estates and meeting places throughout Northern Ireland telling the community, "We support the IRA. It is right that the armed struggle"—that is what they call it—"should continue. You must understand that we support the IRA. We give the IRA wholehearted support in violence not just against members of the security forces but against the civilian population." In my constituency the violence is very much against the civilian Protestant population.

The Sinn Fein councillors will say, "We support violence and will continue to support it for the next four years while sitting on Fermanagh, Dungannon or Magherafelt district councils. Do not fear; we will not weaken in our support for the campaign of murder. Of course, we will not be able to say so. We will probably not choose to say so unless it suits us to test the faulty legislation, but we are without doubt behind the IRA the whole way." That can happen for three weeks. The House should remember that it is the Secretary of State for Northern Ireland who is making it possible. I am amazed. I hope that no honourable person in the House will vote for the Government amendments.

Mr. Needham: As the hon. Member for Fermanagh and South Tyrone (Mr. Maginnis) pointed out, the amendments apply only to sitting councillors who are nominated at the next election. The reason is that it cannot be right in the constitutional process to pass a law which would affect existing councillors but which they could not conceivably have known about when they stood and were elected four years ago. The hon. Gentleman does not seem to grasp that the amendments are not designed to deal with what happens during election campaigns. It was never designed to deal with that. From the first instance it was to deal with problems in councils and within the assembly once an election has taken place and how elected members behaved within the councils or the assembly.

An important question needed to be considered about what happens post-candidature during an election campaign. The Government concluded that, however abhorrent it is to all of us in this House who support democracy, there is a time when those who advocate violence as a means of gaining their political ends should be allowed to put their political views before the electorate.

I can assure the hon. Member for Londonderry, East (Mr. Ross), who is not in his place, that we did not do that on the basis that by allowing such candidates to parade themselves they might lose votes, nor do we believe necessarily that they will win votes. But the principle that we have adopted, which we believe to be right, is that during the election campaign those candidates who believe in what are to us obnoxious views should be able to put them before the electorate. What we have always been concerned to do in the Bill is to deal with the effectiveness of a declaration once the election has taken place and councillors or assembly men have taken their places.

The amendment proposes that the declaration should bite during the candidature and the election campaign. There is, of course, no remedy. The only remedy under the Bill—and this has always been clear—is disqualification.

We believe that that is the correct remedy for a breach of the declaration in a council or the assembly. But there is no remedy or sanction against those candidates who fail to get elected. Nothing makes bad law worse more effectively than law without sanction.

Therefore, the amendment can have virtually no effect, because nothing will happen to those candidates who stand in an election and breach their declaration and are not elected. The amendment would have the very effect that the hon. Gentleman suggested, of encouraging people to put up their names for election, to sign a declaration and then breach it. But as there is no sanction to it, the amendment would be totally ineffective.

Mr. Beggs: Is the Minister saying that from now on during election campaigns there will be open season for incitement to violence on all sides and that no action will be taken?

Mr. Needham: The hon. Gentleman knows full well the existing laws on incitement to hatred. I do not need to set out for him the panoply of existing law. We are talking here of what happens during and after an election campaign, when the rules of the democratic process must be observed. Such considerations were the subject of my discussions with councillors over several months, especially concerning what happens in council chambers. We were discussing not what happens during election campaigns, but what happens in councils and what might happen in the assembly. The amendment has no sanction and will achieve nothing. It will not make the slightest difference to what goes on during an election campaign.

Mr. Maginnis: I am sure that the hon. Gentleman is unintentionally misleading us. He is saying that there is no sanction. He may be partially right, in that there is no sanction against a candidate who advocates violence and is not elected. But that is not the person that we are concerned with. We are concerned with the person who advocates violence and who is elected and with whom I have to share a council chamber for four years. There is a sanction against that person as soon as he becomes elected if he has promoted violence during the election campaign. I will not have to be a total hypocrite. It is not the fact of having someone in the same chamber who is not at this moment promoting violence that worries me but rather having someone in the chamber who is pretending to be a democrat like me yet who, before coming into the chamber, quite openly advocated violence. That is the problem that the Minister should address.

9.15 pm

Mr. Needham: I have addressed the problem, as I told the hon. Member, by saying that the Government believe that, however much we disagree with and abhor those who promote violence, from whatever side of the community, the right way to stop them is not to introduce a declaration when they become candidates. That would be going too far. It would be an abuse of somebody's right to stand for election. We believe that the problem exists in the council chambers, in the assembly, amongst those people who are elected, once they have been elected. That is when the declaration bites.

Rev. William McCrea *rose*——

Mr. Needham: The hon. Member asks me what happens in the three weeks leading up to the election. People can stand as candidates and continue to advocate violence during the whole election campaign, the hon. Member says, and then they will use it for their own ends: once they are elected, they will say nothing. They will be quiet for four years. I would be surprised, knowing the political astuteness of the hon. Gentleman, if it were possible for such people cynically to sign a declaration, then go through an election campaign, saying one thing, then become elected and spend four years in the council chamber without opening their mouths or giving some indication of their views. That is hardly likely. The declaration should apply to those people once they are elected.

Mr. Ashdown: I recognise that there is a very delicate balance to be struck here and it may be that the Government have the balance right. I recognise the complexities of the problem. But surely there is a potential sanction. The Minister will recognise that if an elected candidate should breach his declaration he is banned for five years. If the Government were to extend that ban to seven years and apply it to candidates as well, they would not only suffer in that election for having broken the declaration as candidates but they would be unable to stand for the following election as well. So there is a potential sanction available to the Government that falls short of the sanction proposed earlier, which he knows I oppose, the sanction of the criminal law. Would the Minister indicate the Government's reasoning against a course of that sort?

Mr. Needham: We are straying from the amendment. The Government's view is that disqualification for five years, which covers one whole election period, is sufficient penalty for a breach of the declaration. It must be remembered that we are looking at this matter against the background of the rest of the existing criminal law, including incitement to hatred, and that we are talking about what goes on in a council chamber or an assembly.

I do not want to repeat myself. I think that I have made the Government's position clear.

Rev. William McCrea *rose*——

Mr. Needham: We have considered the case long and hard and we felt on balance that it was right that during an election candidates should be entitled to put their views. We find those views obnoxious. We do not believe that it is any way to conduct an election campaign or a basis for any sort of policy for a politically pluralist society. It is not right that, at this stage, we should stop candidates from putting their views during elections. For that reason, I ask the House to reject amendment No. 22.

Rev. William McCrea: On a point of order, Mr. Speaker. Will you assist hon. Members standing behind the Minister? I hope that I was elected to the House in the same way as everyone else. Although he has his back to me, will the Minister accept that I have a right to make contributions to the debate which may be helpful? It seems that, whenever requests are made for him to give way, he always gives preference to hon. Members facing him.

Mr. Speaker: I am sure that the hon. Gentleman has exactly the same standing as every other hon. Member. I imagine that the Minister had not seen that he was on his feet.

Question put, That the amendment be made:—

[Mr. Speaker]

The House divided: Ayes 132, Noes 11.

Division No. 54] **[9.20 pm**

AYES

Alexander, Richard
Amess, David
Amos, Alan
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Tom *(Hazel Grove)*
Ashby, David
Ashdown, Rt Hon Paddy
Atkinson, David
Baker, Nicholas *(Dorset N)*
Batiste, Spencer
Bennett, Nicholas *(Pembroke)*
Boswell, Tim
Bowis, John
Braine, Rt Hon Sir Bernard
Brandon-Bravo, Martin
Bright, Graham
Brown, Michael *(Brigg & Cl't's)*
Bruce, Ian *(Dorset South)*
Burt, Alistair
Butler, Chris
Butterfill, John
Campbell, Menzies *(Fife NE)*
Carlisle, John, *(Luton N)*
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Carttiss, Michael
Cartwright, John
Chapman, Sydney
Conway, Derek
Coombs, Anthony *(Wyre F'rest)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon John
Cran, James
Currie, Mrs Edwina
Davies, Q. *(Stamf'd & Spald'g)*
Davis, David *(Boothferry)*
Day, Stephen
Devlin, Tim
Dorrell, Stephen
Dover, Den
Durant, Tony
Dykes, Hugh
Emery, Sir Peter
Fallon, Michael
Fearn, Ronald
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Fishburn, John Dudley
Fookes, Dame Janet
Forsyth, Michael *(Stirling)*
Franks, Cecil
Gale, Roger
Garel-Jones, Tristan
Gill, Christopher
Goodlad, Alastair
Gower, Sir Raymond
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Gregory, Conal
Griffiths, Peter *(Portsmouth N)*
Ground, Patrick
Hamilton, Neil *(Tatton)*
Hanley, Jeremy
Harris, David
Hayhoe, Rt Hon Sir Barney
Holt, Richard
Howarth, Alan *(Strat'd-on-A)*
Howarth, G. *(Cannock & B'wd)*
Hughes, Robert G. *(Harrow W)*
Hunt, David *(Wirral W)*
Hunt, John *(Ravensbourne)*
Hunter, Andrew
Irvine, Michael
Jack, Michael
Janman, Tim
Jones, Gwilym *(Cardiff N)*
King, Roger *(B'ham N'thfield)*
King, Rt Hon Tom *(Bridgwater)*
Knapman, Roger
Knight, Greg *(Derby North)*
Knowles, Michael
Lang, Ian
Lightbown, David
Livsey, Richard
Lloyd, Peter *(Fareham)*
Lord, Michael
Lyell, Sir Nicholas
McCrindle, Robert
MacKay, Andrew *(E Berkshire)*
Maclean, David
Malins, Humfrey
Mans, Keith
Martin, David *(Portsmouth S)*
Maxwell-Hyslop, Robin
Meyer, Sir Anthony
Montgomery, Sir Fergus
Morrison, Sir Charles
Moynihan, Hon Colin
Needham, Richard
Porter, David *(Waveney)*
Raffan, Keith
Roe, Mrs Marion
Rowe, Andrew
Sackville, Hon Tom
Sayeed, Jonathan
Shaw, David *(Dover)*
Shaw, Sir Michael *(Scarb')*
Shepherd, Colin *(Hereford)*
Skeet, Sir Trevor
Smith, Tim *(Beaconsfield)*
Spicer, Sir Jim *(Dorset W)*
Stern, Michael
Stradling Thomas, Sir John
Summerson, Hugo
Taylor, Matthew *(Truro)*
Taylor, Teddy *(S'end E)*
Tebbit, Rt Hon Norman
Thompson, Patrick *(Norwich N)*
Thorne, Neil
Thurnham, Peter
Tracey, Richard
Twinn, Dr Ian
Viggers, Peter
Waddington, Rt Hon David
Wallace, James
Waller, Gary
Warren, Kenneth
Watts, John
Wells, Bowen
Widdecombe, Ann
Wood, Timothy

Tellers for the Ayes:
Mr. David Heathcoat-Amory and Mr. John M. Taylor.

NOES

Beggs, Roy
Cryer, Bob
Kilfedder, James
McCusker, Harold
Maginnis, Ken
Molyneaux, Rt Hon James
Paisley, Rev Ian
Robinson, Peter *(Belfast E)*
Skinner, Dennis
Smyth, Rev Martin *(Belfast S)*
Walker, A. Cecil *(Belfast N)*

Tellers for the Noes:
Mr. William Ross and Rev. William McCrea.

Question accordingly agreed to.

Amendment made: No 26, in page 3, line 6, after 'if', insert

'at any time after he is declared to be elected at that election or is chosen to fill that vacancy and while he remains a member of the district council or of the Assembly'.—*[Mr. Needham.]*

9.30 pm

Mr. McNamara: I beg to move amendment No. 5, in page 3, leave out lines 26 to 28.

Mr. Speaker: With this, it will be convenient to take the following amendments:

No. 6, in clause 7, page 4, leave out lines 11 to 15.

No. 7, in clause 8, page 5, line 1, leave out subsection (2).

Mr. McNamara: I shall be brief. This is an important issue, and that is why we prefer to have it debated on the Floor of the House rather than in Committee. It concerns Parliament and parliamentary privileges and the powers to be held by the Northern Ireland assembly, if it should meet again, as the Opposition hope it will.

The purpose of the amendment is to protect the privileges of the Northern Ireland assembly. If effective devolved institutions are to be set up in Northern Ireland, real powers will have to be transferred to the subordinate assembly. This was recognised in the Northern Ireland Constitution Act 1973 whereby the effective powers of Stormont with regard to the proceedings of the assembly and the manner in which they should be treated were transferred to the subordinate assembly in Northern Ireland.

It would be impossible for a new assembly to operate correctly if its rights and privileges were to differ greatly from those of this House, especially in terms of the right of freedom of expression. In the House and below the Gangway we have the ability freely to express our opinions. We do it under the convention that the most favourable construction is placed upon our words and thoughts. In that way, we are best able to carry out our duties as citizens and Members of Parliament.

If an assembly in Northern Ireland is to work, it will have to be able to demonstrate the kind of leadership that will render the Bill superfluous. What we cannot do is create artificial stability by passing legislation that removes the right of most favourable construction from the Northern Ireland assembly.

Administrative measures of that kind will not make the assembly more stable, acceptable or responsible in the duties that it must undertake. For those reasons, my right hon. and hon. Friends and I ask the House to support the amendment to remove lines 26 to 28. That will be a small but important improvement in terms of parliamentary privilege, and we shall divide the House.

Mr. Needham: It remains our policy to seek progress towards devolution in Northern Ireland. The assembly would have an important part to play in that process, as I am sure the hon. Member for Kingston upon Hull, North (Mr. McNamara) agrees. We would be looking for

inter-party agreement on the way forward within the assembly, and fresh elections to it would be easy and straightforward.

It is more than probable that any future assembly will give rise to problems similar to those currently existing in local government. Therefore, it seems sensible to give to assembly electors and members the same remedies that district councillors, councils and their electors enjoy.

We do not want to give Sinn Fein or anyone else a political weapon with which to frustrate Northern Ireland's future political development. As has been mentioned many times tonight, Sinn Fein has the dual strategem of the Armalite and the ballot box, and there is no need to arm it with the new political weapon that removing the assembly from the Bill would present. Amendment No. 8 opens a major loophole in the Bill, making the declaration unenforceable against assembly members who were not councillors. More important, even those assembly members who were councillors might be free to say what they like in the assembly under the protection of its privilege.

It would be ridiculous if an assembly member who is also a councillor were bound by the declaration in his council chamber, but was able to move a few miles up the road and say in the assembly whatever he liked under the protection of its privilege. We see no sense in the Opposition amendment. It offers no likely way forward to a devolved Administration in Northern Ireland. If anything, it places a further obstacle in its path. I urge the House to reject the amendment.

Mr. Ashdown: I was interested to know why the Labour party tabled the amendment, and I am grateful to the hon. Member for Kingston upon Hull, North (Mr. McNamara) for explaining so clearly. I am bound to disagree with him. The arguments advanced by the Minister make cogent sense. I thought that the Labour party, like us, wished to move towards a devolved Northern Ireland assembly as quickly as possible. Surely Labour Members recognise that a devolved assembly might be established before the provisions in the Bill could reasonably be lifted. Although I understand the amendment's sense, and agree to some extent with the argument for it, it would delay the process until circumstances existed that would make the legislation no longer necessary. That time must be further away rather than closer to us.

The conclusion to be drawn from the amendment is puzzling, to say the least. If Labour Members divide the House, I shall advise my right hon. and hon. Friends to vote with the Government. The amendment would remove a development that all parties who are keen on peace and reconciliation in Northern Ireland wish to advance, sooner rather than later.

Rev. Martin Smyth: I appreciate the thoughtfulness with which the hon. Member for Kingston upon Hull, North (Mr. McNamara) moved the amendment. However, in the light of the remarks of the right hon. Member for Yeovil (Mr. Ashdown), who leads the Democrats, I am puzzled at the suggestion that a move towards a Northern Ireland assembly may be further down the road.

The hon. Member for Kingston upon Hull, North talked about favourable interpretation. I have sat here and heard hon. Members on occasion evince a marked degree of unfavourable interpretation. Allegations have been made, usually from a sedentary position about other hon. Members. I wonder what would happen if a certain political party came here with its leader, who has been recognised by a former Secretary of State for Northern Ireland as the IRA's chief of staff—a view echoed in the Chamber on various occasions. I am sure that the Government are aware that that man's brother has recently been promoted again to the leadership of the Provisional command structure. How can a favourable interpretation be placed on the words of such people when we know what they are doing day by day and night by night?

Does this not highlight the real problem of the legislation: that there is an honourable way of dealing with terrorists and the parties that represent them? The House has done it in the past. It has even suspended hon. Members who were involved with such bodies.

Mr. McNamara: The Minister spoke about the nonsense of a person not being able to say something in a council chamber, but being able to go a few yards down the street to an assembly and there to be given full protection. Of course, Northern Ireland council members could come across the water to this place and also be given full protection. The hon. Member for Belfast, South (Rev. Martin Smyth) spoke of the ridiculous position of the IRA chief of staff. I accept his point, but equally we have sitting in the House people who have been at the formation of paramilitary organisations—who have, indeed, set them up and promised to give them full political control and to spread their political mantle over them. We are allowing those people to sit here and make speeches supporting paramilitary organisations.

That is the nonsense of the Government's legislation. That is why we are saying that if people are entitled to such protection here, they should be able to have it in the assembly in Northern Ireland.

Question put, That the amendment be made:—

The House divided: Ayes 21, Noes 131.

Division No. 55] **[9.42 pm**

AYES

Barnes, Harry *(Derbyshire NE)*	Martlew, Eric
Boateng, Paul	Michael, Alun
Cook, Frank *(Stockton N)*	Morley, Elliott
Flannery, Martin	Mullin, Chris
Golding, Mrs Llin	Pike, Peter L.
Haynes, Frank	Skinner, Dennis
Hood, Jimmy	Wall, Pat
Hughes, John *(Coventry NE)*	Wray, Jimmy
McGrady, Eddie	
McKay, Allen *(Barnsley West)*	Tellers for the Ayes:
McNamara, Kevin	Mr. Jimmy Dunnachie and
Mallon, Seamus	Mr. Bob Cryer.
Marshall, Jim *(Leicester S)*	

NOES

Alexander, Richard	Braine, Rt Hon Sir Bernard
Amess, David	Brandon-Bravo, Martin
Amos, Alan	Bright, Graham
Arbuthnot, James	Brown, Michael *(Brigg & Cl't's)*
Arnold, Jacques *(Gravesham)*	Bruce, Ian *(Dorset South)*
Arnold, Tom *(Hazel Grove)*	Burt, Alistair
Ashby, David	Butler, Chris
Ashdown, Rt Hon Paddy	Butterfill, John
Atkinson, David	Campbell, Menzies *(Fife NE)*
Baker, Nicholas *(Dorset N)*	Carlisle, John, *(Luton N)*
Batiste, Spencer	Carlisle, Kenneth *(Lincoln)*
Beggs, Roy	Carrington, Matthew
Bennett, Nicholas *(Pembroke)*	Carttiss, Michael
Boswell, Tim	Cartwright, John
Bowis, John	Chapman, Sydney

Conway, Derek
Coombs, Anthony *(Wyre F'rest)*
Coombs, Simon *(Swindon)*
Cran, James
Critchley, Julian
Currie, Mrs Edwina
Davies, Q. *(Stamf'd & Spald'g)*
Davis, David *(Boothferry)*
Day, Stephen
Devlin, Tim
Dorrell, Stephen
Dover, Den
Durant, Tony
Dykes, Hugh
Emery, Sir Peter
Fearn, Ronald
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Fishburn, John Dudley
Fookes, Dame Janet
Forsyth, Michael *(Stirling)*
Forsythe, Clifford *(Antrim S)*
Franks, Cecil
Gale, Roger
Gill, Christopher
Gower, Sir Raymond
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Gregory, Conal
Griffiths, Peter *(Portsmouth N)*
Ground, Patrick
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hanley, Jeremy
Heathcoat-Amory, David
Holt, Richard
Howarth, Alan *(Strat'd-on-A)*
Howarth, G. *(Cannock & B'wd)*
Hughes, Robert G. *(Harrow W)*
Hunt, David *(Wirral W)*
Hunter, Andrew
Irvine, Michael
Jack, Michael
Janman, Tim
Kilfedder, James
King, Roger *(B'ham N'thfield)*
King, Rt Hon Tom *(Bridgwater)*
Knapman, Roger
Knowles, Michael
Lang, Ian
Lightbown, David
Livsey, Richard
Lloyd, Peter *(Fareham)*
Lord, Michael
Lyell, Sir Nicholas
McCrea, Rev William
McCrindle, Robert
MacKay, Andrew *(E Berkshire)*
Mans, Keith
Martin, David *(Portsmouth S)*
Maxwell-Hyslop, Robin
Meyer, Sir Anthony
Molyneaux, Rt Hon James
Montgomery, Sir Fergus
Morrison, Sir Charles
Moynihan, Hon Colin
Needham, Richard
Paisley, Rev Ian
Porter, David *(Waveney)*
Raffan, Keith
Robinson, Peter *(Belfast E)*
Roe, Mrs Marion
Sackville, Hon Tom
Sayeed, Jonathan
Shaw, David *(Dover)*
Shaw, Sir Michael *(Scarb')*
Shephard, Colin *(Hereford)*
Smith, Tim *(Beaconsfield)*
Stern, Michael
Stevens, Lewis
Stradling Thomas, Sir John
Summerson, Hugo
Taylor, John M *(Solihull)*
Taylor, Matthew *(Truro)*
Taylor, Teddy *(S'end E)*
Thompson, Patrick *(Norwich N)*
Thorne, Neil
Thurnham, Peter
Tracey, Richard
Twinn, Dr Ian
Viggers, Peter
Waddington, Rt Hon David
Walker, A. Cecil *(Belfast N)*
Wallace, James
Waller, Gary
Warren, Kenneth
Watts, John
Wells, Bowen
Wheeler, John
Widdecombe, Ann
Wood, Timothy

Tellers for the Noes:
Mr. David Maclean and
Mr. Michael Fallon.

Question accordingly negatived.

Clause 7

Application to the High Court

Mr. Jim Marshall: I beg to move amendment No. 8, in page 4 leave out lines 1 to 15 and insert—

'( ) The Attorney General may apply to the High Court for a determination that a person has, while a member of a district council or of the Northern Ireland Assembly, acted in breach of the terms of a declaration against crimes of violence made by him'.

Mr. Speaker: With this it will be convenient to take the following amendments:

No. 18, in page 4, line 10, at end insert—

'(iv) the Secretary of State for Northern Ireland,

(v) a Northern Ireland Member of the European Assembly,

(vi) a Northern Ireland Member of Parliament whose constituency includes the district council area concerned or any part thereof, and'.

No. 28, in page 4, line 10, at end insert—

'(iv) the Director of Public Prosecutions in cases of likely personal intimidation or threat to safety'.

No. 19, in page 4, line 15, at end insert—

'(iii) the Secretary of State for Northern Ireland,

(iv) a Northern Ireland Member of the European Assembly,

(v) a Northern Ireland Member of Parliament'.

No. 29, in page 4, line 15, at end insert—

'(iii) the Director of Public Prosecutions in cases of likely personal intimidation or threat to safety'.

Mr. Marshall: During a previous Division the accusation was levelled at me, probably quite correctly, that when I intervened in an earlier debate I had not kept to the terms of the amendment that was being considered. There may well be some truth in that allegation, but I certainly intend to keep to the terms of this particular amendment. If I do that within the bounds of order, I shall be part of a very small minority of hon. Members who have managed to keep within the strict terms of the amendments to which they were speaking this evening.

We find clause 7 especially distasteful. We have made clear our opposition to the Bill throughout its deliberations, but clause 7 is the worst part of it. It enables the Government to abdicate their responsibility to enforce the legislation. It tries to ensure that individual electors, councillors or councils do what the Government should be doing—endorsing their legislation. The clause will be dangerous for the individual and will do much harm to the future of local government in the Province.—*[Interruption.]* The comments of the hon. Member for Brigg and Cleethorpes (Mr. Brown) do not add to the content of the debate. His Adjournment debate this evening has done much to prolong and exercise the House. He should refrain from contributing until we reach his Adjournment debate.

I do not intend again to rehearse the arguments that show the potential dangers to those who may exercise their rights under the Bill, except to say that I accept the validity of the arguments that reinforce those points. Undoubtedly, individuals or groups who try to exercise their rights will find themselves in much danger.

Under clause 7, the majority on a council will be able to take members of minority groups on it to court. It will encourage individual councillors to confront each other in court through their legal representatives. All rational hon. Members will agree that this will do little to restore effective and harmonious relations in local government in the Province.

It is clear from our deliberations in Committee that the Minister has an underlying rationale for his arguments on clause 7. He regards the controversy in local government in the north of Ireland as the responsibility of the political parties there. He believes that his task is to provide a mechanism whereby electors and elected representatives combine to isolate the men of violence. He believes that if that happens a relative degree of normality will return to council chambers. I accept that that is an ingenious strategy—it removes the responsibility of implementing it from the Minister to others—but it is based on a false premise. The Minister assumes that the constitutional political parties will combine to isolate one organisation—Sinn Fein—and in so doing will mysteriously discover that they have mutual interests in arriving at a more general political accommodation. That is incorrect, because it assumes that the division is between the

constitutional parties and the supporters of violence. It is a one-dimensional view of the political position, which is wrong.

Unfortunately, the position in the Province is not as the Minister would like it to be. Some constitutional political parties in the north of Ireland, to say the least, take an ambiguous attitude towards the use of violence. Hon. Members have heard one or two voices from that quarter in the House this evening. There are also differing approaches on how to defeat paramilitaries and, incidentally, which paramilitaries should be defeated. The Minister is wrong to assume that there is consensus among political parties.

It being Ten o'clock, further consideration of the Bill stood adjourned.

Ordered,

That, at this day's sitting, the Elected Authorities (Northern Ireland) Bill may be proceeded with, though opposed, until any hour.—*[Mr. Chapman.]*

Bill, as amended (in the Standing Committee), again considered.

Mr. Marshall: There is no consensus among constitutional parties in the north of Ireland. The Bill will make the establishment of consensus much more difficult. As the Minister knows, some councils already continue their work in a relatively peaceful and constructive manner. How does the Minister think that clause 7 will benefit them? It will not benefit them, except perhaps to introduce a further potential disruptive factor into their proceedings. What about those councils—the Minister will be aware that some exist in the north of Ireland—in which the SDLP or even the alliance, of which Leader of the Social and Liberal Democrats spoke so glowingly this evening, are considered by the majority on the council to be beyond the pale?

Clause 7 will allow actions to be taken against members of the SDLP or of the alliance who in no way could be considered or construed as supporters of violence. For the Minister to seek to suggest, as I am sure that he will, that such actions will not occur is to ignore the reality of sectarianism and extremism in some councils in the Province.

Our amendment is designed to ensure that sectarian conflict, which would otherwise arise, is prevented by limiting the power of initiating an action to the Attorney-General. I have no doubt that the Minister will argue that the Attorney-General should not be given that power, so that it would be seen as the British Government imposing their will on a local authority. That argument is ironic. It has become clear that the Bill is unacceptable to all hon. Members, except those in the Government. The Bill is repressive. Those responsible for its conception should take responsibility for its enforcement. When the time comes, I shall seek a Division on amendment No. 8.

Mr. Clifford Forsythe: On Second Reading, in Committee and on Report Unionist Members have made clear their great nervousness about asking that councillors be responsible for taking other councillors to the High Court to seek a determination in a breach of the declaration. Our amendment that would have made a breach of the declaration a criminal offence was rejected. Our amendment requiring the Director of Public Prosecutions to do the job was rejected. Although it was not put to the vote, the official Opposition's amendment to require the Attorney-General to do the job was not well received by the Minister in Committee. I suppose that he is still against it, but at least hon. Members will have another look at it tonight.

I hope that the Minister will consider amendments Nos. 18 and 19 which are designed to take the load from the shoulders of councillors and share it among those named. The first group comprises Northern Ireland Members of Parliament. All those Members have within their constituency boundaries two, sometimes three or four, council areas. I assure the House and the Minister that at least Unionist Members of Parliament would be willing to take on themselves the job of policing the declaration so that those who breach it will be taken to the High Court if that is the way that it has to be. We are willing to do that to prevent councillors from being placed in such a position themselves.

The second group is comprised of Northern Ireland members of the European Assembly. Again, the majority of those members would be willing to do that job. Because of the way in which they are elected, they represent the whole of Northern Ireland. Each member claims that he represents the people of Northern Ireland and they would have a right to intervene in any of the council areas.

The third name in the amendments is that of the Secretary of State for Northern Ireland. Just as I am sure that hon. Members and members of the European Assembly from Northern Ireland would be willing to do the job, I am sure that the Secretary of State would be willing too. He may even depute some of his junior Ministers to do the job.

I do not think that any of those concerned, particularly the Secretary of State, would draw back from doing the job. I am sure that they would have the backbone, courage and everything else that would be required to do the job. We are not seeking to change the clause but simply to add a few names. We only need the Minister to nod his head and say yes, even at this late stage. I may yet be able to score a goal, if the Minister will allow me.

If the people mentioned in amendments Nos. 18 and 19 were to do that job, I am sure that they would do it regardless of who breached the declaration or where he came from, and that they would do the job well.

We are making this final plea to the Minister to listen to hon. Members who are closest to the problems in Northern Ireland. We are there every day that we are not here. We ask him to include those additional names so that even at this late stage we may strengthen the Bill just a little.

If we are unable to vote on amendments Nos. 18 and 19, we shall support amendment No. 8, which provides that the Attorney-General should take action against those who breached the declaration because we believe that the Government who brought in the legislation should enforce it. We have said that continually and the Minister knows my views. The amendment would give us at least a little improvement to the Bill.

Mr. Ashdown: As the Government know, I have broadly supported their line on this difficult piece of legislation. I shall not make a Third Reading speech now, as I shall do so in a few moments.

On Second Reading, I expressed some reservations about two matters. The first was whether the declaration should apply during the election period. Having thought about it, listened to the Government's arguments, done a little reading and talked to other people, I believe that the

[Mr. Ashdown]

Government have the balance just about right, although it is a difficult subject. That is why we supported them in the previous Division.

However, I remain far from convinced on this matter. I said to the Minister on Second Reading, and say again now, that to rely solely on individuals or councillors to bring cases to law will seriously undermine the effectiveness of the legislation, which stands or falls on its practical application. The Government's proposal will seriously undermine that practiical application. In that sense, I share the analysis of the hon. Member for Leicester, South (Mr. Marshall) and that of the hon. Member for Antrim, South (Mr. Forsythe) who made a sweet and beguiling speech.

I have some difficulty with the Labour amendment. If it were pressed to a Division, we would support it because it contains the right principles. I have some doubts about whether it is right to place this matter in the hands of the Attorney-General rather than the Director of Public Prosecutions and, if I understand the amendment correctly, even more doubts about the fact that it removes all the other parties which could have brought the legislation into effect. That can now be done by the DPP. There is safety in having as broad a range of people as possible. There is also a small drafting error. The amendment refers to "crimes of violence", but that phrase does not crop up in the declaration.

I have much more sympathy with the speech of the hon. Member for Antrim, South. It is useful to follow the principle of allowing the broadest range of people with a legitimate interest in this matter to bring the issue before the courts. If that can be extended to Members in this House and in the European Parliament, that would be useful. The Minister should remember that the hon. Members who tabled the amendment have put themselves in the firing line. That is a testimony to their sincerity. I hope that the Minister will concede at least that point and recognise the strong feeling, even among those who support the legislation in general, that its practicality will be seriously undermined if we do not amend it.

My amendment No. 32 is fairly limited and is designed as a back-up. We may argue whether we are right to propose that the issue should be dealt with by the DPP, but the point of my amendment is that it can be dealt with by the DPP when he is convinced that there would otherwise be, or already exists, a genuine threat to any individual who might wish to initiate such action. In the final analysis, that is for the judgment of the DPP and no doubt he is able to make that objective judgment. It is a backstop which will at least strengthen the legislation and make it more practically applicable. I hope that the Bill which, by and large, is a difficult and finely balanced one, will succeed. However, it is more likely to be undermined by deficiencies in this section than by anything else. I hope that the Minister will strengthen the arm of those who wish to apply the legislation so that it can have a better chance of success.

10.15 pm

Mr. William Ross: I have an intense interest in local government. As the debate has proceeded today, it must have built up in the minds of those who have been listening to it a picture of what the position is, even if they did not fully understand it. I believe that many hon. Members can easily conceive a situation where fear of retaliation by the Sinn Fein-IRA element is so great that no councillor in the immediate district or anyone closely connected with the district where the offence occurred would be prepared to stick his neck out. Some people may dismiss that as being of no consequence. The hon. Member for Leicester, South (Mr. Marshall) did not do so. He accepted that there is a grave risk to the lives of those who stick out their necks by publicly opposing Sinn Fein.

Under the proportional representation system, the loss or gain of a single seat could alter the political control of a number of councils in Northern Ireland. If as the result of the dismissal of a councillor who had given loud verbal support to violence, political control of a council changed, the danger to the individual who initiated the proceedings should be apparent to all. There could be but one conclusion. If the person who initiated the proceedings was a councillor, there would be another vacancy on the council.

I recall saying on Second Reading that by laying the onus on the shoulders of councillors the Government were inviting them to commit suicide. I have seen and heard nothing since I uttered those words to make me alter my opinion. There are in society people who have the courage to stand up to men of violence. However, intimidation would not be levelled solely at the individual who made the accusation by the Sinn Fein councillor or representative of another paramilitary organisation. The threat would be wider; it would be against wives and children, family and friends, and business. The threat is real. Action would be taken to teach a lesson that would not be forgotton to anyone who might be prepared to enforce the law against Sinn Fein.

While we support the view put forward by the Labour party and would go further than the right hon. Member for Yeovil (Mr. Ashdown), we thought that the Government, if they were not prepared to let the Attorney-General or the Director of Public Prosecutions act in the matter, might at least be prepared to put their necks on the block, as we are prepared to do, and as they are inviting councillors to do. I do not believe that a member of a Government or a politician should send others where he dare not go himself.

If the Government are sincere in their efforts to get rid of Sinn Fein, they should not just put into the hands of ordinary men and women who sit on councils the power to initiate proceedings against Sinn Fein councillors. They, who are better protected than any councillor could ever be, should be prepared to stand in the same place as the councillor.

That brings me back, Mr. Deputy Speaker, to the point where, earlier, I was sailing close to the lines of order in the opinion of Madam Deputy Speaker. I am always careful to stay in order. The question of proof has not been addressed so far in the debates on the Bill.

Our proposals mean that tape recordings of all council business must be kept. As we are prepared to use video evidence for the protection of children and to video police interviews, why should we not be prepared to tape record the proceedings of councils to identify those violent and wicked individuals who condone murder and sometimes, I believe, order the murder of those who oppose them?

We are in a difficult position when we come to the point where we or a councillor must stand up and accuse

someone who supports the murder gangs. We are putting our lives on the line. We are prepared to do it and we are inviting Ministers to join us in that endeavour.

This has been a useful day and an important debate, and we are not yet done, but of course regardless of what we say the Government will carry their measure into legislation; they will turn the Bill into an Act.

I hope that, 12 months from 17 May coming, that is on 17 May 1990, the Minister who spoke for the Government tonight and the Whip who was with him on the Bench, and the Prime Minister, will come back and read the words that were uttered from these Benches today, in the light of the experience that that further year will earn them.

Rev. William McCrea: Having listened to the debate and to those who are interested in the tragedy of the situation in Northern Ireland and the danger to life, it must be admitted by all that life is very dangerous in Northern Ireland. It is dangerous for the ordinary citizen, for Members of the House of Commons, and for elected representatives of the people of Northern Ireland. It is dangerous for the members of the security forces.

Therefore, we must appreciate that there is a problem in ensuring that the Bill is enacted, and that action is taken against those who the Government have admitted they desire to remove from the elected councils of our Province. Bearing in mind how dangerous life is, it is natural that in many hearts there is fear.

It is very easy for hon. Members who care enough about the dangerous situation in the United Kingdom to be here for the debate. But it is also very easy to be brave and to make brave statements when one is many miles from the problem. So long as Members say that the sea is between us, and we can keep the killings going among the poor souls in Ulster and keep it from the rest of the mainland, that is unfortunately what people in Ulster are tempted to believe at times. *[Interruption.]* I hear mutterings, Mr. Deputy Speaker, from someone who, in the position that he holds, should have better manners than to carry on in this way. However, one must forgive him when one realises the rump of a party that he leads. The right hon. Member for Yeovil (Mr. Ashdown) is far from the trouble, and far from the threat and fear that many people living along the border areas of my constituency understand. I ask the right hon. Member to have the decency to bear in mind the genuine fear. We are not talking about a picnic. We are not talking about something that can easily be dismissed. We are talking about human life.

If the right hon. Member wants to comment, I shall happily give way to allow him to do so, but I ask him to have the good manners to listen whenever a speech is being made, no matter how distasteful he may find some of the comments. Of course, there is nothing to prevent him from coming to live in that part of the United Kingdom and standing for election if he so desires and if he feels brave enough to do so.

Parts of Ulster, like parts of the United Kingdom, are quite safe. Some areas in our Province—there is one not far from my home—are remote from much of the trouble in certain parts of my own constituency of Mid-Ulster. But the Government are asking elected representatives, who live in areas that are predominantly Republican and support the IRA, to take action against Sinn Fein while the Government sit back and watch the outcome.

There are some very dangerous areas in which to live. Take the area of Fermanagh and South Tyrone. The hon. Member for Fermanagh and South Tyrone (Mr. Maginnis) has described how dangerous life is for people in his constituency. Members of my own party in the Strabane district council, the chairman of which is a Sinn Feiner, live along the border. Can anyone imagine what it is like to live along the border and to be expected by the Government, with no protection, to stand up in court and be the person who has brought the Sinn Fein mouthpiece for terrorists into the court room in an endeavour to remove him from a council chamber?

Although few hon. Members are in the Chamber listening to our arguments, no doubt they will come out at voting time into the Lobbies without having listened to the heart's cry of the elected representatives of Northern Ireland, and the legislation will be passed, as the Minister desires. That is the way of it. But should, God forbid, this legislation cause the death of any councillor colleague of mine or of any hon. Member, whether Nationalist or Unionist, let the hon. Members who pushed it through remember that they must bear the guilt.

I make an earnest and genuine appeal to the Minister to listen to the elected representatives of Northern Ireland and to accept the amendments of my hon. Friend the Member for Antrim, South (Mr. Forsythe). If they are not accepted, I will join my colleagues in the Lobby to support the official Opposition and the amendments.

Mr. Needham: We have had a full debate on this series of amendments. I am surprised by the Opposition's suggestion that the Attorney-General should be involved. The hon. Member for Leicester, South (Mr. Marshall) mentioned that some councils are working well together and he is right. However, if anything would prevent those councils or councillors from bringing actions and would make matters worse, it would be the introduction of the Attorney-General.

10.30 pm

The one lecture that the Opposition have constantly given the Government and other hon. Members concerns the danger of creating political martyrs in Northern Ireland. As the hon. Member for Leicester, South knows, involving the Attorney-General would make it appear that the British Government were imposing their political views in the council chambers of Northern Ireland. The hon. Member said that the amendment had the support of all Opposition Members. At that time, the hon. Member for South Down (Mr. McGrady) was not in the Chamber. He is now in his seat and I would be surprised if he were prepared to join the hon. Member for Leicester, South and his Unionist friends in the Lobby. That is a fundamentally important political point which Opposition Members cannot duck and which is in total contradistinction to everything they have said about the Bill up to now.

The Attorney-General has no capacity to monitor expressions of support for proscribed organisations. He has to depend entirely on the information given to him by others. It is those others who, in our judgment, should bring the action, not least for the reason given by the hon. Member for Mid-Ulster (Rev. William McCrea). It is they who may feel that they may be intimidated. If the Attorney-General or the Director of Public Prosecutions is given the job, they would have to give evidence.

[Mr. Needham]

We have to apply our minds to an important question which underlies the reason why Unionist Members are concerned about this part of the legislation. That is the question of intimidation. Intimidation must inevitably arise, whoever brings the action. Those who are called to give evidence are the people who will be intimidated. I accept the point about tape recording made by the hon. Member for Londonderry, East (Mr. Ross) and we shall look at that. However, that alone would not be sufficient. Witnesses would still be required.

We know that intimidation of witnesses is a problem in criminal cases in Northern Ireland. It is well established that such intimidation is almost always within communities. There is little evidence that intimidation in civil cases or between communities is widespread in Northern Ireland. I can understand hon. Members' fears when they say, "That is all very well. That may have been the history up to now but it may not happen like that in the future." If there is intimidation, it has to be a matter for the police. They have to take control and ensure that witnesses are properly looked after and protected. If those fears exist, we must discuss the matter with the police and ensure that intimidation is not allowed to exist in Northern Ireland. Intimidation undermines everything. If hon. Members are saying that no case can be brought because witnesses and applicants would be intimidated, what justification is there for believing that any cases in Northern Ireland have any hope of success? That cannot be the case and I do not believe that it is.

Mr. Frank Cook (Stockton, North) *rose*——

Mr. Clifford Forsythe *rose*——

Mr. Needham: It is late and I want to get on but I will give way to the hon. Member for Antrim, South (Mr. Forsythe).

Mr. Forsythe: It is not a matter of people being intimidated into not bringing the case, but the fact that, when they did, there would not be intimidation but violence.

Mr. Needham: That will happen whoever brings the case. If the council brings the case and witnesses are called, those witnesses will have to appear and are likely to be intimidated. The witnesses will be at risk because they will have to give the evidence to the court on which the judges will make the decisions.

I understand the point that the hon. Member for Antrim, South is making. He wants to broaden the scope and bring in Members of Parliament. The Government say that this is a matter to be resolved by those who have an interest in council or assembly affairs and it is for councillors and assemblymen, in the conduct of their business, that the legislation is proposed. I understand that hon. Gentlemen who are also councillors clearly have an interest, but I do not see that Members of Parliament, as such, have interests that would give them the right to bring cases of this sort. There may be some hon. Members who, having listened to the fears of their colleagues, are grateful for that.

Nor can I look with much enthusiasm on the idea of Mr. Gerry Adams acting as a policeman for the Belfast city council. I do not believe that Members of the European Parliament have a locus. Finally, I do not accept that the inclusion of the Secretary of State, whatever his personal qualities or those of his Ministers, would do anything other than bring an even greater outcry from those who felt that the British political machine was bringing cases in Northern Ireland. The arguments to which I have alluded with regard to the Attorney-General would be even greater if the Secretary of State was bringing such cases.

17The hon. Member for Yeovil (Mr. Ashdown) tried to get round this problem of intimidation in a neat and ingenious way. I listened to and understood the points that he made, but I hope that I have given some of the basic reasons why the Government feel that the question of intimidation is much broader than the question of who brings cases of this sort. I do not believe that the right hon. Member's proposed changes would be workable. Not only that, but the functions of the Director of Public Prosecutions, which are set out under the 1972 order, make it clear that the director can deal only with criminal cases, and these cases will not be criminal ones. I accept that we could change that, but it would need a major rethinking of the philosophy underlying the 1972 order and the role of the director in Northern Ireland would be one with which I am far from convinced he would be terribly happy.

The amendments do not propose straightforward inclusion of the DPP; there is a caveat attached that the DPP should be allowed to bring actions only where there is a possibility of personal intimidation or threat. What constitutes intimidation for these purposes? Who would decide whether it was likely? Would applicants decide? If so, the director would be involved in every case that was ever brought. Would the DPP decide? If so, what criteria would he use? It is not possible just to draw up criteria for the DPP in this way.

When considering all these amendments it should be borne in mind that the application for breach of the declaration can be brought by a group of people—councillors, the council, the electors. This, we believe, is sufficient to protect applicants against intimidation. We agree that it does not cover the intimidation of witnesses, which is the key element in the fears among councillors and hon. Members. That is a matter for the police and it is crucial that it is resolved with the police when such cases are brought. I cannot ask my right hon. and hon. Friends to accept these amendments.

Mr. Jim Marshall: By leave of the House, I should like to reply briefly to the debate. As we have the support of the DUP, the Official Unionists and the Social Democrats, perhaps we should take our amendment away and have a further look at it. If, as the hon. Members from those parties have said, they intend to vote with us, we shall be pleased to have their company.

Mr. Clifford Forsythe: My hon. Friends and, I presume, hon. Members of the Unionist fraternity on the other Benches are quite capable of being convinced by a correct argument. It is unfortunate that the hon. Gentleman seems to be saying that he cannot be persuaded by argument.

Mr. Marshall: I am pleased to hear the hon. Gentleman concede that if an argument is rational and convincing enough he is prepared to be convinced by it. I regret that on previous occasions when I am sure that my arguments were equally or perhaps more cogent, rational and convincing I failed to carry the hon. Gentleman and his

hon. Friends with me. Perhaps I should not say much more about that in case I lose the potential support of the Official Unionists.

I have a point to make to the right hon. Member for Yeovil (Mr. Ashdown) and it is one that the Minister tangentially approached. We deliberately chose the Attorney-General because we wished to emphasise that we want the offence to remain a civil one. We had a long debate in Committee when we considered whether to choose the Attorney-General or the Director of Public Prosecutions. We made it clear then that we were opposed to criminalisation, and the very mention in the north of Ireland of the initials DPP implies criminalisation.

Mr. Ashdown: I am grateful to the hon. Gentleman for that elucidation. Does he share my view that the Minister, who has been very eloquent and is a powerful speaker who presents his case well, has been remarkably unsound on his ground in the debate? Of all the Minister's arguments I found most sinister the one that Members of Parliament were somehow not involved in these affairs and that only councillors or electors could bring charges. Perhaps the hon. Gentleman would comment on that. It seems odd that the Government's argument is based on the idea that an elector can initiate the law but an elected representative cannot.

Mr. Marshall: Perhaps I could deal with that when I am dealing with the Minister's reply to the debate.

The hon. Member for Mid-Ulster (Rev. William McCrea) again spoke about the genuine fears of people in Northern Ireland in general and in specific areas of the Province. I think that I speak for all my hon. Friends when I say that we fully understand that. Time and again I and my hon. Friends seek to curb what we are tempted to say so that we do not exacerbate those fears or be seen to be inciting people to commit acts of violence. We understand and share the grief and sympathy that undoubtedly abounds in the north of Ireland. The hon. Gentleman belittles himself when he says that because we live hundreds of miles from what is going on day-by-day in the north of Ireland we fail to understand and appreciate the dimension of agony in another part of the United Kingdom. I ask him to accept that there is a shared feeling about that.

The Minister made great play of the need for councillors, electors or councils to be the Government's front-line soldiers. He is saying, "You are the people directly involved. You are the people whom we expect to carry out the Government's will—whether you be an ordinary elector, councillor, or even a Member of Parliament who happens to have been elected to a specific district council."

10.45 pm

It is wrong of the Minister to hide behind those innocent people. He is asking them to do something that he will not have to do—put the finger on an individual or on individuals. That person may appreciate that the act of fingering and speaking out against another party might spell his own death. But that is what the Minister asks people to do on his Government's behalf.

Our argument, and the essence of the amendment, is that such a requirement is wrong. We deeply disapprove of the legislation, but if the Government wish to impose it, then they must have the courage and guts to accept that, as it is their legislation, it is their responsibility to implement it. The best way of doing that is through the office of the Attorney-General.

Mr. Needham: If the hon. Gentleman were right, then his argument would be true of any civil case brought in Northern Ireland. We are here dealing with a civil case involving electors in a given district, councils, and councillors. In those circumstances, it is right that they should be the parties bringing the action.

Mr. McNamara: The hon. Gentleman is playing with words.

Mr. Marshall: My hon. Friend says that the Minister is playing with words, which is true. But the Minister has, in respect of this legislation, been playing with words for weeks and months. However, he cannot escape from the fact that the legislation is political in both concept and character. It seeks to impose political conditions on Northern Ireland's local councils. The Government are responsible for that concept, and for the kind of political views that they wish to outlaw in councils. If political decisions must be taken, the Government must realise that the Attorney-General should take the responsibility for implementing them.

Question put, That the amendment be made:—

The House divided: Ayes 31, Noes 104.

Division No. 56] **[10.47 pm**

AYES

Ashdown, Rt Hon Paddy
Barnes, Harry *(Derbyshire NE)*
Beggs, Roy
Campbell, Menzies *(Fife NE)*
Cook, Frank *(Stockton N)*
Cryer, Bob
Flannery, Martin
Forsythe, Clifford *(Antrim S)*
Golding, Mrs Llin
Hughes, John *(Coventry NE)*
Kilfedder, James
Livsey, Richard
McCrea, Rev William
McCusker, Harold
McKay, Allen *(Barnsley West)*
McNamara, Kevin
Maginnis, Ken
Marshall, Jim *(Leicester S)*
Martlew, Eric
Maxton, John
Michael, Alun
Molyneaux, Rt Hon James
Morley, Elliott
Paisley, Rev Ian
Robinson, Peter *(Belfast E)*
Ross, William *(Londonderry E)*
Skinner, Dennis
Smyth, Rev Martin *(Belfast S)*
Steel, Rt Hon David
Taylor, Matthew *(Truro)*
Walker, A. Cecil *(Belfast N)*

Tellers for the Ayes:
Mr. Frank Haynes and
Mr. Jimmy Dunnachie.

NOES

Alexander, Richard
Amess, David
Amos, Alan
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Tom *(Hazel Grove)*
Ashby, David
Atkinson, David
Baker, Nicholas *(Dorset N)*
Batiste, Spencer
Bennett, Nicholas *(Pembroke)*
Boswell, Tim
Bowis, John
Brandon-Bravo, Martin
Bright, Graham
Brown, Michael *(Brigg & Cl't's)*
Burt, Alistair
Butterfill, John
Carrington, Matthew
Carttiss, Michael
Chapman, Sydney
Chope, Christopher
Conway, Derek
Coombs, Anthony *(Wyre F'rest)*
Coombs, Simon *(Swindon)*
Cran, James
Currie, Mrs Edwina
Davies, Q. *(Stamf'd & Spald'g)*
Davis, David *(Boothferry)*
Day, Stephen
Devlin, Tim
Dorrell, Stephen
Dover, Den
Durant, Tony
Fenner, Dame Peggy
Fishburn, John Dudley
Forth, Eric
Franks, Cecil
Gale, Roger
Gill, Christopher
Greenway, John *(Ryedale)*
Griffiths, Peter *(Portsmouth N)*
Ground, Patrick
Gummer, Rt Hon John Selwyn
Hamilton, Neil *(Tatton)*
Hanley, Jeremy
Harris, David
Heathcoat-Amory, David
Holt, Richard
Howarth, Alan *(Strat'd-on-A)*

Howarth, G. *(Cannock & B'wd)*
Hughes, Robert G. *(Harrow W)*
Hunt, David *(Wirral W)*
Hunt, John *(Ravensbourne)*
Hunter, Andrew
Irvine, Michael
Jack, Michael
Janman, Tim
King, Roger *(B'ham N'thfield)*
King, Rt Hon Tom *(Bridgwater)*
Knapman, Roger
Knowles, Michael
Lang, Ian
Lightbown, David
Lloyd, Peter *(Fareham)*
Lord, Michael
Lyell, Sir Nicholas
Mans, Keith
Martin, David *(Portsmouth S)*
Maxwell-Hyslop, Robin
Meyer, Sir Anthony
Morrison, Sir Charles
Needham, Richard
Norris, Steve
Porter, David *(Waveney)*
Roe, Mrs Marion
Rowe, Andrew
Sackville, Hon Tom
Sayeed, Jonathan
Shaw, David *(Dover)*
Shaw, Sir Michael *(Scarb')*
Shepherd, Colin *(Hereford)*
Smith, Tim *(Beaconsfield)*
Stern, Michael
Stevens, Lewis
Stradling Thomas, Sir John
Summerson, Hugo
Taylor, John M *(Solihull)*
Taylor, Teddy *(S'end E)*
Tebbit, Rt Hon Norman
Thompson, Patrick *(Norwich N)*
Thorne, Neil
Thurnham, Peter
Tracey, Richard
Twinn, Dr Ian
Viggers, Peter
Waddington, Rt Hon David
Waller, Gary
Warren, Kenneth
Watts, John
Wells, Bowen
Wheeler, John
Widdecombe, Ann
Wood, Timothy

Tellers for the Noes:
Mr. David Maclean and
Mr. Michael Fallon.

Question accordingly negatived.

Amendment made: No. 27, in page 4, line 2, leave out 'while a member of a district council or of the Northern Ireland Assembly'.—*[Mr. Needham.]*

Schedule 2

DECLARATION AGAINST TERRORISM

11 pm

Amendment proposed: No. 22, in page 11, line 5, leave out ', if elected,' and insert

'after nomination until the declaration of the count and, if elected, during the life of the elected authority'.—*[Mr. Molyneaux.]*

Question put, That the amendment be made:—

The House divided: Ayes 10, Noes 127.

Division No. 57] **[10.50 pm**

AYES

Forsythe, Clifford *(Antrim S)*
Kilfedder, James
McCrea, Rev William
McCusker, Harold
Maginnis, Ken
Molyneaux, Rt Hon James
Paisley, Rev Ian
Robinson, Peter *(Belfast E)*
Smyth, Rev Martin *(Belfast S)*
Walker, A. Cecil *(Belfast N)*

Tellers for the Ayes:
Mr. William Ross and
Mr. Roy Beggs.

NOES

Alexander, Richard
Amess, David
Amos, Alan
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Tom *(Hazel Grove)*
Ashby, David
Ashdown, Rt Hon Paddy
Atkinson, David
Baker, Nicholas *(Dorset N)*
Barnes, Harry *(Derbyshire NE)*
Batiste, Spencer
Bennett, Nicholas *(Pembroke)*
Boswell, Tim
Bowis, John
Brandon-Bravo, Martin
Bright, Graham
Brown, Michael *(Brigg & Cl't's)*
Burt, Alistair
Campbell, Menzies *(Fife NE)*
Carrington, Matthew
Carttiss, Michael
Chapman, Sydney
Chope, Christopher
Conway, Derek
Cook, Frank *(Stockton N)*
Coombs, Anthony *(Wyre F'rest)*
Coombs, Simon *(Swindon)*
Cran, James
Cryer, Bob
Currie, Mrs Edwina
Davies, Q. *(Stamf'd & Spald'g)*
Davis, David *(Boothferry)*
Day, Stephen
Devlin, Tim
Dorrell, Stephen
Dover, Den
Dunnachie, Jimmy
Durant, Tony
Fallon, Michael
Fenner, Dame Peggy
Fishburn, John Dudley
Flannery, Martin
Forth, Eric
Franks, Cecil
Gale, Roger
Garel-Jones, Tristan
Gill, Christopher
Greenway, John *(Ryedale)*
Gregory, Conal
Griffiths, Peter *(Portsmouth N)*
Ground, Patrick
Gummer, Rt Hon John Selwyn
Hamilton, Neil *(Tatton)*
Hanley, Jeremy
Harris, David
Haynes, Frank
Heathcoat-Amory, David
Holt, Richard
Howarth, G. *(Cannock & B'wd)*
Hughes, John *(Coventry NE)*
Hughes, Robert G. *(Harrow W)*
Hunt, David *(Wirral W)*
Hunt, John *(Ravensbourne)*
Hunter, Andrew
Irvine, Michael
Jack, Michael
Janman, Tim
King, Roger *(B'ham N'thfield)*
King, Rt Hon Tom *(Bridgwater)*
Knapman, Roger
Knowles, Michael
Lang, Ian
Lightbown, David
Livsey, Richard
Lloyd, Peter *(Fareham)*
Lord, Michael
Lyell, Sir Nicholas
McGrady, Eddie
McKay, Allen *(Barnsley West)*
McNamara, Kevin
Mallon, Seamus
Mans, Keith
Martin, David *(Portsmouth S)*
Martlew, Eric
Maxwell-Hyslop, Robin
Meyer, Sir Anthony
Michael, Alun
Morley, Elliott
Morrison, Sir Charles
Needham, Richard
Norris, Steve
Pike, Peter L.
Porter, David *(Waveney)*
Roe, Mrs Marion
Rowe, Andrew
Sackville, Hon Tom
Sayeed, Jonathan
Shaw, David *(Dover)*
Shaw, Sir Michael *(Scarb')*
Shepherd, Colin *(Hereford)*
Skinner, Dennis
Smith, Tim *(Beaconsfield)*
Spicer, Sir Jim *(Dorset W)*
Steel, Rt Hon David
Stern, Michael
Stevens, Lewis
Stradling Thomas, Sir John
Summerson, Hugo
Taylor, John M *(Solihull)*
Taylor, Matthew *(Truro)*
Taylor, Teddy *(S'end E)*
Tebbit, Rt Hon Norman
Thompson, Patrick *(Norwich N)*
Thorne, Neil
Thurnham, Peter
Tracey, Richard
Twinn, Dr Ian
Viggers, Peter
Waddington, Rt Hon David
Wallace, James
Waller, Gary
Watts, John
Wells, Bowen
Wheeler, John
Widdecombe, Ann
Wood, Timothy

Tellers for the Noes:
Mr. Alan Howarth and
Mr. David Maclean.

Question accordingly negatived.

Order for Third Reading read.

11.10 pm

The Secretary of State for Northern Ireland (Mr. Tom King): I beg to move, That the Bill be now read the Third time.

Although this is a somewhat later hour than some of my hon. Friends might have hoped for, they will accept from me that Northern Ireland cannot be accused of overtaxing the House. I take considerable pleasure from the fact that this modest measure has had the opportunity of a full discussion in the House this evening, and I am pleased that so many hon. Members from Northern Ireland have taken part in the debate on the amendments.

I hope that those hon. Members who served on the Committee will not treat me as an interloper if I take part at this stage of the Bill. I hope that all hon. Members will join me in expressing appreciation to my hon. Friend the Minister in charge of the Bill for the way in which he has conducted its proceedings.

I hope also that two provisions of the Bill are not too controversial. The extension of the franchise to those who enjoy it under certain election procedures but not under others, but who will now enjoy it under the council procedure, is overdue, and it corrects an anomaly that should have been corrected before. I trust that I carry the House with me on that point. The anomaly that only those convicted of minor offences be disqualified from subsequently serving on local authorities in Northern Ireland, but not those convicted of major offences, because the disqualification period has long expired before they emerged from their period of confinement should also be corrected.

I recognise that the controversial elements in the Bill relate to the declaration by candidates in consideration of an abjuration of violence.

In terms of protagonists, the debate has focused on those who believe that this is not a sensible proposal and that nothing should be done, and on those who believe that much more should be done. That is perhaps typical of so many of the problems faced by those responsible for government in Northern Ireland and the balance that has to be struck.

I do not claim that the measure is a guaranteed, fail-safe solution to what I genuinely believe is a real and manifest problem. It is no secret that the Bill is before the House because it is recognised that there is a genuine problem. My hon. Friend the Minister and I embarked on the consultation paper that we issued and the discussions that we had with many people in Northern Ireland because we recognised that there was genuine concern. We recognised that there was something uniquely offensive in people serving on councils in Northern Ireland with people who openly supported murder, killing and violence as an adjunct to their political activities.

[Mr. Tom King]

It would have been easier to walk away and do nothing. Some have suggested that we should go further and proscribe such organisations. Some talk of proscription as though it were a fail-safe option that was guaranteed to work. I have made no secret of the fact that we do not rule out that option, but it has many difficulties and needs to be considered carefully before it is adopted.

The proposals that we have put before the House have been made not in an impetuous or ill-considered way, but after considerable detailed consultation. My hon. Friend the Under-Secretary of State has discussed the measure with a number of hon. Members, people who hold elected office in Northern Ireland and many others who were concerned about the issue. That was the right way to proceed. There is a genuine issue that needs to be addressed and this is the honourable and correct way in which to do so.

Above all, we ensure by this measure that the many people who have felt the offence of finding themselves in elected office in Northern Ireland and having to face people who abuse the electoral process have some means of redress whereas previously they were told that there was nothing that they could do.

We have sought to bring the measure before the House in readiness for this year's local government elections in Northern Ireland. Its existence, given the support of the House on Third Reading and then of another place, means that those who stand for election will do so in the knowledge that each candidate will be standing under the same circumstances and with the same commitment not to support violence in any form in which it is described in the Bill. It is in that spirit that I commend the Bill to the House.

11.18 pm

Mr. McNamara: It is noble of the Secretary of State to come before us and take responsibility for the Bill. He referred to it as a modest measure. There is a lot to be modest about.

If we believe what we read in the newspapers, the real author of the legislation is the Under-Secretary of State. I have a message for the leader of the Social and Liberal Democratic party. Whatever his reputation here, despite his birth and the ancestry of his parents, Action Man in Northern Ireland, according to the *Belfast Telegraph*, is the Under-Secretary. For all the right hon. Gentleman's claims to fame, I am sorry that he has not gone that far. The heading was,

"The dreams of an action man".

The problem is that both the right hon. Gentleman and the Minister share dreams. One believes that one day he might takeover the Labour party and the other believes that the Bill might improve the situation in Northern Ireland. Both are misconceived in their ideas.

The article also states, referring to the Minister:

"Already he can claim credit as the man who finally got Ulster pubs open on Sundays."

I suspect that he found the Bill late one Sunday night in a bar. One of the most interesting comments on the Bill was the strange statement of the Minister in the same issue of the *Belfast Telegraph*. He said:

"Mr. Needham says that while his plan may not solve the problems in the councils, it does show the Government's determination."

It seems that the Minister's ambition is to secure an entry in the Stormont book of heroic failures.

The shallowness of the Bill is shown by the Minister's lack of conviction about it. It shows the Government's determination, but it will not solve any of the problems. He would be better employed taking the Bill away and allowing the electorate of Northern Ireland to decide who is best fit to represent it. Determination can be an admirable quality, but unless it is allied with sensible purpose, it degenerates into mere stubbornness. That is what we have seen tonight. The Minister has persisted in stubbornly imposing on Northern Ireland a Bill which will satisfy no one in the Province and will offend many beyond the ranks of those it seeks to curb. It is ironic that a Minister who has been so vigorous, as the *Belfast Telegraph* said, in advocating the need for greater self-government in Northern Ireland should stand so firmly against the voices from both sides of the community who are opposed to or dissatisfied with the Bill. It is almost as if he has resorted to the old colonial tactic of divide and rule where the Government were measured by their capacity to offend all sensibilities equally.

The Bill, as a whole, is a disaster. We shall not have to wait very long before we see the negative effects of the legislation in the council chambers later this year. I shall identify the main reasons that lead the Labour party to that conclusion, but, before doing so, I must mention one positive aspect of the Bill—clauses 1 and 2, which bring the franchise for local elections into that for parliamentary elections. The anomaly was a hangover from the days of sectarian abuse and of explicitly sectarian Government in Northern Ireland.

I was bitterly disappointed that some Northern Ireland hon. Members sought to maintain such blatant sectarianism in their amendments. If they cannot demonstrate more concern to treat their neighbours as equal citizens, the future for the Province is grim. However, those provisions are about the best thing that can be said about the Bill. To be fair, Ministers have resisted the more outrageous proposals, but they would never have been put forward if the Bill did not provide suitable opportunities for them. The Government are belatedly beginning to recognise that they have created enough damage without the exercise in destruction that they would have been invited to undertake today by some hon. Members and their more outrageous amendments.

It is also a curious twist that a Bill that includes the extension of the franchise should be coupled with an attempt to limit the significance of the exercise of that franchise. By requiring candidates for elected office to sign a declaration, we are placing barriers in the way of free elections. The paradox is that those who advocate violence will sign the declaration and find a way around it. Those whose attitude towards violence has at best been ambiguous will sign it and cover themselves with self-righteousness while some of those whose conduct has been irreproachable will refuse to demean themselves by signing the declaration. To sign is an implicit acceptance by a candidate that there is a possibility of him or her supporting violence. The Bill is a calculated insult to the vast majority of public representatives and electors in Northern Ireland.

The key clauses—clauses 6 and 7—are completely unacceptable. Clause 6, which deals with breaches of the

declaration, is appalling and has failed completely to give a genuine definition of what constitutes a breach of the declaration.

Mr. Ashdown *rose*——

Mr. McNamara: I am not giving way.

Mr. Ashdown: It is on the point that the hon. Gentleman has just made. I am fascinated by his logic.

Mr. McNamara: The right hon. Member must continue to be fascinated. Time is going on and I will not give way.

Not only have the Government resisted all attempts to provide a strict definition, but they openly admit that they wish the courts to do the work that they should have done in drafting the Bill. Then they have the gall to describe the Bill as a carefully considered measure. All they have done is to make the Northern Ireland judiciary the arbiter of acceptable political behaviour in Northern Ireland, thus replacing the electorate with the judiciary, and to make the prospect of sectarian litigation more inviting, as well as politicising the judiciary. These are the proposals of a Government whose Ministers claim to wish to promote the possibility of greater self-government for the Province.

As for clause 7, we have already rehearsed the arguments. My hon. Friend the Member for Leicester, South (Mr. Marshall) eloquently demolished the clause when proposing our amendment. I only regret that the Government have not accepted responsibility for the enforcement of their own legislation. As my hon. Friend said, it will allow sectarian litigation to increase turmoil in council chambers and will probably, as hon. Members from Northern Ireland have suggested, lead to lives being placed at risk. It is not, as the Under-Secretary said, the witnesses or the clerks of the council who will be at risk; the person who will be fingered is the person who initiates the action.

I do not agree with all the suggestions made by hon. Members from Northern Ireland, but I find it strange that the Government's intention to promote the cause of more responsive government in Northern Ireland is associated with a talent for creating consensus of opposition, however diverse its strands, from all sides in Northern Ireland.

I note that the Government's contempt for the people of Northern Ireland extends to statutory bodies, such as the Standing Advisory Commission on Human Rights, whose views on the Bill have been ignored. It had little time to express its views to the Secretary of State until after the Committee stage.

I do not wish to waste more of the time of the House than has already been taken up by this unnecessary, divisive and destructive Bill. It is sad that when there are so few opportunities to debate Northern Ireland in the House we should find ourselves dealing far too often with ill-considered measures. The Government are not setting the political agenda, as they would have us believe. They are simply dancing to the tune of the open supporters of the paramilitaries. They are not even prepared to enforce their own legislation. That is the mark of people who are neither convinced of nor sincere in their purpose.

Because we do not believe in such a futile measure and because we regret very much the lack of conviction of the Government in their own measure, we shall divide on Third Reading.

11.28 pm

Mr. Clifford Forsythe: Usually when a Member has worked on a Bill in Committee and in the House he is glad when it completes its stages in the Chamber even though he may not agree with all its provisions, but I must say that I am very sorry that we have reached the end of the road on this measure. The Bill has a stance. It will be completely ineffective. Unfortunately, the work of hon. Members in putting the Bill through the House will be wasted.

We on these Benches were anxious to support the Bill. We felt that with a little bit of alteration, and a couple of amendments, the Bill could be made effective. Unfortunately, there has been no movement whatsoever. Every suggestion that has been put to the Government has been rejected. All the arguments about intimidation could have been considerably lessened by making the declaration a criminal offence. If the Minister had worried about a criminal offence, it would have made the position slightly different. I know that the Secretary of State does not agree with that; indeed, he shakes his head.

While I do not agree that right hon. and hon. Members are too far from the situation—if one is a little further from a situation one might look at it differently—they must agree that those of us who come from Northern Ireland, who are close to the people, may have a different view which perhaps should be listened to occasionally.

Members of Parliament will be able to take action against breaches of the declaration as we all live in local government areas. The Government are placing one side of the council chamber against the other. I agree with the hon. Member for Leicester, South (Mr. Marshall) that this is a political Bill in that one political party in the council will be set against another. There is no doubt about that.

We must put it on record that the Bill is ineffective. It will be proved to be so in a few years or less, when those who brought in the legislation will probably be sitting on the same Benches and answering the same questions. We should think about that.

I do not wish to detain the House longer, so I will end by describing in this way what will happen after May. It will be seconds out, round one.

11.34 pm

Mr. McGrady: Like the hon. Member for Antrim, South (Mr. Forsythe) I have gone through all the stages of the Bill from studying the White Paper to Third Reading. It is patently obvious, although this is portrayed erroneously by the Government, that the Bill will not reduce or impinge on terrorism in Northern Ireland in any way, in fact, given the workings of the political wings of the paramilitary groups, the Bill will be a weapon in their hands and be to their advantage.

The only consequence of the Bill will be an exceedingly disadvantaged local government scenario, because we shall have party political confrontation in the council chambers. And, as has been said often enough tonight, the confrontation will not simply be with Sinn Fein; it will be right across the political parties, because like everyone else, they will take advantage of the Bill. A decision about the declaration will be made not on the basis of whether they want to take a seat but on the basis of the long-term political advantage of the paramilitaries. That is how they will decide whether to make such a declaration. Thus the

[Mr. McGrady]

decision will be a totally political one, and I must agree with the hon. Member for Antrim, South that this is a political Bill.

It means, of course, that under the Bill we will have the strange anomaly of a civil offence which can be perpetrated only by elected councillors. The situation will be unique, because they will be the only people capable of committing a civil offence under this legislation. One is forced to ask why a spoken or written word in support of terrorism or violence should not be an offence for every member of the community, rather than merely selectively, as under the Bill, for elected councillors. Surely, what is sauce for the goose is sauce for the gander.

There is another dramatic consequence that we shall see very shortly. When it becomes apparant to the Northern Ireland community that there will be additional confrontation in the council chambers—as there will be, no doubt about it—the people will prejudge that situation and the calibre of candidates offering themselves for election in May of this year will be very much diminished, to the detriment of local government. Local government in Northern Ireland has many flaws and faults, and I have been forced to criticise them, but at least one should not act in such a way as to diminish the possibility of some improvement.

I know that it is not proper to discuss a specific aspect of a Bill on Third Reading and most of the clauses were dealt with in general debate tonight, but the exception was the very essence of the Bill—the character of the offence itself.

I asked the Minister responsible for piloting the Bill through Committee what he meant by the phrase, apart from the written and the spoken word, "and any other behaviour". I found his reply rather naive. I described a situation which is quite common in council chambers where a negative position could quite clearly be an expression of support for violence. I gave examples on Report, and hon. Members who wish to know what I mean by that can refer to my speech. A negative attitude to a course of action can be a clear indication of support for violence. The Minister's reply was that the phrase "other behaviour"

"does not cover and is not intended to cover doing nothing. The phrase 'other behaviour' would cover, for example, the wearing of insignia or paramilitary dress."—[*Official Report, Standing Committee A*, 20 December 1988; c. 57.]

Every second citizen in Northern Ireland has paramilitary dress or, if not, certainly has insignia.

The unqualified phrase "other behaviour" will be an enormous legal quagmire. We will thus have a bad law and the imprecision of that law will be passed on to the courts for judgment, and yet in no way will we have affected the presence of supporters of terrorism in the council chambers. All that will happen is that they will use the Act and turn it back on those of us who are totally and implacably opposed to violence. For that reason, my party has opposed the principle of the Bill from the word go. Having sat through all the arguments in Committee and in the House I have not heard one good reason to change our mind. The Bill will be applied to local government in Northern Ireland and it will be debilitating. It will be a great cause of aggravation in our council chambers.

11.40 pm

Mr. Ashdown: I acknowledge immediately that the Bill raises difficult judgments. The history of oaths and declarations in Irish politics is not a happy one. Those of us who are aware of what has taken place know that. We are also aware that the Bill can be represented as some infringement of the civil liberties of those who go through the electoral process. If it were not so a similar declaration would be made in Britain. Those who are concerned, as I am, about civil liberties, must be worried about that. Ultimately, we have to make a judgment on individual civil liberties and what is appropriate to give the largest liberty to the greatest number of people in difficult circumstances. The key liberty is the liberty to survive without the threat of violence as part of everyday life and politics. As hon. Members who represent Irish constituencies have said, we are miserably far from that condition in Northern Ireland today.

Throughout the various stages of the Bill I have said that it has to be judged on the answer to a single question. Will it, in however small a measure, assist the process of democracy, and prevent, or at least inhibit, violence in the everyday life of Northern Ireland, especially in its politics? It is on that single judgment that one must come to a conclusion.

I have heard it said by hon. Members, including the hon. Member for South Down (Mr. McGrady), that this is a political Bill. Of course it is. It is about politics and it is introduced according to a political judgment. However, if by that hon. Members mean that it is a politically partial Bill, I have to disagree with them.

I hesitate to take a different view from hon. Members who represent Northern Ireland constituencies. I suspect that there is broad agreement amongst them and the Labour party. I know the difficulties under which they have to labour and the courage that they have to show to practice the ordinary process of democracy in Northern Ireland on a day-to-day basis. Those of us who represent English, Scottish or Welsh constituencies and who are not involved in Northern Ireland, have no idea of the extent to which that must disrupt their daily lives, threaten their families and so on. Therefore, one does not lightly take a different view from them. However, I have to take that different view as a matter of judgment.

Let me place on record that, although I suspect that when we divide every hon. Member representing an Irish constituency will oppose the Government, I would not wish it to be known that that is the overwhelming and unanimous view of the people of Northern Ireland. There are many who would support the legislation. One political party in Northern Ireland—the one for which I have the most respect; the Alliance party—is on record as having stated that it supports the legislation.

Mr. McGrady: On a point of information, the leader of the Alliance party, Dr. John Alderdice, said in my presence the other day—it was witnessed by the hon. Member for Fermanagh and South Tyrone (Mr. Maginnis)—that his party was totally opposed to the Bill.

Mr. Ashdown: The hon. Gentleman will recognise that that is simply hearsay. I spoke with the leader of the Alliance party in Northern Ireland very recently, including when I was on a visit to Northern Ireland only a matter of a month ago, and he did not express that view to me, and as far as I know he has not changed his view. I notice, and

perhaps it should be placed on record, that the Secretary of State, who presumably has spoken to that gentleman as well, takes the same view as myself. The hon. Gentleman has raised an important matter and I shall consider it. I take his comments seriously, but he will understand if I do not accept them at face value, because they are entirely contrary to the information which I have.

I think that those hon. Members who have spoken with considerable passion and a good deal of argument on their side against the Bill today, have nevertheless come to a wrong conclusion. I say that, albeit with some diffidence, because I believe they may have underestimated the effect which making a declaration of this sort will have in displaying in a most powerful manner the duplicity of those who in a matter of weeks, or months, or perhaps even years, will obviously breach it. I accept that there are people in Northern Ireland who are capable of acting so cynically. But I believe that the showing of that duplicity in such a powerful form will have an effect on the democratic process in Northern Ireland. Maybe that is a wrong judgment, but it is a judgment that I have to make.

I would go further and say that those hon. Gentlemen from Northern Irish constituencies who have spoken against this Bill may well in the long run have overestimated the propaganda uses to which this could be put by the people of violence. It may well be that in a few months from the passing of this Bill there will indeed be the circumstances described by hon. Gentlemen, but at the end of the day the propaganda effect of that, in my judgment, will wear out and the long-term beneficial results which this Bill could bring may well begin to be seen.

To return where I started, the single judgment that we have to make in deciding how to vote on a difficult Bill on these difficult issues is whether it will assist the process of democracy and inhibit the process of violence in Northern Ireland. My judgment is that it will. Let that statement not be misunderstood in any way. I do not believe that this legislation by itself will be a cure-all or that by itself it wil solve all the problems. It is one small piece in an armoury we must carefully and patiently assemble that willl encourage the democratic process and inhibit the process of violence. If hon. Members believe that this Bill, despite whatever practical drawbacks it may have—I have expressed my views about one or two of those—adds in however small a measure to that armoury, they should support it tonight.

That is my judgment and this is why I and my party will support the Bill.

11.28 pm

Rev. William McCrea: Having listened to the preceding speeches, I think it is right to say that many hon. Members would like to support this measure. Indeed, as I come from a council that has a number of Sinn Fein representatives of murderers in the council chamber, I should like to be able to give a clear assent to the Bill. The Secretary of State has made his considered judgment, the Minister concerned has made his, and one must respect their right to make those judgments. But other hon. Members have considered the Bill carefully, hoping for a measure that would be effective in silencing terrorists. In our judgment, it does not meet the requirement which we longed to have met by a Bill that could have been brought before the House. In the days to come we shall see the proof. We shall see whether the judgment of the Secretary of State and his Ministers is right or whether the judgment of hon. Members who think that the Bill does not go far enough is proved correct. There is an old saying that the proof of the pie is in the eating.

I listened carefully to the speech of the right hon. Member for Yeovil (Mr. Ashdown). My colleagues and I did not emphasise the propaganda use that Sinn Fein, the IRA or the spokesmen for terror may make of the Bill. In many ways I do not concern myself about what some of the representatives of murderers will say. They have said all that they can about Northern Ireland Members, so that that aspect is not my main concern. The genuine concern of Unionist Members is about the danger to the lives of those who will take action against the men of violence and their spokesmen. I hope that the Minister will accept the genuineness of that concern.

Even if the Government do not agree with us and do not accept our summary of the debate and the Bill, they must accept that the danger to those who will take action must weigh heavily on the minds of elected representatives. In the border constituencies the people in the front line will be those who finger councillors and take them to court. That is a fact of life. It is sad that the Government did not see fit to take that burden away from people who have suffered enough and who are under enough pressure.

It would have been more honourable for the Government to bring in a proper Bill and see it through to the ultimate conclusion. They have not done so and that is the main reason why I and my hon. Friends cannot support the Bill. Its major weakness is that it will endanger life, especially the lives of those in border areas. I know that because I represent a border constituency. I hope that the Secretary of State and the Under-Secretary of State will accept that that weighs heavily on my mind. The people in those areas are my colleagues and it is right for me to put that on the record. We need a measure that will effectively remove from the councils the people who speak for terrorism, and the Government had an opportunity to do that. I do not say that the Minister decided to rub everyone's nose in the dirt or that he has gone out of his way to reject everything that we have said.

The Bill will not do what the Government say it is intended to do and it will cause great danger to members of district councils who finger offending councillors. I have a great deal of will in my heart, because as much as any other hon. Member I want action to be taken against the spokesmen for terror, but I and my colleagues cannot give to the Bill the support that we long to give to an effective measure.

11.54 pm

Mr. William Ross (Londonderry, East): On Report, I said that nothing is worse than a law that does not fulfil its stated objective. We have reached almost the end of the proceedings, and I believe that the Bill still does not fulfil its stated objective. That failure is already widely recognised among Unionist councillors, and as it becomes even more widely known in Northern Ireland, other councillors—who, having fought a savage battle for many years, are already weary—will find it increasingly difficult to take up the cudgels again.

The presence of Sinn Fein on Northern Ireland councils has created a serious situation, and it makes for one of the

[Mr. William Ross]

most frustrating experiences that any elected representative could confront, with consultations that mean nothing and instances of councillors being overruled time and again. That is because the council system has been beheaded as a result of direct rule, with decisions being taken by the Secretary of State for Northern Ireland and his Ministers—or, more likely, by the civil servants who advise them—without that close-to-the-people, on-the-ground knowledge that is needed to arrive at sensible decisions affecting local government. Northern Ireland councillors are, in the main, good people who have served since 1973, but they are utterly weary of the way that they have been treated. The Bill does nothing to ease their burden, but tends to increase it.

Sinn Fein has already said that it will sign the declaration, and I am sure that it will do so by way of practising duplicity—as was said by the right hon. Member for Yeovil (Mr. Ashdown). However, the right hon. Gentleman and other right hon. and hon. Members may not appreciate that such duplicity will be seen by Sinn Fein's supporters as cleverness—to be commended rather than condemned. That is the mentality of the people with whom we are dealing. If the Secretary of State and his Ministers do not understand that, they can know nothing of the problems of the Province they govern.

The lack of understanding by the Northern Ireland Office that the Bill reveals is widespread in the House. However, such lack of understanding may have diminished among those right hon. and hon. Members who listened to today's debates. Sadly, not nearly enough were present. I wish that there had been more.

If the Government had made a real effort, the result would have been an oath or declaration that the IRA could not have signed. My hon. Friends indicated a willingness to meet our responsibilities, and invited Ministers to do likewise—but that offer did not receive their support. That will be viewed in Northern Ireland in a way that is not complimentary to Ministers. The Government should have seriously considered the good results that would have flowed from abolishing proportional representation, but it appears that that never crossed their minds. It would make it more difficult for Sinn Fein councillors to be elected. The Government could simply have banned Sinn Fein.

The Government could have accepted—albeit it late in the day—my suggestion that all council proceedings be recorded. The Minister did not turn a blind eye to that proposal. Perhaps he—like myself—thought of it a little too late. If so, no doubt an opportunity will be taken in another place to remedy matters.

The hon. Member for Kingston upon Hull, North (Mr. McNamara) and I both recognise the distinction to be drawn between giving evidence and initiating proceedings. The hon. Gentleman and I clearly understand that there is a vast difference between the two, but the Government do not. If proceedings are begun against the promoters of murder and supporters of violence by someone other than councillors, the councillors and others who give evidence will be in a more secure position than if they have to stand up and say, "Yes, he is the fellow who said this. I heard him say it. Here are the words that he uttered." To do that would be to invite a death sentence.

The Bill was conceived some three and a half years ago. After its conception, it did not develop very much; it went into suspended animation for many months. Eventually, however—as the hon. Member for South Down (Mr. McGrady) mentioned—something happened. As so often before, the Government had to be seen to do something, no matter what, to give the impression that useful action was being taken. Thus the Bill finally resumed its development and was brought forth. What a poor, miserable mouse it has proved to be. It certainly does not measure up to the requests of law-abiding councillors.

The Minister will remember that he refused to give way to me when we were discussing the meaning of the words "repudiate" and "repudiation". I should like to correct him now. I have here a copy of the Oxford English Dictionary, and even if the Minister is not prepared to accept what it says, I believe that the rest of the House will be. I do not wish to detain the House for long; the definition takes up a column and a half. But it includes the following:

"Of a woman: Rejected or put away by her husband; divorced;"

That is permanent. It goes on

"To divorce, reject".

That is also permanent. Next we have

"To cast off, disown (a person or thing) . . .

To reject (opinions, conduct, etc. with condemnation or abhorrence."

Need I go on? The entire meaning of the word as set out here, contradicting what was insinuated by the Minister, is that repudiation is permanent. Using verbal gymnastics unbelievable except to those who listened, the Minister tried to tell the House that repudiation was of what had gone past and could, as it were, be turned on its head in the next instant. That is not the meaning that I find in the dictionary. If the Minister cares to argue about meaning and context, he should be prepared to take the book in his hand and consider very carefully what it says before considering his own words and the case that he tried to put to the House.

In the light of what is in the dictionary, the Minister's words do not stand. In the light of a judgment in which words were supposed to be accepted on their plain everyday meaning, I plead that the Minister has failed to make his case; and in failing to make his case he indicates to any sensible, sane person that the Government's case is wrong. It will not stand the test of time.

For that reason I invite the Minister, the hon. Member for Staffordshire, South-East (Mr. Lightbown) and indeed the Secretary of State and the Prime Minister to wait until May 1990—a year after the next local government elections—and then to come back and read what they have said tonight. I invite them to consider what they have allowed to pass through the House, in the light of 12 months' experience, and then do the decent thing and resign. By that time they will be convicted by their own words of the wrong that they have done, and the failures that they have been in Northern Ireland.

The Secretary of State did one good thing tonight: he said that it was nice to have a debate on Northern Ireland. If he meant that genuinely, he can help matters along by ensuring that every change in the law in Northern Ireland goes through this procedure, so that the understanding of his right hon. and hon. Friends will be increased. We have a faint hope that even his understanding will be improved.

12.4 am

Rev. Ian Paisley: Surely the Government should have second thoughts about this Bill. All hon. Members in the Chamber, with their diverse political opinions and platforms, are totally opposed to it. Surely the Government should think again when they see the opposition of elected representatives in this House to the Bill. Of course my views and opposition are different from those of the hon. Member for South Down (Mr. McGrady). Nevertheless, there is a consensus that the Bill is not the way to proceed.

I regret that the leader of the Liberals is not in the Chamber at the moment. He castigated me at the beginning of the debate and said that I had made misrepresentations about the views of the Alliance party. He accused me of being guilty of misleading Parliament and of putting forward falsehoods about that party.

I live in east Belfast. I know the leader of the Alliance party by repute and I have read what he has said. Tonight evidence was given that that gentleman said, in front of witnesses, that he was opposed to the Bill. The Alliance party is on record as stating that it did not want the onus to be placed on ordinary individuals. It stated that it should be placed on the Law Officers in keeping with an amendment moved tonight by the official Opposition with regard to the Attorney-General, or even in keeping with the view put forward by the leader of the Liberals. The Alliance party evidently speaks with two voices on this matter. It has told the leader of the Liberals one thing and the people of Northern Ireland something completely different.

The Alliance party does not have representatives in this House. The leader of the Liberals told us that there was a widely held view in Northern Ireland in favour of the Bill. Where is that support? It cannot be found among the elected representatives in this House.

The Government should govern, and tonight they are not doing that. When there are deaths, murder, mayhem and bombing in Northern Ireland, the Secretary of State comes to the Dispatch Box and pleads with the people of Northern Ireland to come together and stop the bombing and killings. However, the ordinary people of Northern Ireland can do nothing about that. As the Secretary of State spoke tonight, he put the onus back on the ordinary people. If the Bill does not work, the people of Northern Ireland will be blamed.

Yes, the elected representatives of the people of Northern Ireland came together tonight, but the Government did not listen to them. The Secretary of State had the opportunity tonight to stand in the front line and take action by accepting an amendment. However, the Minister said that it was not a matter for the Secretary of State. Others were prepared to go on the front line, but that was not acceptable to the Government. The first person to finger a member of Sinn Fein, the first person to succeed in bringing an action against Sinn Fein, will have written his own obituary. Time will tell. It is all right for the Secretary of State to comment, but that is the reality. Members of Sinn Fein will use the measure when it suits them and when they want to bring about a crisis in a council area. The person who is responsible, seeks to do what is right and to take his responsibilities seriously will suffer, or his wife and family will suffer.

The Achilles' heel of every politician in Northern Ireland is not himself. Those in public life in Northern Ireland have made a decision and are prepared to carry the burden. But the weakness of every man is his wife and his children. That is the worry of politicians in Northern Ireland. I am not worried about myself; I and my colleagues in the House who represent Northern Ireland are worried about our families. They are our Achilles' heel, because at any moment they can be shot down in the street. Gun law is the order of the day in Northern Ireland. Those are the facts and we need to face them.

As I told the House, last night I sat with a young woman and her little child. What can one say to a woman whose husband, aged 26, goes out in the morning and is brought back in a box in the evening? That is the situation we face in Northern Ireland. This legislation, instead of bringing us nearer to a solution is drawing us further away from it.

12.11 am

Mr. Harry Barnes (Derbyshire, North-East): I shall try to be brief, although that is often more easily said than done. I believe that I shall be the last Back Bench Member to speak in the debate, and I wish to make a point that does not directly relate to the main arguments that have been raised during the debate. I wish to speak not so much for the hon. Members who are here, but for the record, for those who are not present tonight.

It is terribly disappointing for hon. Members representing Northern Ireland to speak to a House in which 190 hon. Members voted earlier this evening and now has more than 500 hon. Members absent. Whichever party they represent, they cannot all have had legitimate reasons not to be here.

We are considering a Bill to

"Amend the law relating to the franchise at elections to district councils in Northern Ireland, to make provision in relation to a declaration".

That is not a minor item about democracy. If hon. Members are not concerned enough to attend debates dealing with items of local government electoral systems, that seems to me to be disturbing, and it applies to both sides of the House. I realise that many will have legitimate reasons for not being here, but others, from both sides of the House, should realise that, as Parliamentarians they should be involved in these proceedings.

Surely, within a parliamentary democracy, the first thing that we should be concerned about is the electoral system. Democracy does not depend just on electoral systems, it depends on many other arrangements such as petitioning rights, civil liberties and how organisations are supposed to present their views through pressure group activities. All those factors seem to be under attack. The Government should reflect that the climate of the House produces the feeling that items will be steamrollered. Many hon. Members believe that it is useless to involve themselves in important and significant debates such as this. This should be a major parliamentary occasion in which we discuss democracy. Some hon. Members have carried the weight of the debate and should be congratulated on their contributions. Others, despite the line that the Whips have taken, have decided that they should not be involved.

Declarations are being introduced that are democratically dangerous. Northern Ireland needs not qualifications and restrictions on democracy but an extension of it, and improved social and economic conditions.

12.16 am

Mr. Needham: We have exhaustively and exhaustingly covered all aspects of the Bill. Having listened, I hope attentively, to the hon. Member for Kingston upon Hull, North (Mr. McNamara) and his hon. Friends—who are not present in significant numbers—I find their arguments as weak as at the end of the debate as I did at the beginning.

The Opposition have opposed all the recent measures that the Government have introduced to limit the hideous effects of terrorism with various degrees of antagonism or apathy and sometimes both.

The hon. Member for Kingston upon Hull, North accused the Bill of being draconian, of limiting freedom of expression, of being a step to totalitarianism and of undermining democratic politics. Yet on Second Reading he abstained and said that there were two small clauses to which he could not object.

In Committee, the Opposition proposed a series of contradictory amendments. Some, such as substituting "crimes of violence" for acts of "violence for political ends", clearly broadened the scope of the Bill in a way that was completely unacceptable to the Government, and which could have been criticised as unjustifiable restrictions of freedom of expression.

Another amendment proposed—it was moved again tonight—that the Attorney-General should be introduced into the proceedings. That was an astonishing development from the Labour party, given its recent attacks on the Attorney-General. It was more astonishing in the light of its apparent desire to appeal to Nationalist sentiment; no wonder the hon. Member for South Down (Mr. McGrady) sat on his hands when that suggestion was put to the vote.

Has the hon. Member for Kingston upon Hull, North forgotten the history of the Attorney-General in Irish affairs? In 1844, Daniel O'Connell was prosecuted for conspiracy. Who prosecuted him? The Attorney-General. In 1848, Smith O'Brien was sentenced to death, although he was later reprieved. Who prosecuted him? The Attorney-General. The role of the Attorney-General in the affairs of Northern Ireland has led to the creation of martyrs and greater divisions in the island of Ireland.

Other Opposition amendments have tried——

Mr. Deputy Speaker (Sir Paul Dean): Order. I am sorry to interrupt the Minister, but I must apply the rules equally. We cannot again go over the Committee stage of the Bill; we must deal with the Bill's provisions.

Mr. Needham: I understand, Mr. Deputy Speaker, and I am sure that the House will not want me to weary it with the details of the earlier stages of the Bill.

I have found the views expressed by Opposition Members extraordinary. The remarks of the hon. Member for Kingston upon Hull, North reminded me of a few lines from Alice in Wonderland, which say:

"'You are old, Father"
Kevin
"the young man said,
'And your hair has become very white;
And yet you incessantly stand on your head—
Do you think at your age it is right?'
'In my youth,' Father"
Kevin
"replied to his son,
'I feared it might injure the brain;
But, now that I'm perfectly sure I have none,
Why I do it again and again'."

Unionist Members' arguments also appear to have been muddled. If they want Sinn Fein banned—I understand the arguments for that—they are entitled to ask for proscription, but even if they were to have proscription, we would still require the Bill. If, however, they want a Bill to stop terrorism being advocated or violence supported in councils, they must explain to the House and to the people of Northern Ireland how using the Attorney-General and the Director of Public Prosecutions in making a breach of the declaration a crime will work more effectively than the Government's proposals. They have clearly failed to do that.

I do not wish to go back through the arguments about repudiation, but a court can consider evidence on whether a councillor is supporting violence, but it cannot consider establishing whether a person has repudiated his vow. Many Unionist Members' arguments would not have made the Bill more effective—they would have made it less effective. The hon. Member for Mid-Ulster (Rev. William McCrea) rightly mentioned intimidation. I agree that it must be tackled, but it would happen to witnesses and applicants, and it would have to be tackled whenever any action is brought in the court.

The point of the Bill is that we want candidates to sign the declaration and, when they are elected, to abide by it. It is not that we want an endless series of cases on the issue.

As has been mentioned, the Bill has been attacked by the Standing Advisory Commission on Human Rights. The commission believes, as others do, that there is a serious problem in local government, and I welcome that belief. The commission is concerned that the declaration that we are proposing will not work and that, in some way, it will be counterproductive. It believes that the problem should be tackled by creating a new offence of supporting or condoning the use of violence for political ends, which offence could be committed by anyone. In other words, the commission's proposals would limit the freedom of speech of those who have chosen not to accept elected office. The commission's drastic proposal to invoke the criminal law in respect not merely of councillors and assembly members but of any citizen is not justified. I am surprised that the SACHR should advocate the introduction of new criminal legislation which undermines freedom of expression in a way that the Government's proposal does not. I am surprised to note that the Opposition seem to agree with that line.

This week, I was explaining the Bill to a Democratic state senator from Massachusetts. He expresaed surprise that the Bill was being opposed. Hon. Members from Northern Ireland will accept that, in a recent poll, 84 per cent. of the people of Northern Ireland supported the concepts behind the Bill, for all sorts of reasons, but the elected Members of Parliament from Northern Ireland have opposed it. That senator asked me, "How can any match be started unless the teams are made to leave their knives by the touchline?"

The Bill says to the advocate of violence, "Thus far and no further. Advocate your violent views, if you must, in your attempts to gain a vote, but we, the vast majority, respect honour and will uphold the rules of political democracy." The men of violence have a choice—shut up or get out. The Bill may be a small step for democracy, but it is a further step from the abyss, and I commend it to the House.

Question put, That the Bill be now read the Third time:
The House divided: Ayes 98, Noes 21.

Division No. 58] **[12.23 am**

AYES

Alexander, Richard
Amess, David
Amos, Alan
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Tom *(Hazel Grove)*
Ashby, David
Atkinson, David
Bennett, Nicholas *(Pembroke)*
Boswell, Tim
Bowis, John
Brandon-Bravo, Martin
Bright, Graham
Brown, Michael *(Brigg & Cl't's)*
Burt, Alistair
Carrington, Matthew
Carttiss, Michael
Chapman, Sydney
Chope, Christopher
Conway, Derek
Coombs, Anthony *(Wyre F'rest)*
Coombs, Simon *(Swindon)*
Cran, James
Currie, Mrs Edwina
Davies, Q. *(Stamf'd & Spald'g)*
Davis, David *(Boothferry)*
Day, Stephen
Devlin, Tim
Dorrell, Stephen
Dover, Den
Durant, Tony
Fallon, Michael
Fenner, Dame Peggy
Fishburn, John Dudley
Forth, Eric
Franks, Cecil
Gale, Roger
Garel-Jones, Tristan
Gill, Christopher
Greenway, John *(Ryedale)*
Gregory, Conal
Griffiths, Peter *(Portsmouth N)*
Ground, Patrick
Gummer, Rt Hon John Selwyn
Hamilton, Neil *(Tatton)*
Hanley, Jeremy
Heathcoat-Amory, David
Holt, Richard
Howarth, Alan *(Strat'd-on-A)*
Howarth, G. *(Cannock & B'wd)*
Hughes, Robert G. *(Harrow W)*
Hunt, David *(Wirral W)*
Hunt, John *(Ravensbourne)*
Hunter, Andrew
Irvine, Michael
Jack, Michael
Janman, Tim
King, Rt Hon Tom *(Bridgwater)*
Knapman, Roger
Knowles, Michael
Lang, Ian
Lawrence, Ivan
Lightbown, David
Lloyd, Peter *(Fareham)*
Lord, Michael
Lyell, Sir Nicholas
Maclean, David
Mans, Keith
Martin, David *(Portsmouth S)*
Maxwell-Hyslop, Robin
Morrison, Sir Charles
Needham, Richard
Norris, Steve
Porter, David *(Waveney)*
Roe, Mrs Marion
Sayeed, Jonathan
Shaw, David *(Dover)*
Shaw, Sir Michael *(Scarb')*
Shepherd, Colin *(Hereford)*
Smith, Tim *(Beaconsfield)*
Spicer, Sir Jim *(Dorset W)*
Stern, Michael
Stevens, Lewis
Stradling Thomas, Sir John
Summerson, Hugo
Thompson, Patrick *(Norwich N)*
Thorne, Neil
Thurnham, Peter
Tracey, Richard
Twinn, Dr Ian
Viggers, Peter
Waddington, Rt Hon David
Waller, Gary
Watts, John
Wells, Bowen
Wheeler, John
Widdecombe, Ann
Wood, Timothy

Tellers for the Ayes:
Mr. John Taylor and
Mr. Tom Sackville.

NOES

Barnes, Harry *(Derbyshire NE)*
Beggs, Roy
Cook, Frank *(Stockton N)*
Cryer, Bob
Forsythe, Clifford *(Antrim S)*
Kilfedder, James
McCrea, Rev William
McCusker, Harold
McGrady, Eddie
McKay, Allen *(Barnsley West)*
McNamara, Kevin
Maginnis, Ken
Mallon, Seamus
Molyneaux, Rt Hon James
Paisley, Rev Ian
Pike, Peter L.
Robinson, Peter *(Belfast E)*
Ross, William *(Londonderry E)*
Skinner, Dennis
Smyth, Rev Martin *(Belfast S)*
Walker, A. Cecil *(Belfast N)*

Tellers for the Noes:
Mr. Frank Haynes and
Mr. Jimmy Dunnachie.

Question accordingly agreed to.
Bill read the Third time, and passed.

STATUTORY INSTRUMENTS, &c.

Electricity

Motion made, and Question put forthwith pursuant to Standing Order No. 101(5) (Standing Committees on Statutory Instruments, &c.).

That the draft Electricity and Pipe-line Works (Assessment of Environmental Effects) Regulations 1988, which were laid before this House on 29th July 1988, in the last Session of Parliament, be approved—*[Mr. Maclean.]*

Question agreed to.

Harbours, Docks, Piers and Ferries

Motion made, and Question put forthwith pursuant to Standing Order No. 101(5) (Standing Committees on Statutory Instruments, &c.).

That the draft Harbour Works (Assessment of Environmental Effects) (No. 2) Regulations 1988, which were laid before this House on 9th December, be approved.—*[Mr. Maclean.]*

Question agreed to.

Industrial Development (Northern Ireland)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Maclean.]*

12.34 am

Mr. Michael Brown (Brigg and Cleethorpes): We have had a long debate on matters relating to Northern Ireland and it is appropriate that my Adjournment debate, which I am delighted to have the opportunity of initiating, should also be about Northern Ireland. I wish to talk about a better position—the economy and the work of the Northern Ireland Industrial Development Board and the Local Enterprise Development Unit. Those two organisations have done a great deal to benefit the economy.

The public image, to some extent reinforced in the earlier debate, is that there is much strife and division in Northern Ireland, overshadowed by the phenomenon of terrorism. But there is another Northern Ireland which I have had the opportunity of getting to know over the years in my capacity first as secretary of the Conservative parliamentary Northern Ireland committee and subsequently as vice-chairman of that committee. That Northern Ireland is shown in the work of the employers' organisations and of industry which do such a great job of keeping the economy going in the face of the difficulties of strife, division and terrorism. There is a good news story to tell. Hon. Members who represent Northern Ireland constituencies will appreciate that there is another side to Northern Ireland to which I should like to draw attention.

The report and accounts of the Industrial Development Board for the year 1987-88 show the tremendous effort put in by that organisation and by the Northern Ireland Office to regenerate the economy. In his statement in the report the chairman says that in the last year three major milestones were passed in the work of the board since it was established in 1982. In the year to 31 March last the number of new jobs promoted rose to more than 20,000, the total leveraged investment of the board in industry surpassed £1 billion, and the number of factories sold to the private sector exceeded 200.

These achievements have provided genuine satisfaction to the Industrial Development Board, but the real congratulations deservedly go to Northern Ireland industry as a whole. The graph of jobs promotion has continued upward for the third year running, with about 5,200 jobs having been promoted. It was the best ever job promotion total, with £302 million worth of investment secured in 115 projects. In creating dynamism in the economy for this expansion in investment confidence has been vital.

That confidence has showed itself in two recent announcements by my right hon. Friend the Secretary of State for Northern Ireland. The first was the announcement by my right hon. Friend and Daewoo, an electronics company which is part of a £15 billion group. It is to set up a video cassette recorder factory which will create more than 500 jobs in two years. That announcement was made about two and a half months ago. It is expected that a 100,000 sq ft purpose-built factory will be erected on a 12-acre site at the Rathenraw industrial estate at Antrim as part of an £18 million investment by Daewoo over the next three years.

It is, I understand, the first Korean investment in Northern Ireland and the third plant that Daewoo Electronics has located outside Korea. Northern Ireland industry, the people of Northern Ireland, the Northern Ireland Office and the Industrial Development Board in particular should be congratulated on the work that they have done to secure this excellent project which will bring considerable employment opportunities to the Province. Production will start in the middle of this year when the new factory has been completed. It will have the capacity to produce 500,000 video recorders a year, which will be sold mostly in the European market.

We have also had the good news about the French company, Montupet. The Secretary of State announced just before Christmas that about 1,000 manufacturing jobs will be created by that company within five years at Dunmurry, near Belfast. My right hon. Friend was delighted to welcome the investment by Montupet, which is a world leader in the production of aluminium components for the car industry. This £90 million investment is the biggest project ever to be secured by the Industrial Development Board and the largest initial investment made by any overseas company in Northern Ireland. This was more good news for jobs in Northern Ireland at the end of 1988, which saw a substantial fall in unemployment. It has been a good year generally for investment by many of Northern Ireland's companies, reinforced by Daewoo and now by Montupet.

I shall be very happy for the hon. Member for Londonderry, East (Mr. Ross) to catch your eye in this brief debate, Mr. Deputy Speaker, but first—this will be relevant for the hon. Gentleman—I want to turn the House's attention briefly to the work of the Local Enterprise Development Unit during the past year.

I have had an opportunity, in my capacity as vice chairman of the Conservative parliamentary Northern Ireland committee, to meet the officers and those in charge of LEDU, over several years, as I have the industrial development board. LEDU had a new chairman last year in Mr. Hadden, who presented his first report recently. There is good news with regard to LEDU, which is responsible principally for the smaller businesses. IDB is responsible for securing the large projects and investments from companies such as those I have outlined.

LEDU does very important work in assisting very small businesses, with perhaps six or 12 employees, to get off the ground. It gets to the small business man. Alongside the great skill and enterprise in Northern Ireland and the initiative that is characteristic of the Province, LEDU's work is very important.

The principal means of assessing the agency's performance is to consider the number of jobs promoted and renewed. The total for 1987-88, the last year for which figures are available, was 4,570, which was an increase from 4,543 in the previous year and well ahead of the expectations of LEDU and the Northern Ireland Office.

It is gratifying to note that each of the past seven years has been a record promotion year against the previous year, and as a result LEDU has more than doubled the annual rate of job promotions and renewals in the period 1981-82 to 1987-88, from 2,060 to 4,570. But there are other aspects of the agency's activities which cannot be measured just in terms of present-day job promotions, but which are helping to boost the job potential for future years by improving the environment in which small businesses can flourish and in encouraging companies to improve their overall efficiency, productivity and profitability.

I know that this is outside the terms of the debate, but I had the opportunity of meeting the chairman of Short Brothers earlier today. Here again is another good news story—they are everywhere we look in Northern Ireland. Those of us who represent constituencies on the mainland sometimes have the ability only to look for the bad news and to look at the security problems, but there is another Northern Ireland where there is initiative, enterprise, expansion and industry and a massive fall in unemployment. Two massive investment opportunities were announced by my right hon. Friend the Secretary of State just before Christmas. So that there is another side to Northern Ireland which I hope the House will take on board.

12.44 am

Mr. William Ross (Londonderry, East): I am grateful to the hon. Member for Brigg and Cleethorpes (Mr. Brown) for allowing me a moment to intervene to raise a matter which comes about because of a development by a young man in my constituency.

The House will be aware that the facsimile machine was a British invention. If, however, one tries to buy a facsimile machine made in the United Kingdom today one will run into certain difficulties: even the ones that the Post Office produce have all their bits and pieces made in Japan. It is a story, which is far too often told, of a British invention which is not brought to fruition and benefit for the people of this country because the development money has been unavailable.

My constituent is grateful for the support that he has already received from the Local Enterprise Development Unit, but he has now run into another snag. For commercial reasons, I do not wish to give any indication of the type of invention that he has come up with, but this man discovered something that I think has great potential. He also discovered that he had to pay quite a lot of money to protect his patent rights. He could not go on developing the thing in secret because one simply cannot keep these things secret; at some point they will become public knowledge and one must protect oneself against that.

Unfortunately, the amount of development that must still be done before the invention can go to market is considerable, and he still needs protection for his patents during that time. Worldwide patents are costly.

The Minister should have a letter in his office from me on this matter, asking him to look at it. I believe that there is a problem that needs to be addressed. It is the need for support for an inventor in patent protection until the thing has developed to the stage, not necessarily of production but of marketability. It is a costly business.

I appreciate all the difficulties. The whole question has more prickles than a cactus. But I ask the Minister most seriously to look at this difficulty which could mean something going overseas when it could otherwise be kept at home, with great benefit to our economy and to the workpeople of Northern Ireland and of the United Kingdom generally.

12.47 am

The Parliamentary Under-Secretary of State for Northern Ireland (Mr. Peter Viggers): I thank my hon. Friend the Member for Brigg and Cleethorpes (Mr. Brown) for raising the subject of the Northern Ireland Industrial Development Board and the Local Enterprise Development Unit in this short Adjournment debate. My hon. Friend is vice-chairman of the Conservative Back-Bench committee on Northern Ireland and his keen interest is greatly appreciated at all times.

As to the point made by the hon. Member for Londonderry, East (Mr. Ross), he says that he has written to my Department. I shall make a point of pursuing the matter personally and discussing it with the chairman of the Local Enterprise Development Unit, and I will come back to the hon. Gentleman in writing and, if necessary, by way of a meeting.

As my hon. Friend said, few people outside Northern Ireland hear of the industrial success of the Province because, unfortunately, the achievements of business and the steady fall in unemployment are not the stuff of headlines. Understandably, it is violence and the image of violence that impinge on the public perception. The reality of Northern Ireland is quite different. The vast majority of people there live perfectly normal lives. They shop in modern shopping precincts in Belfast and in the towns of the province. They send their children to the first-class schools and, in their leisure time they can enjoy the beautiful countryside and excellent sports facilities.

But the subject of our debate is the work of the industrial development agencies, and here, particularly, there is a real success story to tell.

The Industrial Development Board was established under the Industrial Development (NI) Order 1982 which came into effect on 1 September 1982. The order set up an IDB board of not more than 12 members chosen for their individual experience and expertise. Since the IDB is fully part of a Government Department and therefore accountable to Ministers, the constitutional position of the board is somewhat unusual. The board is described in the 1982 Order as having the role of advising the Department and its Minister and overseeing the work of the IDB staff —"the Executive". Ministers have, however, made it clear that the board has effective decision-making powers across a broad spectrum of its work and these arrangements have been incorporated in guidelines issued by the Department of Economic Development. The IDB has established a reputation for being separate from the mainstream of Government activity and commands, the respect of the business and commercial community. Its independence is important. The chief executive and the board have full executive responsibility for the implementation of the industrial development drive and well-established delegated authority. On a formal basis, the chairman and chief executive of the IDB have direct access to me as the Minister for industrial matters; informally we meet frequently and work closely together.

The IDB is staffed partly by civil servants with experience of industrial development, but it also receives a constant flow of industrial, commercial and financial expertise through secondment or engagements on short-term contract, of those with relevant experience from the private sector.

The IDB's role is not merely one of a provider of financial assistance. Instead, it aims to work with companies to help plan and aid their development. The IDB cannot tell companies how to survive and develop. Companies are much better placed to do that, with their in-depth knowledge of the business environment. The IDB can provide the framework for companies to research the

[Mr. Peter Viggers]

changes, plan for them and to act quickly to take advantage of them. It does that through the various types of assistance and advice packages that it can provide.

Mr. Roy Beggs (Antrim, East): We appreciate the compliments that have been paid to Northern Ireland industry and we congratulate the IDB and LEDU on their achievements. Can the Minister assure us that the financial packages that he can help IDB and LEDU to make available in Northern Ireland will continue to be at a level that will attract overseas investment? Can he assure us that Northern Ireland, with its high unemployment, will not discover that it is being disadvantaged by better packages of assistance being offered on the mainland

Mr. Viggers: I can give the hon. Gentleman that assurance without fear. The proud boast of the IDB is that no worthwhile project fails for lack of financial assistance. As the hon. Gentleman knows, with his keen interest in such matters, the IDB has been outstandingly successful in winning inward investment and promoting indigenous investment.

The IDB has been successful in marketing its operations and hon. Members will know of the 40-60 scheme which is aimed at encouraging companies to develop comprehensive marketing plans for their future development. That scheme provides 40 per cent. of costs up to a maximum of £60,000 per year to each eligible company. That scheme is exclusive to Northern Ireland, In 1987-88 the IDB offered over £2 million to companies to assist them with planning or opening up overseas markets.

To ensure that its marketing development services are and remain relevant, the IDB has established a marketing advisory group with representatives from the private sector.

Great Britain remains a major focus for Northern Ireland companies and the IDB has organised a series of major purchasing seminars to introduce Northern Ireland companies to major purchasing organisations in Britain and elsewhere.

Trade missions and fairs help to develop Northern Ireland industry. They help companies to sell in export markets, assess market potential, gauge competitor activity, develop or renew export contacts and offer customer reassurance. The 10 missions and seven fairs organised in 1987 resulted in prospective orders worth up to £44 million.

As more Northern Ireland companies move into the challenging international export world there is even greater need to be competitive. To this end, industry is increasingly recognising the need for technology and to forge closer links between higher education institutions in Northern Ireland and local companies.

In 1987-88 the IDB offered companies research and development assistance amounting to £8 million. This involved total company investment of over £22 million, and since 1983 some 187 companies have received assistance for the development of new products and processes.

However successful the IDB may be in securing new jobs through the development and expansion of companies already operating in Northern Ireland, it is necessary that this effort be supplemented by the winning of further inward investment to provide the employment opportunities which Northern Ireland so desperately needs. Inward investment is an important source of new viable jobs.

Inward investment offers more than just new jobs. It offers new management styles, new technology, new skills, new products and new markets for goods manufactured in Northern Ireland. But, as I said earlier, we have a major image problem, and this becomes particularly obvious and acute in seeking to win further inward investment. It is therefore to the IDB's considerable credit that it succeeds in overcoming initial concerns and persuades businessmen to look beyond the image to the industrial reality. And success IDB certainly does have.

One hundred and fifty-four million pounds, or 51 per cent., of the total investment and 2,486 of the new jobs promoted in 1987-88 arose from foreign-owned companies. That is a welcome indication of the confidence that foreign investors have in Northern Ireland as a sound business location. Confidence breeds confidence and I believe that the fact that 12 first-time inward investment projects came to Northern Ireland in the year ended 31 March 1988 is an indicator that the level of confidence in Northern Ireland as an industrial location is increasing. In the last three months alone, as my hon. Friend said, Daewoo, from Korea, and Montupet, the French car components manufacturer, have established plants in Northern Ireland. Between them those companies will require about 1,600 workers.

Since the IDB was established, in 1982, it has promoted over 20,000 jobs, and the total investment leveraged by IDB assistance has exceeded £1,000 million. Job promotions are up for the third year running. In 1987-88, the best year so far, some 5,300 jobs were promoted, and I am confident that that record will be beaten this year.

I have mentioned the investment of some £18 million through Daewoo and some £90 million through Montupet. More recently we have seen Ford invest a further £50 million in its Northern Ireland plant. Other investments, by du Pont at its Maydown plant near Londonderry have taken that company's total investment in Northern Ireland well above £500 million. These are major investments which are very significant, not only to the Province but nationally.

I turn now from the Industrial Development Board to the second of our development agencies, the Local Enterprise Development Unit. Operationally, LEDU is independent of Government and only in very rare cases does it have to refer decisions to the Department for approval. Its activities are currently overseen by a board of eight part-time directors all drawn from the business community, and hence, like the IDB, its operations benefit from the direct input of those with real industrial and commercial experience.

It is essential for an agency dealing with small businesses to be readily accessible to their clients. LEDU achieves this by operating out of four area offices spread across Northern Ireland. Again, to achieve the commercial input, the work of each area office is overseen by an area panel made up of local business men.

LEDU's field of responsibility covers small firms in the manufacturing, craft and service sectors. Like the IDB, it offers selective financial assistance, but here also considerable emphasis is placed on working with companies to develop their marketing, research and

development and competitiveness. LEDU is seen by the local business community as a valuable source of advice, support and, when appropriate, financial assistance.

In 1983, LEDU launched a major initiative designed to encourage local communities to play a more active and positive role in developing small businesses in their areas. Under the initiative known as the local enterprise programme, LEDU provides help towards the setting up of enterprise centres. Each centre offers low-cost small workshop accommodation in addition to providing common support and advisory services.

The provision of basic support services, such as typing and photocopying, is of considerable assistance to small companies starting operations and becoming established. Thirty such centres are planned of which at least one will be in each of the 26 district council areas. To date 20 centres are operational, and between them they provide 1,530 jobs in 430 businesses. These figures are projected to rise to 2,100 jobs and 520 businesses by next year. I am greatly encouraged by the fact that over 300 local business people serve on the boards of these centres on an entirely voluntary basis.

The LEDU has consistently met its job promotion targets. Since its formation in 1971 it has promoted over 35,000 jobs, of which 20,000 were in the last five years. In the last financial year, 1987-88, a total of 4,047 new jobs were promoted, of which about 500 were associated with enterprise grants towards new, very small, often one-man, businesses. Those figures demonstrate the importance of the small firms sector and LEDU's role in promoting it.

I take it as evidence of the high esteem in which the work on developing enterprise in Northern Ireland is held that the European Community small firms task force chose Northern Ireland for its first European enterprise conference. The conference, which was held last autumn in Belfast, gave us the opportunity to share our experience of enterprise in action with more than 400 delegates from all over Europe and beyond. The event undoubtedly enhanced Northern Ireland's reputation as a leader in enterprise development and enabled us to learn from the experience of others. I am sure that all who attended found it a most rewarding and stimulating experience.

The Government are totally committed to the development of the economy of Northern Ireland and have demonstrated that in their funding of the IDB and LEDU. The IDB's funding over six years has exceeded £390 million and £127 million of support is planned for next year alone. That answers the funding point raised in the debate. LEDU's funding over 10 years is £125 million, and £32 million is projected for next year. The important factor is not money but the industrial activity, the profits and, above all, the jobs that flow from this support. I take this opportunity to thank all those at the IDB and LEDU who have worked so hard to promote prosperity and employment. Their success is reflected in the growing confidence of industry in Northern Ireland.

Question put and agreed to.

Adjourned accordingly at two minutes past One o'clock.

House of Commons

Friday 27 January 1989

The House met at half-past Nine o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

Orders of the Day

Protection of Privacy Bill

Order for Second Reading read.

9.35 am

Mr. John Browne (Winchester): I beg to move, That the Bill be now read a Second time.

At the outset, I should declare that I have interests in the media industry, both as a director of a satellite television company and as a member of the board of an international newspaper. I should declare, too, a general interest in this Bill, for I, like every man, woman and child, will stand to benefit from the protection that it offers.

I wish to record my sincere thanks to those eminent people who have helped me in drafting the Bill, including the Clerks of the House, the Library staff, my staff, especially Miss White, and other people in the House of Commons. Professional reasons prevent me from mentioning some of their names, but I can mention Mr. Peter Ashman of Justice, Mr. Mark Littman, QC, Mr. Henry King, a senior partner in David Polk and Wardwell in New York, and, of course, my old friend, Mr. Peter Carter-Ruck, that most eminent of solicitors who, together with Mr. Littman, chaired the key Justice report of 1970, to which I shall refer.

I thank, too, my sponsors, who come from both sides of the House, and, on behalf of them, may I tell my hon. Friend the Minister that we are putting before the House the principle of privacy protection. We do not hold that our drafting is perfect. Therefore, should the Government come forward with amendments, we as sponsors will be thoroughly co-operative.

I make a special menion of my hon. Friend the Member for Stafford (Mr. Cash). His knowledge has been of great help to me. Although he is not a barrister, I truly feel that he is my hon. and learned Friend.

In describing the concept of privacy—the right to be let alone—I can do no better than qote from the Justice report of 1970, which states:

"To preserve his sense of identity and the integrity of his personality, to work out his personal relationships and find his way to his own salvation, each human being needs to be able to limit the area of his intercourse with others . . . Above all, we need to be able to keep to ourselves, if we want to, those thoughts and feelings, beliefs and doubts, hopes, plans, fears and fantasies, which we call 'private' precisely because"—

when we wish to—

"we wish to be able to choose freely with whom, and to what extent, we are willing to share them . . . The problem, therefore, is one of balancing the individual's need for privacy against the legitimate needs of the community".

I re-emphasise to right hon. and hon. Members that we must always distinguish between the public interest and the interests of the public, which are often different and sometimes even conflicting.

Past Governments have ensured that protection exists for the individual in respect of his physical person, his personal reputation and his personal property, including intellectual property. However, no effective legal protection of personal privacy exists under English law. There is a serious gap in our law. It is clear from Gallup polls that about 70 per cent. of the public are both disgusted by and concerned about the increasing exploitation of breaches of privacy for financial gain. That public concern is reflected in Parliament, where in the last Session about 60 per cent. of Back Benchers signed early-day motions supporting the right to privacy.

Today our lives are lived in a more and more congested style. In a world of increasingly sophisticated eavesdropping devices and of instant global communication, the need for legal privacy protection is increasing fast. In other countries, including the United States, Germany, Holland, Italy and France, privacy laws have worked for decades and yet there is no evidence that the freedom of speech has suffered one jot. In France, for example, the equivalent of *Private Eye* is the magazine *Le Canard* and it thrives despite the French privacy laws. In the United States, privacy laws exist despite the fact that the first amendment to the United States constitution is the protection of free speech and the freedom of the press. The American equivalents of *Private Eye*, however, *Spy* and *Village Voice*, continue to thrive.

Why is it that the law in this country authorises no protection for individual privacy? Why are we so far behind? Why has not something been done already? In this respect it is important to note that the Government have already signed international human rights conventions that enshrine the right to privacy as a basic human right. Obviously, by signing international conventions to this effect, the British Government agree in principle to that right. Therefore, why do we not have laws in common with other countries?

Mr. Greg Knight (Derby, North): My hon. Friend referred to an international convention, the European convention on human rights, and I believe that he meant article 8. Will he reflect on the fact that article 10 provides for freedom of information and freedom to disseminate information?

Mr. Browne: My hon. Friend raises a valid issue, which is at the crux of the debate: where should the balance be struck? At the moment everything is wide open and there is no balance. The aim of the Bill is to strike a balance that protects the individual citizen's privacy.

Why do we not have laws similar to those in other countries to protect privacy within the United Kingdom? As the learned Lord Ross said in his minority report from the 1972 Younger committee, to continue without such laws is,

"At least to some extent, a sham."

He also said:

"The law in the United Kingdom should now be brought into line with these important declarations."

That was in 1972, 17 years ago.

In today's world, I firmly believe that the protection of privacy is a fundamental human right, along with freedom of speech, of movement and of free association. Surely all

[Mr. Browne]

men and women in our land believe that their home is their castle in which their private lives should be protected and that preserving privacy is in the public interest. My sponsors and I hope that the Bill will put water in the moat of everyone's castle.

I have had an explanatory memorandum to the Bill printed and, therefore, I shall not waste the time of the House by describing each clause in detail. I will, of course, try to answer any questions that may arise. Basically, the Bill recognises two competing interests—freedom of information, mentioned by my hon. Friend the Member for Derby, North (Mr. Knight), and the protection of individual privacy. The Bill seeks to confer remedies for the public misuse of private information rather than a general right for the protection of privacy.

Essentially the Bill is based on international human rights obligations already accepted by the Crown. Clause 1 creates the statutory tort of breach of privacy. It allows the plaintiff to have someone else act for him under power of attorney if, for instance, the plaintiff is abroad and wants an injunction. It defines the persons who may be liable for committing a breach of privacy.

Clause 2(1) is most important as it balances the competing interests of freedom of information with the protection of the individual's privacy. It includes a hurdle or test for the plaintiff. That has been specifically included to ensure that the press is not shackled. Clause 2(2) gives guidance to the court on balancing the competing interests. Clause 2(2)(a) provides an extension of the public interest to include public benefit. I have included that so that the narrow definition of public interest, which might only include misconduct and criminal activity, is extended to include other things that may be of benefit for the public to know.

Clause 3 provides the other defences in addition to that of public interest. Clause 4 outlines the remedies that a court may award. It also gives guidelines to a court on assessing damages. Clause 5 states the period of limitation. Clause 6 ensures that the court will not award double damages. Clause 7 identifies the areas of a person's life that most reasonable people would regard as private and that are protected by virtue of the Crown's international human rights obligations. They are personal communications, the home, personal relationships, personal health, personal behaviour and personal financial affairs. It also defines personal and public use of dissemination by means of printed matter or broadcast material. That is important as it ensures that conversations, even gossipy conversations, are not killed by the Bill, which does not set out to be the kill-joy of normal village tittle-tattle.

Clause 8 allows the Bill to operate in Scotland. Clause 9 ensures that no actions can be brought on matters arising before the Bill comes into effect. Clause 10 binds the Crown, defines the short title of the Bill and provides for it to come into force on 1 January 1990.

In general, the Bill calls for no procedural changes. It preserves the principles of open justice, of damage relative to harm proved, the avoidance of double damages and the principle of mitigation. It does not include, however, provision for legal aid. Critics of the Bill argue that the absence of legal aid means that only the rich can benefit from the Bill's protection. Although I support legal aid, its inclusion in the Bill would have incurred the immediate hostility of the Government. It would have provided officials with easy ammunition with which to attack the Bill. Furthermore, those who feel strongly that legal aid should have been included will surely accept that the key issue is the principle of legal privacy protection. If such protection is needed, it should not be overruled simply because the Government do not think it is right to provide legal aid.

Mr. Alex Carlile (Montgomery): Does the hon. Gentleman agree that, although the absence of a legal aid provision is a disappointment, it will be possible to bring an action in the local county court and that it is now possible to obtain guidance easily on how to bring such actions in person? Therefore, there should be ready redress in a local court.

Mr. Browne: I am glad that the hon. and learned Gentleman has raised that point because he anticipates my next statement.

Critics have said that the Bill is for the rich only, but I must drive home the fact that the Bill is designed for the ordinary man and woman in the street. What the hon. and learned Gentleman says is perfectly correct, and after the Lord Chancellor's review a person will be able to take a case to the county court for about £20. That means that there will be wide access to the courts for everyone, including those on low incomes.

Mr. Greg Knight: Did my hon. Friend seek the advice of the eminent lawyers he mentioned on the subject of legal aid, because I am not sure that what he is saying is right? In the absence of any comment about legal aid, I understand that the normal rules for civil legal aid would apply to the Bill. That being so, has my hon. Friend any idea of what the implications for the costs to the legal aid fund would be?

Mr. Browne: That is a deep, legal question. As I understand it, without provision for legal aid, legal aid would not apply, just as it does not apply now for cases brought under the defamation laws. I shall try to confirm that during the course of the debate.

The subject of financial accessibility to justice faces our entire legal system and it is far beyond the scope of the Bill. I should re-emphasise, however, that, unlike libel plaintiffs, plaintiffs under the Bill can bring their cases before the county courts, as the hon. and learned Member for Montgomery (Mr. Carlile) has said. Following the Lord Chancellor's review, access to the county courts will be much cheaper than it is even today. Therefore, the Bill will greatly improve accessibility for the less well off in comparison to access currently afforded in civil torts such as those of defamation.

My right hon. Friend the Member for Chingford (Mr. Tebbit), whom I much admire and who is one of my political heroes, wrote an article which appeared in *The Evening Standard* last night which raised that exact point. It is unfortunate that he is not here today because I do not like to talk about hon. Members when they are absent from the Chamber. My right hon. Friend said:

> "Few such ordinary people would be protected by Mr. Browne's Bill, any more than they are protected by the law of libel."

That is utterly incorrect. He also said:

> "Mr. Browne's Bill is bound to inhibit the freedom of the Press to do its proper job."

I dispute that and hope to illustrate later why that view is

wrong. The less well off will have much better legal access under the Bill than under the present laws of tort, such as libel.

The Bill has also been criticised for not including a provision for a jury. Naturally, I support jury trials, and I should willingly accept amendments that allowed either side to demand trial by jury, as in libel cases. In fact, I excluded juries simply to protect the press from extortionate and punitive damage payments. It is, perhaps, worth noting that in the case of South Hetton Coalfield v. *North Eastern News* in 1894, the judge ruled specifically that the determination of public interest was a matter of law for the judge. Hence the concept of a judge determining what is in the public interest or benefit has been recognised as a matter of law for 100 years or more. The Press has not felt the need to complain until now.

The Bill has been criticised for its provisions about injunctions. Basically, there is no change in the Bill in the method and manner in which injunctions are applied for and granted. As you know, Mr. Deputy Speaker, Parliament's wish to see privacy protected is not new. Bills have been introduced by the late Lord Mancroft in 1961, Alexander Lyon in 1967, Brian Walden in 1969 and, most recently, by my hon. Friend the Member for Stafford. This Bill draws upon their experiences, and I salute and thank all those who have gone before. Despite the mounting evidence of popular demand for protection of privacy, reflected by the presentation of no fewer than four Bills, past Governments have avoided the issue. Whether the fear of media moguls or the fear of an anti-media image has played a part, I know not, but I do know that nothing effective has been done to protect the privacy of the individual citizen. The moats around the castle homes of England are dry and individual privacy is invaded, at profit, with impunity.

Mr. Roy Beggs (Antrim, East): Does the hon. Gentleman agree that the benefits of the Bill should be extended to Northern Ireland? Could he arrange that?

Mr. Browne: I believe that the benefits should be extended to the whole of the United Kingdom, and I and my sponsors would agree to extend it to Northern Ireland if amendments were tabled to that effect in Committee.

The smokescreen put up by past Governments has followed a pattern. First, such a Bill would be unworkable, despite the fact that privacy laws have worked, and worked successfully, without muzzling the press in other countries for decades. Furthermore, the tort of privacy is very similar to the tort of libel, which has worked well in our country for a century or more. The second reason given was that there are competing interests, so self-regulation is best. But self-regulation tends to cater for only one side of the balance of interests and, as a principle, the Government themselves, in many areas, no longer tolerate self-regulation in such places as the stock exchange, where regulations are now fully backed by statute law.

The third reason given by past Governments was that the key definitions of privacy and public interest are too difficult. We as sponsors maintain that such definitions may be difficult, but they are definitely not impossible. We already live and work with definitions of other equally difficult legal concepts such as nuisance, negligence, obscenity, trespass, misrepresentation and contempt. For the past 36 years, cases of breach of privacy have been decided by the Press Council. In each case, individual members of the council have had to decide according to their own individual view of privacy and public interest. The result? It has been arbitrary definitions with no restitution for the wronged. Meanwhile, breaches of privacy have become even more outrageous.

Mr. Robin Corbett (Birmingham, Erdington): I am grateful to the hon. Gentleman for mentioning the Press Council. At the moment, if a complaint goes to the Press Council, one waives one's right to seek any other recourse. It would seem that, under clause 6, one could take a complaint about privacy to the Press Council and then have the right to go to court to seek the damages that the Press Council was unable to award. Is that so?

Mr. Browne: That is so; and, of course, it is so under the laws of libel today. That is why the Press Council has instituted the waiver, which I find distasteful. I do not see why any citizen should waive his legal right to appeal to a tribunal. None the less, that may be a matter that can be dealt with in Committee. The provisions of the Bill are exactly the same as the laws on defamation.

Let us now look briefly at the key definitions of privacy and public interest. The Government have already signed international human rights conventions enshrining personal privacy as a fundamental human right. My definitions are based on those very same conventions, as identified in clause 7. Surely any reasonable person, given the facts, will have a clear idea whether privacy has been breached. People keep asking about uncertain cases, but they are provided for in the Bill. The Bill directs that if there is uncertainty, the decision must be made in favour of publication. If my critics are correct and uncertainty does exist or does enter the mind of the court, publication will take place.

The concept of public interest or benefit is not new in English law. Section 6 of Lord Campbell's Libel Act of 1843 refers to public benefit. Section 4 of the Law of Libel Amendment Act 1888 refers to public concern and public benefit, as does section of the Defamation Act 1952. Section 3 of the Theatres Act 1968 refers to the public good. Indeed, a key in the defence of fair comment in our present libel laws is the ability to show public interest. Ample precedents for public interest already exist and are practised constantly in English law.

Despite those legal precedents, some Government officials may still feel that legislation would be too difficult. Here I shall quote the views of two eminent barristers. The noble and learned Lord Ross, in his minority report to the Younger committee, said:

"uncertainties in the law are not unusual. To decline to alter the law because it would be difficult to define the new law is a doctrine of despair which could be applied to almost any proposed legal reform."

The noble and learned Lord Alexander, perhaps the most eminent practising barrister in the land, said in an article in *The Daily Telegraph* on 21 January 1989:

"This Bill may well be capable of improvement, or may need some amendment; but the principles it seeks to protect should now become part of our law."

If the Government have any ideas for improving the definition in the Bill, we as sponsors will co-operate fully.

I now turn to the press, which will be much affected by the Bill and which is, quite rightly, concerned. A free press is the key to the sustenance of a free democracy. However,

[Mr. Browne]

within that free democracy people as individuals must also be free to speak, to move and to associate, and free to enjoy the dignity of privacy.

Mr. Robert Banks (Harrogate): Would the Bill give some protection to members of the royal family who suffer from prying journalists and photographers in their private lives?

Mr. Browne: My hon. Friend raises an important subject. As I have said, everyone must be equally subject to the law and equally protected by it. Plainly, that includes the royal family. But whether people wish to exercise the remedies by going to court would be up to individuals.

In any civilised country the right to publish private information should prevail only where publication could be shown to be in the public interest. In that respect I shall now turn to the Younger committee. The Bills of the 1960s caused the then Governments to institute royal commissions, including the Younger committee, which reported in 1972. This was an important report and resulted in a significant minority report by Mr., now Lord, Ross. The Younger committee concluded that, first, there was no evidence of serious infringement of privacy. Secondly, it concluded that reliance could be placed on self-regulation and the professional ethics of the potential infringers of privacy backed by the Press Council remedy. The third recommendation was that a reformed law on breach of confidence would fill any of the remaining gaps. Today those findings appear naive.

I suspect that few people would think that the problem of privacy invasion was not serious. Events of the past decade or so have been extremely serious, and clearly something has to be done. The people of our country are looking to the Government for help in the formation of legal protection. In this respect it is clear from history that we cannot rely upon self-restraint by the media; the competitive forces are far too great. A line needs to be drawn.

I understand that some people, including my right hon. Friend the Member for Chingford, are minded to give the Press Council another chance under its new chairman, Mr. Louis Blom-Cooper, QC. Another chance after 36 years on trial and three royal commissions? My view is that the Press Council, which issued its own declaration in 1976, has tried hard but, to say the least, has been ineffective. Even *The Observer* of 22 January said in an editorial about the Press Council:

"The present set-up is well-meaning, amateurish and ineffectual."

The Press Council is not seen to act on behalf of the public. It is an attempt at self-regulation that has failed over the past 36 years, not because of any lack of will or ability on the part of its individual members, but because Parliament has given it no definitions of privacy or public interest. We have given it no guidelines and no teeth so that there is no restitution for the wronged.

Some people argue that the Press Council should be given teeth, but in today's world that means damages of hundreds of thousands of pounds. If the Press Council were given teeth, the press would rightly demand that evidence should be given on oath instead of upon written deposition, and that professional representation by barristers should be allowed. If the Government were to accept that, it would effectively turn the tribunal of the Press Council into a court. Why not accept the demand for legislation now?

I have interviewed the past chairman of the Press Council, Sir Zelman Cowen, and I am sure that he supports the Bill. He is on record as saying that he is sick at heart from revelations exposing people to hurt. I also believe that the new chairman of the Press Council, Mr. Louis Blom-Cooper, would find the Bill very acceptable. Despite this serious situation, no Government have yet taken action. Even the Bill has been rubbished as woolly. In that respect I should again like to draw the House's attention to Lord Alexander's article of 21 January. He says:

"The strongest criticism of any suggested law of privacy has invariably been that such a law would be too vague and leave too much to the discretion of the judges. I have always thought that this view underestimates the ability of the common law to develop both purposely and with common sense. The law of confidence, evolved to cover situations as different as commercial secrets and information held by members of the security services, is judge-made law. I hope the Lord Chancellor's Department and the Law Officers will not consider, as it has been reported they might, that such a law would be unworkable. We can trust to the vitality of the development of the common law, and to a sensible balance maintained by the judges. If Mr. Browne's Bill needs clarification, it should be amended, not killed".

In relation to the rubbishing in certain sections of the media, I shall turn again to the minority report of Lord Ross in 1972. In that report he says:

"The truth is that the press have always fought a strong, rearguard action when it has been suggested that the press acts unfairly towards private individuals. In seeking quite legitimately to protect what they see to be their best interests, the press have always exaggerated the dangers of muzzling the press".

This is happening today, and I believe that my right hon. Friend the Member for Chingford is wrong to give it so much credence.

The impression given in some sections of the media is that news gathering would be hampered by the Bill. Unlike its predecessors, the Bill makes no attempt whatever to stop sound investigative journalism, which can occasionally lead to the exposure of criminal activity.

Mr. Jonathan Aitken (Thanet, South): My hon. Friend makes an important point when he says that under the terms of his Bill honourable news gathering and investigative journalism can continue. My hon. Friend has been long on principles and short on specific examples. I should like to put a specific example to him and ask him how his Bill deals with it.

Immediately after recent major disasters, such as those at Hungerford and Lockerbie and the one that greatly concerned my constituents, the sinking of the Herald of Free Enterprise, the tabloid press sent reporters to do truly outrageous things to people. For example, in the case of my constituent, Captain David Lewry, the captain of the Herald of Free Enterprise, tabloid reporters smashed down the walls of his intensive care unit, invaded his home, put microphones in his car and treated that honourable man to a degree of invasion of privacy that was disgusting and vicious by any standards. When my hon. Friend comes to the weighing of public interests versus rights of privacy, will he be able to tell us that the Bill will stop such abuses in such future disasters?

Mr. Browne: I agree with my hon. Friend's every word. I must explain that I have been short on examples because

I am trying to limit my speech to give other hon. Members the chance to give examples. The examples of invasion that my hon. Friend quotes would not be directly stopped by the Bill. However, it would stop them indirectly because it would not pay television or broadcasting companies or the press to make intrusive interviews of the type that my hon. Friend quoted of the captain of the Herald of Free Enterprise because they could not publish them afterwards. The Bill gets at this by stopping the publication of private information rather than stopping the gathering of information, which may uncover crime. Technology may well eventually outstrip anything that we could write into what would become an even more complex Bill.

As I say, rather than concentrating on stopping investigation, the Bill stops the illegitimate publication of private information. Let us remember that privacy laws in other countries have not even hampered, let alone muzzled, the press. The Bill has been especially tailored to meet the legitimate interests of the press. Some people even say that it is too biased towards the press.

In conclusion, I should like briefly to mention some of the support that I have received, most interestingly, from within the media. Indeed, I have been told privately by a number of journalists, both from the press and broadcasting, that they will be delighted to see this Bill become law. One tabloid journalist said to me——

Mr. Corbett: Don't name him, for Heaven's sake.

Mr. Browne: The hon. Gentleman anticipates my fear. The tabloid journalist said:

"You will be amazed at the support for your Bill even from my paper. After all, we are human. We have children and families. We do not like to carry out some of the intrusive operations that we are given by our editors. We are professionally embarrassed. However, if we fail to get the story"——

such as the one quoted by my hon. Friend the Member for Thanet, South (Mr. Aitken)—

"we get the sack. Even our editors are driven by the competition of free market forces in an ever-downward spiral."

[Interruption.] Opposition Members may laugh. I must say that these words are a quotation. They are not even a quotation criticising the free market; they are criticising a free market with no bounds. That tabloid journalist went on to say:

"Many of us would welcome it if someone drew the line."

In other words, it is like drawing the boundary lines of a football game—free game and equal competition, but within the limits.

My plea to my right hon. Friends in Government, and especially in the Home Office, is to see this Bill as putting forward a principle—that is, the legal protection of the privacy of every man, woman and child in our country. Do the Government agree or not agree that individuals should have this right, a right that already exists in most civilised countries where water now fills the moat of every citizen's home or castle? The eminent legal practitioners whom I have consulted have all agreed that this Bill is long overdue and thoroughly workable in our courts that are familiar with dealing with civil wrongs. The key issue is whether an individual citizen should have any legal right to privacy.

I conclude with two quotations, first, from the noble and learned Lord Denning who, as Master of the Rolls, in the 1961 debate on Lord Mancroft's Bill, said

"if the law does not give the right of privacy, the sooner this Bill gives it the better".—[*Official Report, House of Lords*, 13 March 1961; Vol. 229, c. 640.]

Secondly, I quote again from Lord Alexander, QC, who said:

"This Bill may well be capable of improvement or may need some amendment but the principles it seeks to protect should now become part of our law."

Preserving privacy is in the public interest. In that spirit, I commend the Bill to the House.

Mr. Deputy Speaker (Sir Paul Dean): It will be evident to the House that many hon. Members wish to speak in this debate, so I hope that speeches will not be too long.

10.13 am

Mr. Alex Carlile (Montgomery): I start by congratulating the hon. Member for Winchester (Mr. Browne), first, on the principle that he is seeking to espouse in the Bill and, secondly, on his speech, which set it out most cogently and will enable me and other hon. Members speaking in support of the Bill to be brief. It is important that we should hear a wide range of views and I believe that we shall hear substantial support for the Bill from all parties.

The Bill seeks to incorporate for the first time a positive and important right into the law of the United Kingdom. I agree with the hon. Member for Antrim, East (Mr. Beggs) that that should mean the whole of the United Kingdom, including Northern Ireland. The right that the Bill seeks to incorporate into British law is the right of privacy. There is no such right in any substantive sense in British law at present. As a result of the absence of such a right, we should not mince our words about what the press sometimes does. The hon. Member for Thanet, South (Mr. Aitken) gave a striking example of the way in which the press can misbehave when he spoke of what they did to the life of the captain of the Herald of Free Enterprise.

However, every day, not only in respect of people who have attracted public attention, such as Captain Lewry, but in respect of ordinary citizens who do not have the defence of a big corporation around them, or of wealth, we read in some newspapers of deliberately dredged smut that has no connection with the public interest whatsoever. A minority of newspapers produce that smut, but it is a majority of the copy going out over the newsagents' counters that contains that dreadful material. Day after day, local councillors, people who have had road accidents, Members of Parliament, doctors and nurses, but rarely journalists—I wonder what they would think if we were to say, on the Floor of the House with the protection of parliamentary privilege, what we know about some of them—are subjected to horrendous and often untruthful newspaper articles about their private lives.

The bench mark of a free press is that it acts in the public interest. A free press must be able to act in the public interest, even if that interest is contrary to the views of the Government and of very powerful people in the land, including the proprietors of those newspapers. However, it is not for the press to tell us by what standard the public interest is to be judged. It ill-behoves the press, and there is no intellectual or logical justification for it, to deny Parliament and the courts the right to set what is a reasonable standard for the public interest.

The Bill, of which I am proud to be a sponsor, gives the courts the opportunity at last to decide where the line between public interest and sheer prurience lies. Unfortunately, there is at the moment an industry founded

[Mr. Alex Carlile]

on prurience. Hundreds of journalists could do—and most would like to do—a much more useful job, but are told by their proprietors to go snoop and pry. They will lose their jobs if they refuse. There is no public interest whatsoever in that sort of invasion of privacy, except of course, the public interest in bringing it to an end.

The Bill sets out a number of categories of human life and behaviour which should surely be protected from the type of journalism that has become prevalent in the past few years. Clause 7 sets out the six categories.

Why should the press be able to steal and then publish the private letters of individuals? Surely personal communications, including telephone calls, should be protected. It is a fact beyond denial that the press intercept people's telephones, put listening bugs on their windows, and use what they hear to produce newspaper stories. It is beyond doubt that people's homes, too, should be protected. What legitimate interest have the press in their contents and, most particularly, in people's very private belongings and interests?

If a person has a row with his wife, it should not be trailed across a newspaper—but it is at the whim of an editor. I applaud the Bill for seeking to protect personal relationships. If someone in public life has a sexual orientation that does not accord with the majority view, should not that information be protected, unless it affects his performance and integrity in a public office? What possible public interest can there be in it, except merely that which some find enjoyable—the reading of a bit of smut about a person of note?

If an individual is suffering from a serious illness such as AIDS or any other form of virus, surely he is entitled to the protection of the law, so that unless he is willing to have that information published, the press should not be entitled to publish it willy-nilly. The Bill provides for anyone who wishes to waive his rights. If an individual wishes to take money from a newspaper to have his private affairs trailed across page 3 of the *Sun* or page 4 of the *News of the World*, that is a matter for him. He can take the money and the paper is free to publish. But the right to retain privacy should be protected.

The final category that the Bill seeks to protect is personal financial affairs. There are people in public life who are very rich, and there are people in public life who are much poorer than the public might ever imagine.

Mr. Dennis Skinner (Bolsover): Is the hon. and learned Gentleman talking about me?

Mr. Carlile: The hon. Member for Bolsover (Mr. Skinner) puts himself in the latter category.

Some right hon. and hon. Members might have overdrafts, while others might have money in the bank. What business is it of the press into which of those categories a right hon. or hon. Member falls, unless he chooses to waive his right of privacy? The exception is where a right hon. or hon. Member's financial affairs are a matter of genuine public interest, by standards generous to the press and set out in clauses 2 and 3.

Mr. Hugh Dykes (Harrow, East): Bearing in mind that many, if not all, journalists are elastic with their expenses claims—it is a profession well known for that practice—does the hon. and learned Gentleman recall any newspaper publishing a story about journalists claiming exaggerated expenses, or any legal action being taken against them?

Mr. Carlile: I cannot recall a single story of that kind being published, though right hon. and hon. Members are peculiarly prone to receiving publicity about whether they have paid even small bills. The hon. Gentleman makes a valid point.

If the Bill, duly amended, becomes law, properly trained journalists will start doing the job they were trained to do. That job is to investigate, present news, and write stories that are of genuine public interest. At present, I find certain newspapers easy to read, because there is practically nothing in them to read. I also find them difficult to read because they contain so much that is offensive. If the Bill becomes law, newspapers will have to change the way in which their contents are written. I look forward to reading the *Sun* when it has some news on its pages. I look forward to reading the *News of the World* when its editor has to ensure that its contents are true, and are in accordance with the Bill's provisions.

I hope that the House will have the courage to face up to the howling of the press, and to ensure that the right of privacy is enshrined in our law.

10.25 am

Mr. Julian Critchley (Aldershot): How nice it is to see the House of Commons so full on a Friday, and how much nicer to see so many members of the press perched in the Press Gallery. I am even told that sketch writers—those aristocrats of my profession—have forgone the delights of spending the weekend in great houses to continue their duties here today.

The British tabloid newspaper is as British as a football hooligan, and just as welcome. The leaders of the pack are Rupert Murdoch's the *Sun* and *News of the World*, with *The Star* bringing up the rear. In 1939, I was evacuated to my uncle's cottage in darkest Shropshire, because we believed that the Luftwaffe had no idea where Craiven Arms was. The cottage was all lit by oil lamps, and it had a lavatory at the bottom of the garden. Inside the loo, the *News of the World* was cut into six-inch squares, hanging from a piece of string. All those sad, fallen vicars. Since then, due to increased living standards—due in part to the combination of my right hon. Friends the Prime Minister and the Chancellor of the Exchequer—I no longer make use of the *News of the World* in quite the same way.

I suppose that the *Sun* is the most successful and the least attractive British newspaper. It is not so much a newspaper, more an entertainment sheet. Its staff—and I have written a column for the *Sun* in the past—refer to it as "the comic". The truth is that as standards fall, circulation figures rise. Such newspapers lie in search of profit. Oscar Wilde observed:

"In the old days, men had the rack, now they have the press."

The rackmaster is Mr. Rupert Murdoch, who is Australia's revenge for Arthur Phillip, captain of HMS Sirius. Mr. Murdoch's republican sympathies have nothing to do with his recently acquired American nationality. "Les Patterson" may have accepted a knighthood, but not Mr. Murdoch.

The *Sun* never neglects the royal family, but sucks it as if it were an orange. It treats the royals as if they were a soap opera, but with the difference that the *Sun* writes the

script. Its heroes and villains are the heroes and villains of its choosing. It has already scored a double first—an injunction secured by lawyers acting for the Queen to stop publication of a footman's memoirs, and the legal action taken last October after it published a stolen picture of members of the royal family. That theft cost the newspaper £100,000. Elton John, on the other hand, has cost it £1 million.

In the *Sun*, the Prince of Wales is shown as a wimp, his wife as "fun-loving" and their marriage as a subject of ceaseless speculation. The *UK Press Gazette*, a trade newspaper, argued in an editorial last year:

"the truth is an alien quality to most tabloid Royal reporting. Most stories have only the faintest basis of fact, and the pictures to go with them are obtained by the sort of invasion of privacy that no Fleet Street editor would tolerate if inflicted upon his own family".

Here comes the rub. It can be argued that celebrities such as the hon. Member for Bolsover (Mr. Skinner) are fair game, although it is not so argued by me. But what about the families of public people?

Last year the *News of the World*, under the editorship of a Wendy Henry—the first lady of Fleet Street—carried as a centre-page spread the sad story of the love affair of the daughter of a Member of the House. The boyfriend in question had flogged the story of the affair to Ms. Henry, who published it—not because the love affair was in any way different from a thousand others, but because of the girl's father. The spread was illustrated with pictures of the Member and his wife. Ms. Henry was later sacked, although whether it was for being vile or not being vile enough was never made clear.

Leslie Grantham is the star of EastEnders—"Dirty Den". His father, Wally Grantham, is a Conservative councillor in Rushmoor in my constituency. The Granthams' life has been made a misery by the attentions of *Sun* reporters in particular, who have staked out their house, cultivated their neighbours and monopolised their telephones. When he heard about today's debate Mr. Grantham rang to urge me to vote for the Bill, which I shall.

In the tabloid newspapers one apology is very much like another. It is enough to say that the *Sun* easily headed the complaints league last year, with 15 complaints to the Press Council upheld and one partly upheld. I doubt that Rupert Murdoch or his editor Kelvin MacKenzie much care. The 16 rebukes are probably painted on MacKenzie's fuselage like so many RAF roundels on an ME 109.

In a society that seems increasingly divided between yobs and yuppies, it is easy to condemn the *Sun* and its kind, and its defenders may accuse me of hypocrisy or pomposity. Yet the success of newspapers like the *Sun* certainly raises some hard questions. Does MacKenzie really do no more than hold a glass to the face of his readers? Does the *Sun* lead, or does it simply follow?

Mike Molloy, the editorial director of the *Daily Mirror*, says that the *Sun* was the first paper to spot the Right-wing yob emerging. Professor John Vincent of Bristol, on the other hand—he writes a column not only for *The Times* but for the *Sun*, and in the same week—says that the *Sun* works on the frontiers of literacy. Will Mr. Kelvin MacKenzie ever be knighted, as was his predecessor Sir "Larry" Lamb? The answer must surely be "over the Queen's dead body".

The real villains of the piece are the newspaper proprietors. In the past the press lords were more circumspect. They sought the good opinions of their peers, and many of them wanted to sit in the other place. Today they suffer from no such inhibitions. They change their nationality as often as they change their shirts.

10.34 am

Ms. Dawn Primarolo (Bristol, South): I hesitate to follow the hon. Member for Aldershot (Mr. Critchley), who put so clearly points that I, too, wish to make, but I should like to make some further comments.

I have looked carefully at what the press has said about the Bill. Discussing press freedom, Hugo Young observes in *The Guardian* that the voyeurism that appears in the *Sun* and other tabloids has nothing to do with the interests of the quality newspapers. The British press now finds itself in a crisis of legitimacy, so relentlessly do some of its members pursue people in their private lives.

There is a delicate balance between investigative journalism and rights of privacy, and I do not think that the Bill deals sufficiently with that balance. There are dangers in the Bill, and I have many reservations about it. The time has come, however, when the House must address itself to how some members of the press now operate, and to whether their operations are legitimate.

I hesitate to use as an example something that happened to me, but I feel that we must be forthright and tell the perpetrators of these appalling stories that whatever our walk of life—whether we are Members of Parliament, prominent in society through trade union activities, or the families of the victims of tragedies—we have a right to strike back. My patience is exhausted by journalists who tell me that they have codes of conduct and that the press must keep itself in order; it is patently failing to do so. We have been very patient with those members of the press, but if they cannot police themselves through professional standards, that policing must be done through legislation.

I have taken advice on what happened to me, and I have been told that the journalists involved were in contempt of the House. I could have taken the matter to the Committee of Privileges, but, because that option would afford me a protection not available to ordinary members of the public, I decided not to take it.

The story goes like this. Hon. Members may remember that a week ago yesterday I put a question to the Prime Minister on behalf of my hon. Friend the Member for Cynon Valley (Mrs. Clwyd). Within hours journalists were at my home in Bristol—none of them spoke to me here—harassing my friends and family. They did not have legitimate queries about what they thought of my question; they were looking for possible sordid or unsavoury episodes in my past, or indeed my present, that they could plaster across their newspapers, simply because they did not like the question that I had put in the House.

As if that were not bad enough, the next day two *Sun* reporters hot-footed it down to Bristol and encamped themselves outside my ex-husband's house. Although we have been separated for six years, he lives very near to me. The journalists visited community projects that my husband and I had been involved in; they went to his place of work; they sat outside his house from early in the morning until 8.40 pm on Friday night. Neighbours were suspicious about those two people sitting outside the house, so they rang the police. The police later told them that they had been informed that two reporters from the

[Ms. Dawn Primarolo]

Sun were extremely anxious to speak to Mr. Primarolo about Mrs. Primarolo. They wanted to dredge up anything that could be used to discredit me, because they did not like the question that had been asked in the House.

My ex-husband got in and out of his house for the entire day over the back garden fence. All our friends had to be warned. They were very upset about the possibility of saying a word out of place which would then be blazoned across the newspaper as an attack on me. My ex-husband spent Friday night with friends.

I have an 11-year-old son. We had to make arrangements to get him out of school by the back door, because we know the depths to which that newspaper will sink. The last thing I wanted was to see a photograph of my son set against an unpleasant, insinuating article in that newspaper. My son was very upset the next day. We had to discuss in some depth whether it is correct for newspapers to be able to do that.

Apart from that unpleasant article that appeared on the Friday, there were no further reports about me in the press, and none appeared in the *Sun*, but the point is that I should never have been subjected to that treatment. My family, friends and associates should not have been subjected to it either simply because their political complexion had led journalists to be angry with me for the effrontery of asking the question of my hon. Friend the Member for Cynon Valley on the Floor of the House.

It has been suggested to me that a person holding office in this House under this Government spoke to members of the press lobby and helped them along with their story. He believed that they were sympathetic to the Government, so he gave them information that included completely unfounded allegations and lies about me, which resulted in the harassment of people who are dear and close to me. We are discussing a much wider subject than just whether cases can be taken to the courts when the press have invaded our privacy.

I accept entirely that journalists have a right to investigate hon. Members. We are public figures. There are things that it is legitimate for journalists to investigate, but I do not accept that they are entitled to muck-rake, to fabricate, to spread lies about us and then say that we have recourse to the courts. They should not be doing it in the first place. I do not want to have to go to court to obtain damages afterwards; I do not want them to do it in the first place, because there is always somebody, somewhere, who says, "There is no smoke without fire."

I intend to quote what was written in *The Independent* by Peter Tatchell about the many, many lies that were spread about him. He said:

> "The after effect is that my income, political future and physical safety remain in jeopardy six years later. For the journalists who wrote the stories I am now old news and they have largely forgotten me: the bigots whose prejudices they aroused have not."

It is a question of rights and responsibilities. Journalists have rights to investigate and rights to freedom, but those rights have to be balanced by responsibilities because of the consequences of their actions for many other people. I do not believe that they have proved that they respect those responsibilities. The problem has grown considerably worse since the Younger committee reported. We intend to use the Bill, despite our reservations, as a vehicle for debate on this subject.

The sponsors of the Bill list a number of areas in clause 7 that they consider to be private. I do not agree about all those areas. As an example, I refer to personal financial affairs. When the hon. Member for Winchester (Mr. Browne) moved the Second Reading he did not make clear exactly what he meant. If I had massive investments in French water companies—the French water companies that are sniffing around Wessex Water and all the other water authorities in the run up to privatisation—if I were passionately keen, which I am not, on voting for water privatisation and if I therefore intended to go around the country advocating the benefits of water privatisation, it would be wholly legitimate for the press to point out that I had invested money in French water companies and that I stood to make personal gain from privatisation.

Mr. John Browne: That is protected precisely in the Bill and it would be a classic case of public interest.

Ms. Primarolo: I see the point that the hon. Gentleman makes, but I still do not think that that is made clear enough. It is not good enough for us just to claim recourse to the courts or to say that it is in the public interest, because somebody would challenge it. It could be argued out in court by the person who felt that it was not a legitimate public interest or who could claim that the media had got hold of the information by devious methods. The matter could get as far as the courts. The media would have to defend themselves for taking that action. I do not believe that that should be necessary. The point needs to be made clearer.

Mr. John Browne: The basic point is clear. There would be a defence of public interest. If there were any doubt in the mind of the court about the validity of the case for privacy versus public interest, the court would decide in favour of publication. The case that the hon. Lady has cited is a clear case of public interest. I hope that the hon. Lady will concentrate on the fact that the Bill is not designed to prevent investigation. The question is what one does with the information when one has obtained it.

Ms. Primarolo: This debate should be conducted in Committee. The hon. Gentleman will forgive me if I do not engage in it now. I do not agree with him. The Bill does not make it clear and the matter needs to be looked into.

The hon. Member for Winchester spoke on television this morning. It is interesting to note that he cited a case that suggested that standards were becoming more flexible. He referred to a woman who had had an abortion and who then could not make up her mind whether she was for or against abortion. The hon. Gentleman felt that that was a legitimate matter to investigate and to comment on. I disagree with him, but such examples will have to be discussed in Committee.

The House should give the Bill a Second Reading so that these issues can be thrashed out in Committee. If we are still not satisfied with the Bill when it is reported to the House, we can vote it down. However, the time has come when we have to consider what is the relationship of journalists to our private lives and to those of other people. Legal aid will have to be provided. If the right to privacy is a right at all, it must be a right for everybody. It is not a right that one should be able to enjoy just because one can afford to go to court.

The Bill should not enable solicitors to make lots of money, or people to obtain huge damages by going to

court. Its purpose ought to be a return to a dialogue with journalists about what is and what is not legitimate journalism, so that stories of the kind I have mentioned do not appear. Then we can get back to normal, when the press is respected, and clearer lines have been drawn to define the rights of privacy of the public and hon. Members. The information that will be made available to the public will then be more specific and more relevant and will enable them to make fairer judgments about whether we are adequate to represent them and whether other people in institutions outside the House are fit to serve them.

For those reasons, I shall vote for the Bill today, but will reserve my position to see whether some matters are clarified in Committee. The press must realise that investigative journalism does not give journalists the right to destroy, to harass and to make people's lives a misery. A balance has to be struck and the Bill offers us the opportunity to do that.

10.50 am

Mr. William Cash (Stafford): I take this opportunity to congratulate my hon. Friend the Member for Winchester (Mr. Browne) on his luck in the ballot and particularly on the skill and determination with which he has pursued a matter with which I have been closely associated in the past few weeks.

The Bill concerns people from all walks of life. It is not only about those in the public eye and their families. Those of us who saw "Newsnight" saw what happened to the people of Lockerbie. We know what happened to the victim of the Ealing rape case, and we heard that when a young boy had been drowned, the following day his parents had to see, on the front page of a local newspaper, a photograph of his body being winched up to a helicopter. In Stoke on Trent recently there was the very sad case of a lady who, unfortunately and tragically, was dying and who wanted to raise money for an appeal. She approached a newspaper, hoping to make that appeal as successful as possible. I understand that she had made some reference to her husband's future life. The newspaper turned that story around in such a way as to imply that, as she was dying, she was choosing a future wife for her husband. Such practices are absolutely and wholly repellent and have to be stopped.

The Bill is being proposed at the right time; it is about time that something was done. It is 17 years since the Younger committee reported. It concluded:

"On balance, there is no need at present for a general law of privacy."

It is pretty remarkable that, although the Younger committee had frequently been put forward as saying that there should be no general law on privacy, that is not what it said. Quite clearly, the members of the committee regarded their views as provisional, dependent upon whether their recommendations to beef up the Press Council produced proper results. We know the answer to that. There is absolutely no question but that the committee thought the Press Council would do the job. It is equally clear that it cannot.

By all accounts, the position has become much worse. I recently came across an interesting article in *The Spectator* written by Michael Trend, which stated:

"What have the press been making of this? Why have they largely failed to take up the debate on fundamental principles that has been offered to them?"

He gave an interesting example:

"One tabloid leader writer (who, without seeing the humour in it, demanded that I respect his 'rights of privacy' by not naming him or his paper) told me that at the moment he was 'quite out of ideas'. He could think of no better line to argue against the Bill than that as it would be bad for his paper it must be bad for its readers."

Shortly before, in an article in *The Daily Telegraph*, Honor Tracy wrote an article about an anonymous tabloid editor who is quoted as saying:

". . .if a story is good for circulation he will print it, as the publicity value outweighs even a heavy libel award against him."

Private information is circulating under the cloak of privacy, revealing what is going on. My final quote is from the Second Reading debate on the Right of Privacy Bill —Brian Walden's Bill—on 23 January 1970. In an intervention, the then hon. Member for Buckingham, Mr. Robert Maxwell, said:

"Before the hon. Gentleman leaves the principle which he objects to the Bill introducing for the first time into our laws —namely, a right of privacy directly instead of, as it has been indirectly—would he not agree that the public are of the opinion that the right of privacy exists, but that the trouble is that that right has been given only so far in our legislation indirectly and that it is riddled with holes and abuses? What the Bill seeks to do is to put that right.—[*Official Report*, 23 January 1970; Vol. 794, c. 915.]

I found that advice very instructive and extremely helpful.

There is no question there being no remedy to deal with the present invasions of privacy. We have already heard about the legal waiver and the difficulties experienced by people faced with rulings that are flouted. It has been said that the Bill would be a Bill only for the wealthy. I must say most emphatically that that is not true for the reasons that my hon. Friend the Member for Winchester and other hon. Members have given today. The new arrangements for the courts will help to speed up justice and make it cheaper, but, as has been said, actions could be taken in the county court.

In addition, inevitably a deterrent value would emerge from these proposals, and would inevitably lead to adjustments in the mechanisms within each newspaper and to the mechanisms and administration of the Press Council. I do not believe that the Bill means that there need not be a Press Council. At the moment, the press has to live with the libel laws within which journalists can conduct investigations and ensure that ethical standards are maintained. The Bill seeks to ensure that people have direct personal rights that they can sustain. We have heard about the important contribution to that debate by Lord Alexander.

It is argued that only the wealthy will be able to benefit from the Bill, but that applies equally to libel, yet no one would say that there should be no libel laws merely on that account.

I turn now to the workability of the Bill, and in particular to the definitions within it. As my hon. Friend the Member for Winchester said, the Bill has been vetted by some of the best legal brains in the country. All Bills contain definitions. Those definitions obviously have to be left to the courts as that is one of their main tasks. The term "defamation" and the expression "public interest" have already been defined in terms that include the need to ensure that justice is seen to be done. But if we consider another example that has been mentioned, private nuisance, there is a deep irony in the fact that, where property is affected, private nuisance can give rise to an action in tort. But that was for the protection of property.

[Mr. William Cash]

That is a throw-back from the 18th century when those principles were being developed. Is it not ironic that there can be an action in tort for that but not to protect human life?

The Press Council already defines public interest or public benefit, as

"a legitimate and proper public interest and not only a prurient and morbid curiosity."

It defines the invasion of privacy as an unwarranted intrusion into private life. It happily applies its definitions, even if it cannot enforce them. Those who wish to do so can study the 1976 declaration of principles. The Press Council recognises the need for a remedy but cannot ensure one. In effect, it acts as a court, albeit an inadequate one. That directly affects people in their day-to-day lives.

If the Press Council alone cannot be entrusted with such an important task, what are the choices? One could substitute an ombudsman, as I have heard mentioned—I do not include the ombudsman whose appointment was announced a few days ago and who was described in *The Spectator* as "Quite a good joke." If we were to have an ombudsman, it would have to be on a statutory and enforceable basis. There would have to be an appeal system and the question would arise of to whom a complainant would appeal and who would appoint him. Would it become mixed up in political appointments? There would also be questions of evidence, the need for cross-examination and who would pay the fees. There would have to be open hearings and consistent precedents. The system would contain all the characteristics of a court but none of its advantages.

I have examined the arguments against former privacy Bills that have been debated in the House. The reasons contained in those debates are no more convincing than those being given today. The case for such legislation today is much stronger. Last year the Minister of State, my hon. Friend the Member for Mid-Sussex (Mr. Renton), and another Minister and, in 1983, the noble lord Lord Elton all issued warnings to the press. They said, "You must watch out. If you don't get your act together, legislation will be introduced to deal with the problem."

The Government recognise that there is a problem and that it cannot be shuffled under the carpet. When my hon. Friend the Minister of State replies, will he give us a constructive suggestion on which to work? Will he seriously consider the implications of rejecting this measure or, effectively, leading us into a cul-de-sac over the Bill?

There will always be a tomorrow and there is always a request for one more chance. However, these arguments have been continuing for 17 years to no effect and they will wash no longer. The insurance policy is void. We all remember the adage, "Publish and be damned." The problem now is that it is the victim who is damned and not he who publishes. Press freedom was nurtured and developed to protect individual freedom, in the House as well as outside. Now that press freedom is being used to deny individual freedom. All who cherish the freedom of the press should support the Bill, because it is a powerful means of righting wrong while restoring the press to its true role as a defender of liberty for all.

11.3 am

Mr. George Galloway (Glasgow, Hillhead): It is with some trepidation that I rise to follow such a master parliamentary draftsman as the hon. Member for Stafford (Mr. Cash) and to oppose a Bill over which he has had an influence. He is the man who reputedly has the roundel of the Single European Act on his fuselage.

I also have trepidation in opposing the Bill having just heard the fresh and livid speech of my hon. Friend the Member for Bristol, South (Ms. Primarolo) who, a matter of hours ago, was the object of the rampaging rat packs of the tabloid press. The story she told clearly angered the House and it is to the House's credit that it can get angry at such behaviour. However, when one hears of abuse, there is often more heat than light. All hon. Members would do well to remember that one cannot legislate on the basis of worst abuse. One should not legislate in the heat, no matter how long the heat has been in the baking. I accept that the problems have been getting worse for a long time. However, that is not the right atmosphere in which to legislate on such a serious matter.

There is no doubt that there is a major problem with the British press. The hon. Member for Aldershot (Mr. Critchley) in an elegant and witty speech said that it is a British problem. No other country, probably in the world but certainly in Europe, has a press that is so heavily bottom-loaded—if hon. Members will forgive the pun—where so many copies of the worst types of newspaper dominate the market. It is a British problem which has been with us for a long time and is getting worse.

That the media have a case to answer is denied by no one. Anyone who has scanned, as I have in the run-up to the debate, the press coverage of the Bill, especially in serious newspapers, can see that the press recognises that it has a case to answer. If one walks into a newsagents, especially on a Sunday, where the newspapers are spread across the counter, one can see at a glance that the media have a case to answer. If one studies the dramatic escalation in libel awards in the courts, one can see that juries—microcosms of the British public—think that the media have a case to answer. In 1986 the total amount of libel damages awards made in British courts was only £416,000, less than the total in one celebrated case in 1987 and only one third of the total awards made by juries in that year. That enormous escalation is a further example of the extent to which the media have a case to answer.

The spectacle—hilarious if it were not so revolting—of the *Sun* appointing its present managing editor as its ombudsman to deal fairly and squarely with complaints is enough to make a horse laugh. It is further evidence of the extent to which the media feel that their ground is shifting beneath them.

As the hon. Member for Winchester (Mr. Browne) made clear, Gallup polls show that a majority of the public think that the press goes too far. That must be put into context—in this we are implicitly levelling criticisms at our constituents—because the same people who are polled by the Gallup pollsters and who express repugnance at the daily and weekly fare available in the newspapers, are buying those newspapers in ever increasing numbers. The *Sun* and the *News of the World* are the most successful newspapers in Europe, if not the world. Their sales are rising rather than falling, despite the considerable larger number of titles available now than a few years ago.

Therefore, the Gallup poll results must be balanced with that. Whether the British public get the press they deserve is a moot point and we cannot hide from that.

There has undoubtedly been a collapse in press standards. Stories have been splashed on the front page and carried over to pages 7 and 8 that a few years ago might have been spiked by the editors. In a splendid speech, the hon. Member for Aldershot said that the Murdoch press bears much responsibility for this problem. The arrival of this least-welcome immigrant and his emergence as the most powerful press baron in the world has coincided with a spectacular but successful drop in standards as his profits have risen and media power expanded. I heard on the grapevine—I heard it again as I was entering the Chamber but I will not betray the confidence of who said it—that Mr. Murdoch has visited No. 10 to ask its inhabitant whether, even at this late stage, this Bill and the Right of Reply Bill can be stopped or blunted. We are unaware of the Prime Minister's response, but we know that Mr. Murdoch has some influence with No. 10. His newspapers are obsessive supporters of the Government, but it remains to be seen whether his lobbying will have any effect.

The concentration of press ownership in the hands of an American citizen, who was formerly an Australian citizen, is a matter of concern. Other newspapers watching his circulation figures zoom have been forced by the market forces so beloved by Conservative Members to follow him downwards. It would be welcome if my concern was shared by Conservative Members, but this subject will be dealt with on another occasion.

Because of my experiences, I have some trepidation in opposing the Bill, especially given the stories that we have heard this morning. As is well enough known, the hon. Member for Winchester and I have been the subject of the most rapacious interest by the yellow press and the tabloid rat pack. I should not like to enter into an argument with the hon. Gentleman, but I contend that I have probably suffered more than him or perhaps any other hon. Member from their interest.

It is worth running through a few of my experiences because they are germane to the debate. At a press conference a month or two after the election at which I was elected, which was called to deal with quite different matters, I was confronted by a journalist from a national newspaper who had documents that had been stolen from a friend of mine. He proceeded to ask me, in full view of the entire press corps, with cameras whirring and microphones recording, a series of the most personal questions. Crucially, they were questions to which the journalist already knew the answers, so there was no hiding place. I responded honestly if a little colourfully and the balloon went up. I may have been an hon. Member for a short time, but I have been in public life for most of my career in one form or another and cannot claim to be naive. Within hours, those honest if colourful remarks had been transformed in the editorial offices of Fleet street into a different story, which seemed—it was probably because there was little news around and the silly season was upon us—to be the most important of the day—my sex life of several years before becoming an hon. Member.

Within hours, all those connected with me from my elderly grandmother, my mother, my wife, her father, our neighbours and neighbours of friends of mine were besieged in their homes by many journalists. I was astonished that so many reporters were on the books of national newspapers. Outside my home, there were more than 20 journalists for 48 hours. They were burning night lights, had little primus stoves to cook their tea and camp beds on which to sleep, although they took it in turns to ensure that no one could sleep by ringing the doorbell, banging the door and knocking on the window throughout the night. This was, to say the least, a harrowing experience for the people in the house. It was harrowing for my neighbours in the leafy environs of Blackheath, who had never been invaded by a group of louts from the tabloid press.

If I thought that that was bad, what was to come was worse. In common with the experiences of my hon. Friend the Member for Bristol, South, the attention switched from me—I could take the attention—to innocent people. The most innocent person was my five-year-old daughter, who was most alarmed by the whirring of a dozen or more cameras. She was chased down the path into the John Bull primary school in Blackheath. The school was ultimately invaded by a photographer characteristically wearing a dirty mackintosh, under which dangled his camera. The janitor was asked where my daughter could be found as the photographer was her uncle and had come to take her from school for her own protection from journalists and photographers. The janitor, who knew better, having read the papers of the previous 48 hours, bundled him out. Suffice it to say that much distress was caused to people who were innocent of even the uttering of colourful, honest language. They were connected with me only by blood or friendship.

Someone stole my telephone card index system and gave it to one of the newspapers. Every woman in it from 15 to 90 years was systematically telephoned, often at home when they were sitting with their husbands and families, and asked whether they would like to talk about their affair with me, when none of them had had one. The houses of the most promising, those aged somewhere between 18 and 40, were staked out. Two of the women were offered money. A woman in Glasgow was offered £1,000 by the *Sun* to tell of her affair with me when in fact she had never had one. She turned the offer down. I shudder to think what would have happened if the newspapers had hit upon a woman who badly needed £1,000 and who might have been prepared to lie. I can speculate about what might have happened—it would have been plastered across every newspaper in the land.

I am probably more aware than any hon. Member of just how deeply distressing and unpleasant is the experience of being pursued by those rat packs, as they are known in Fleet street. The rat packs comprise men and occasionally women. That great organ of truth and knowledge, the *Sunday Sport* sent a female correspondent. She passed a note through the letter box addressed to my wife in which she gave her name and said she was from the *Sunday Sport* and wanted to conduct an interview with my wife. She assured my wife in the note that she would conduct it with the greatest sensitivity. My wife was not an expert then on the different qualities of every newspaper in Fleet street. However, she knew enough to know that it was unlikely that the *Sunday Sport* would treat the interview in that way and she politely turned down the invitation. She was also offered very large sums of money to come out and talk. However, she did not.

I am well aware of the extent of the problem. The issue is whether the Bill is the answer or throws too many babies out with the bath water, as I contend. I will oppose it. If

[Mr. George Galloway]

it is not an abuse of the privileges of the House, I want to state now that if the Bill reaches Committee, I should very much like to be a member of that Committee. I hope that it is not improper to make that bid now.

Britain is already too secret to afford new restrictions on the freedom of the press. Freedom of information in this country is already in too short supply. Along with curbing the excesses of the worst newspapers, the Bill risks curbing the very necessary and good things about the British press—the kind of investigative journalism on which a free society depends.

The House should tread carefully and not appear to be rushing into passing this legislation. I have no wish to impugn the motives of the Bill's supporters. I know some of them very well and respect them enormously. However, William Cobbett in his observations on the immigration of Doctor Joseph Priestly wrote:

"amongst the persons I have heard expressed a wish to see the Press what they called free and at the same time to extend the restraints on it with regard to persons in their private life, I have never that I know of met with one who had not some powerful motive of his own for the wish, and who did not feel that he had some vulnerable part about himself."

I do not agree with that quote. That quote does not apply to many of the Bill's sponsors. However, the House should be careful before giving the impression that it is about digging moats around the castles of the rich and powerful.

Mr. Gerald Howarth (Cannock and Burntwood): The House has listened with great interest to the personal experiences that the hon. Gentleman has endured. I am sure that I am not alone in being surprised to learn that after those experiences, he will oppose the Bill. Does he accept that today he has been able to put right many of the inaccuracies that have been promulgated throughout the land about him and that that opportunity is not available to our fellow citizens for whom the Bill is designed to provide a remedy?

Mr. Galloway: that is a valid point and I hope to deal with it later.

Some of us have bigger castles than others and some have more skeletons in those castles than others. If we have skeletons in our castles, we must be careful in a free society that we do not use our power. We have power and although I am not rich, I have more power, as the hon. Member for Cannock and Burntwood (Mr. Howarth) explained, than most people. I would be very careful not to give the impression that I am filling my moat, which only I as a legislator have the power to do, with sufficient water to keep out the most energetic investigators. We must be careful not to give the impression that we powerful people living in glass houses are trying to ban the throwing of stones. That would send a message to the public which would devalue parliamentary democracy.

It is strange that so many Conservative Members are keen on this legislation. I do not make that as a petty political point. It is a philosophical point. From Edmund Burke downwards it has traditionally been the position of Conservative Members in the House and Conservatives elsewhere that the general rights, such as the right of privacy, should not be——

Mr. Quentin Davies (Stamford and Spalding): Will the hon. Gentleman give way?

Mr. Galloway: The hon. Gentleman is welcome to intervene, but my understanding, is that the philosophical position of British Conservatives has been to rely on specific remedies rather than to bestow general rights on people.

Mr. Quentin Davies: Is the hon. Gentleman saying that Edmund Burke was a Conservative? If so he is rewriting history.

Mr. Galloway: Edmund Burke was possibly the most conservative Member of Parliament ever. His philosophy was exceedingly conservative. He is the idelogical mentor of many Conservative Members. That cannot be gainsaid. As I understand it, it has always been the position of British Conservatives that the legislative books should not be cluttered with new legislation, unless that legislation is absolutely necessary.

Specific remedies are available, but they must be reformed, radically overhauled and transformed in some cases, to cope with many of the abuses about which we have heard and which we know exist. We do not need to create this general right of privacy.

There is not much support on the Conservative Benches for a Bill of rights. Not many Conservative Members signed Charter 88 which was formulated by some right hon. and hon. Members. There is not much support on the Conservative Benches for giving the British population a general set of rights, and that is presumably because of the philosophical objection of Conservative Members to that approach to these questions.

The hon. Member for Winchester made a Freudian slip. The great advocates of the free market are less keen on a free market in information than in a free market in virtually every other aspect of our national life. The very water that we drink can be subject to the free market. My grandfather used to say that if the Tories could bottle the air we breathe and sell it to us, they would. Conservative Members have less enthusiasm, however, for a free market in information.

There are other remedies, some of which it is true are working imperfectly. Only last week I received £5,000 in damages from *The Guardian* for something written about me by a journalist whose work I greatly respect. I read his articles avidly every day. I am grateful for Andrew Rawnsley's error, because it has made me a richer man —or at least has made my overdraft smaller.

Libel can be pursued. However imperfect the process is, people can win libel cases and some of them are won spectacularly. I have a splendid libel lawyer whom I recommend to all right hon. and hon. Members, Mr. Oscar Bevsalink of Wright, Webb and Syrett, or "Sue, Grabbit and Runne" as they are known in the trade. He is open for business, and has dealt with some of the most hideous abuses of press power in recent times. Although this will not find much favour with Conservative Members—I have no complaint about it—I shall mention the scandalous calumnies which were printed against Mrs. Carmen Proetta for daring to say that she saw something in Gibraltar which Conservative Members did not like to hear. She was branded the "tart of Gib" and was slandered in every filthy newspaper in the country. Mrs. Proetta, through the good offices of my lawyer and hers, has begun to clean up. She will take the British press for a substantial sum of money. That is available to far too few people. Libel actions take far too long, cost far too much, and the

dangers for people entering into such a case are far too great. It must be said that damages are far too high. There is a clear case for the reform of the libel laws. We need a fast track system with a low cost floor and ceiling of damages, so that these matters can be resolved more quickly and efficiently. But libel is one specific remedy to use against the abuse of the press.

Mr. Frank Cook (Stockton, North): Does my hon. Friend agree that there is a clear distinction between libel and slander and unwarranted and unjustified intrusion of privacy, which is the area that this legislation seeks to deal with?

Mr. Galloway: I accept that there is a difference. Although in some cases the only difference is that something which is printed and is said to be an abuse of privacy is true and something that is libellous is by definition untrue. If I write something about a person that is untrue, I have committed a libel. If I know something about that person—which he does not wish me to reveal—that is true, the Bill would preclude me from revealing that unless I could show public interest, because it would be an abuse of that person's privacy. Not everything that is not libellous should be banned from the public domain. It is correct that some things about people should be known, even where a person's privacy is, by definition, invaded.

Mr. Tim Devlin (Stockton, South): Does the hon. Gentleman agree that there are things that are legal in this country—for instance, his own previous life outside this House, where the activities in which he was involved were legal—but about which it might not be appropriate for the wider country to know? In the case of the hon. Gentleman, it sparked an investigation into him, his friends and acquaintances, which on any view was completely unwarranted.

Mr. Galloway: I agree that the way in which the investigations were pursued was completely unwarranted. Whether the public has a right to know about the sex lives of politicians is a moot and debatable point, especially if those politicians are members of a party which takes a politically ideological stance against permissiveness for the family, and are for Victorian values. If in their private lives, they are acting in a way which is different from their public stance, it is at least debatable that the public has a right to know about it.

Mr. Devlin: I can see the hon. Gentleman's point there—

Mr. Quentin Davies: It would be covered by the Bill.

Mr. Devlin: That would be covered by the Bill—I am sorry I have forgotten my point.

Mr. Galloway: It is arguable whether it is covered by the Bill. At the very least, it would be much more difficult for such information to be published than at present.

Mr. Greg Knight: The hon. Gentleman is on far sounder ground now than when he was discussing the ideology of the Conservative Party. The hon. Gentleman has made a number of valid points. Is not one of the crucial points to those of us who are not happy with this Bill, not what we know the Bill to cover, but what we are unsure it will cover? Will he reflect, for example, on the legitimate users of private information, such as local authorities and employers, who may, as I read the Bill, have to seek the permission of every person on whom they have private information to ensure that they are safe and free from the threat of being taken to court?

Mr. Galloway: I believe that the Bill—for the reasons which the hon. Member for Derby, North (Mr. Knight) has made clear—produces a potential thicket of offences and litigation which will certainly excite and encourage the saliva of our learned Friends. It would certainly be a bonanza for them.

Dame Elaine Kellet-Bowman (Lancaster): The use of private information by local authorities would surely be covered by qualified privilege, because it would be in the public interest.

Mr. Galloway: The hon. Lady says "surely", but I am not so sure. All I know is that we will potentially be putting into the court rooms and into judges' chambers a thicket of judgments and decisions about what is private and what is public. I do not have the touching faith of some hon. Members in judge-made law. Anyone who has studied the "Spycatcher" affair right up to the final and upper levels of the British judiciary, and anyone who knows the social and political background and ideas of the majority of British judges, would be wary of transferring decisions, such as what can be published in the public domain, from editorial rooms into court rooms. I am rather anxious about that aspect.

The libel law provides one clear avenue. That law must be radically overhauled, but it is a specific remedy which should not be underestimated. Existing law can stop much of the other abuses about which we have heard. The hon. Member for Thanet, South (Mr. Aitken) raised the plight of the captain of the Herald of Free Enterprise. I was moved, as all hon. Members were, by that story. The examples given, however, by the hon. Gentleman of the abuses of press power were all blatantly illegal under existing law. Smashing down the doors of the captain's intensive care unit was a clear breach of the law and the journalist who did so should have been hauled off to prison. A new press law is not needed to deal with such an abuse. If someone's house is broken into and an electronic eavesdropping device planted, that is breaking and entering—burglary and all other manner of breaches of the criminal law. A new privacy law is not needed to deal with such things. The laws of trespass could also deal with some of the abuses that have been mentioned.

Mr. Devlin *rose*——

Hon. Members: He has remembered what he wanted to say.

Mr. Devlin: No, this is a different point. Is the hon. Member aware that the legal definition of burglary is entering premises with intent to commit theft, rape or criminal damage? If someone breaks into a person's house to plant a bug it is possible that he is not guilty of breaking and entering with the intent to commit theft as there is no property in information. The only way in which to charge such a person would be if he criminally damaged some part of the property when entering.

Mr. Galloway: I am not a lawyer, but I doubt whether it is within the law to break into premises to plant an electronic eavesdropping device.

Mr. Greg Knight *rose*——

Mr. Galloway: I would rather not give way as I have been reminded that I have been speaking for quite a time and I must get on.

The hon. Member for Winchester said that it was possible to "exaggerate" the dangers of muzzling the press. I have visited many countries in Europe, Africa, Asia and the middle east where the press is muzzled very nicely thank you. It is not possible to overstate the dangers of muzzling the press. Although the Bill does not represent a major attempt to gag the press, it is significant when taken together with other things that have affected broadcasting and press freedom. Given the other existing intrinsic blocks to freedom of the press in this country, the Bill is a dangerous step, which will assist in muzzling free investigative reporting. It is not possible to exaggerate the significance of that.

Obviously the law must find a balance and I agree with the adage, "My right to swing my right fist ends when it reaches the tip of the other fellow's nose." The hon. Member for Winchester has made it clear that the Bill is designed to shift the balance from journalists and the editor and move decision-making from the editorial room to the court room. That causes me anxiety because public versus private interest is a vexed issue.

The hon. and learned Member for Montgomery (Mr. Carlile)—he is not in the Chamber for the moment—said that it was not in the public interest to know how poor or how rich a Member of Parliament is. I disagree. If an hon. Member has millions of pounds in the bank it is a matter of public interest because that influences his perceptions of the world. If an hon. Member has an overdraft of more than £500,000 that is also in the public interest. I must declare that I have an overdraft, but it is not of that dimension. If I had a gigantic overdraft the public would have a right to know because it reveals something about the way in which I conduct my financial affairs. Therefore, that would have some influence on my ability to consider the nation's financial and economic affairs. It is absurd to pretend otherwise. I was astonished that the hon. and learned Member for Montgomery—a Liberal at that—said that the public had no right to know such things.

The Minister of State, Home Office (Mr. Tim Renton): I agree with what the hon. Gentleman said about the difficulties of defining what is or is not in the public interest and I shall enlarge upon that later.

The hon. Gentleman believes that it would be in the public interest for the financial affairs of a politician to be known and that if that person has £20 million in the bank, that should be common knowledge. Surely there is a good argument against that on the ground that if that information is known it is likely that his children could be liable to kidnap.

Mr. Galloway: Obviously there is a danger of that.

Mr. Eric S. Heffer (Liverpool, Walton): Some of our previous Prime Ministers have had great difficulties in raising personal finance from time to time, but that did not make them lousy Prime Ministers. Perhaps they could not maintain their personal finances, but that did not mean that they did not make a great contribution to the country. I believe that my hon. Friend's argument is rather weak.

Mr. Deputy Speaker: Order. Interventions are perfectly in order, of course, but I hope the House will remember that they prolong speeches.

Mr. Galloway: I will reach a conclusion shortly. I accept the points made by my hon. Friend and by the Minister. Although a Chancellor of the Exchequer may have an overdraft of £700,000 that does not, of course, negate the possibility of his being a good Chancellor. Nevertheless that information should be in the public domain so that people can weigh in the balance the financial skills, responsibility and probity of that Chancellor. I am not suggesting that every politician should go outside and hold up his bank balance, but we cannot complain if our financial affairs become public knowledge and if they are considered germane by those who write about us.

We have spent most of the debate discussing the press—we have not talked about television or radio—but what about the publishing industry? What about the biographer and those who write memoirs? Those activities, which are crucial to a free society, would be severely circumscribed by the Bill.

I believe that it is generally accepted that when a biography is written about someone of interest, one wants to know about the whole man. As a result of the Bill, the subject of a biography could go to court and suppress large sections of it because he does not want the public to know certain things. I do not believe that that is in the public interest.

Goldman's biography of John Lennon was a repugnant piece of work, which traduced the memory of a great man. Large sections of that book could have been suppressed under the Bill by action through the British courts. Although I loathed Mr. Goldman's book, I could not be party to passing a law that significantly precluded his right to write. Kitty Kelly wrote a marvellous biography about Frank Sinatra which revealed appalling aspects of his character. As a fan of Frank Sinatra I was deeply distressed by those disclosures. Unless I am reading the Bill wrong, I believe that large sections of Kitty Kelly's book could be suppressed. If that happened we would not know the things we now know about Frank Sinatra. Some hon. Members may say that that does not matter a fig, but as a fan, or rather a former fan of Frank Sinatra, I believe that it does.

I believe that the Official Secrets Bill, the broadcasting and terrorism measures and this Bill clearly intend—perhaps unwittingly in the latter case—to chip away at our cherished and vital freedoms. That would take us down the road not to totalitarian dictatorship, but towards the status of a third-rate democracy—the poor man's democracy in Europe. I hope that we shall not take another step down that road by passing the Bill.

11.50 am

Mr. John Hannam (Exeter). The hon. Member for Glasgow, Hillhead (Mr. Galloway) appeared to be presenting a strong argument in support of the Bill, with examples of the gross intrusions he has experienced, but he came down in judgment against the Bill, on the same grounds as my right hon. Friend the Member for Chingford (Mr. Tebbit) had expressed in an article in the *Evening Standard* last night. The grounds were that we should continue to give the media and press another chance and yet another chance to put its house in order.

I congratulate my hon. Friend the Member for Winchester (Mr. Browne) not only on his luck in the ballot, but on taking on such a contentious and difficult issue and presenting it in the right way. I do not intend to speak for long, but I want to express my support for the principle behind the Bill and to give the reasons why the time has come for us to make the move from self-regulation to positive legal protection. It is sad that after all the years of promises being given by the media that they would uphold and practise a reasonable level of professional ethics, Parliament is having to consider their imposition by statute.

Of course, as Members of Parliament, we are opening ourselves to the usual barrage of articles accusing us of protecting our own personal interests. That is par for the journalistic course. But in all the articles that I have read implying that, there were also undercurrents of a realisation that standards have dropped too far and that it is no great surprise that legislation is being considered. The article written by my right hon. Friend the Member for Chingford falls into the same trap of relating the Bill to an obsession of Members of Parliament to take their revenge on all the journalists who, from time to time, have invaded their privacy. That is a wrong presumption. When we enter politics, we know that we are placing ourselves in an exposed position. The reason why we have become so incensed about the lowering of standards of reporting is our contacts with constituents and our involvement in major incidents, when members of the public have suddenly found themselves thrust into the limelight. We know how often their personal privacy is being trodden underfoot, as my hon. Friend the Member for Thanet, South (Mr. Aitken) pointed out so eloquently earlier.

Like other hon. Members, I want to recount a couple of examples of the type of intrusion that I should like to see stopped and which took place long before I entered politics. When I started my business career, I opened a small restaurant in Somerset, which my hon. Friends the Members for Winchester and for Stafford (Mr. Cash) visited in those early days. Early one evening, many years ago, a distinguished man who had achieved a good deal of publicity because of his romance with a certain royal personage, came with his elderly mother to have a meal. His mother lived nearby in Somerset. During our conversation, I learnt that they had spent the earlier part of the afternoon looking at poultry houses at a well-known poultry house manufacturer, Harry Hebditch Ltd. of Martock.

Two or three hours later, I received a telephone call from William Hickey of the *Daily Express,* asking me whether it was true that Group-Captain Peter Townsend had been entertaining a young woman at my restaurant. In my naievity, I thought that if I explained the simple truth, I should clear up his misapprehension, so I said that Mr. Townsend had dined at the restaurant with his mother and that he had been looking at poultry houses at a nearby factory. At midnight, that journalist arrived at the front door of poor Mr. Hebditch, the manufacturer of the poultry houses, woke him up, asked the same questions and was told the same true story. An hour later, he arrived at my front door and was sent away with a flea in his ear. An hour later, he arrived at the door of the mother of Mr. Townsend. With all the information that he had received, one would have expected the story to end there. But the next day, the headlines said:

"Ex-Royal lover dines with woman friend in secluded restaurant."

That was the first example in my life of intrusion and misrepresentation.

My second example happened a year later. I was skiing at Kitzbühel in Austria and I happened to be staying at the same hotel as the young Aga Khan—luckily, as I was on a package holiday. The Aga Khan was being subjected to horrific press investigation. We were horrified, several days later, to find that a newspaper reporter and photographer——

Mr. Corbett: Was the Aga Khan on a package holiday?

Mr. Hannam: My package tour was useful, but did not last many years after that. Prices are obviously, rocketing up.

After two or three days, we found that the press had positioned a photographer and journalist in a room opposite the hotel and had taken photographs through the only window visible, which happened to be the window of the Aga Khan's hotel bathroom. One cannot imagine how one could possibly use that in publicity, but photographs were taken and duly published. Such gross intrusions of the privacy of those individuals so disgusted me that I, like so many others, have always recoiled from reading newspapers and magazines that trade in such material.

What has happened since? Have the successive inquiries and reports and Press Council actions resulted in the establishment of ethical standards by the media? The answer must be no. With 309 hon. Members signing a motion last year supporting the Right of Privacy Bill of my hon. Friend the Member for Stafford, there is no doubt that we feel that something pretty drastic must be done.

Journalists to whom I have talked in recent weeks admit—privately, as one would expect—that a bottom line should be drawn on their standards and conduct. We see that privacy laws exist in other countries without threat to press freedom. As my hon. Friend the Member for Winchester said, the individual is protected under our laws against assault, defamation, trespass of property and patent and public order offences, but no effective legal protection exists for private life under English law, despite our ratification of the European convention on human rights and the international convenant on civil and political rights.

The Bill is a genuine attempt to strike the correct balance between the necessary freedom to publish information that is in the public interest—and that would cover a great deal of the activities of Members of Parliament—and the protection for every man and woman, regardless of position or wealth, against the awful intrusions that the media so often feel they have carte blanche to operate. We are told by opponents of the Bill that the definitions are too vague and leave too much to the discretion of judges. I have always believed that our system of common law works on the assumption that the courts build up case law so that effective judgments can evolve. I do not doubt that the Bill will need some amendment in Committee and I hope that the Government will lend their support to that course rather than contriving to have the Bill to be killed.

My right hon. Friend the Member for Chingford in his article took the line that, once again, we should give the press the benefit of the doubt, just as we did in 1970, 1972, 1977 and have repeatedly since then. If I believed that the Press Council in the 1990s would be any more effective

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than its much criticised predecessors, I might be inclined to hold back. If I believed that the editors and newspaper owners themselves would be more ethical in applying article 8 of the European convention on human rights, which provides that:

"Everybody has the right to respect for his private and family life, his home and his correspondence,

I might be inclined to hold back from supporting the Bill. But the appointment by the *Sun* of its own in-house ombudsman sent me scurrying back to my original position of total support for the Bill. I should like to see legal aid available and I should like access to juries, but the important thing at this stage is to give this vital human rights legislation a Second reading. I hope that the House will do that.

11.59 am

Mr. Gerald Howarth (Cannock and Burntwood): I am delighted to follow my hon. Friend the Member for Exeter (Mr. Hannam), because I, too, support the Bill. My hon. Friend the Member for Winchester (Mr. Browne) has set out his stall most eloquently and has caught the public mood because public opinion is now strongly behind this measure.

The debate is being held because of growing public concern, unchecked by the propaganda of eminent leader writers, about the excesses of the press—especially at its gutter end. For example, there is intrusion into family grief such as occurred in the case of the captain of the Herald of Free Enterprise. That case was eloquently outlined by my hon. Friend the Member for Thanet, South (Mr. Aitken), and many other examples abound from recent tragedies.

Secondly, there is hounding of the royal family, the intrusion of gigantic telephoto lenses that are carried off at great expense to distant islands in the West Indies and elsewhere, so that at no time are members of the royal family allowed any time to themselves free from the fear that any private action of theirs could be exposed and subjected to the gaze of the tabloid press. Thirdly, there is the persecution of individuals, salacious stories about private lives that titillate the public and line the pockets of unscrupulous journalists and their proprietors.

As has been said, some journalists say, "We do not like doing this but we are obliged to do it." There are examples of that in history where people have said, "I was only obeying orders." Such journalists could resign if they do not like the way in which their employer requires them to work.

I shall be brief and give just one example in the third category of those that I have mentioned. I agree with my hon. Friend the Member for Aldershot (Mr. Critchley) —I hope that that does not cause him too much enbarrassment—that people in public life are entitled to some protection. That point was most eloquently made by the hon. Member for Bristol, South (Ms. Primarolo) whose personal experience moved the House. It certainly moved me. In my own small way I had a similar experience when I asked a question at Prime Minister's Question Time. I asked my right hon. Friend whether she would support the reintroduction of corporal punishment because the day before three men had tried to batter down the door of my home at 2 o'clock in the afternoon when my wife was there with my baby son. That seemed a perfectly reasonable example to promote the case that I was making.

Within half an hour of asking the question I had a frantic call from my wife who told me that hordes of journalists were at the door and that one newspaper had said that unless it got a nice photograph it would put in the newspaper a photograph of the house. I had to deal with the news editor of that newspaper and tell him that I would be grateful if he did not print a photograph of my house because that would attract all sorts of vandals who would know that Members of Parliament work odd hours. I had to do a deal and I regretted that. However in the interests of my family I had to do it.

Even if we have not had such experiences ourselves, many of us, like my hon. Friend the member for Aldershot, have constituents who have had such experiences. Our concern today should not be for ourselves. As I said to the hon. Member for Glasgow, Hillhead (Mr. Galloway) Members of Parliament are influential and in the House we have the privilege of being able to expose these excesses. The hon. Gentleman has been able to put the record right today. Our concern should be for those who have no such remedy.

Every Sunday I go to my local newsagent to scan the press. I resent paying any money to line the pockets of newspaper proprietors and have an arrangement with my newsagent to look through the papers. A glance at page one is quite sufficient and one does not need to delve any further. I shall forgo the example of a story about a world war 2 bomber found in outer space. Recently a tabloid gutter newspaper—I shall not name it or give details of the issue, because I do not want to add to the newspaper's notoriety—had a story exposing the private life of an accomplished actor who plays in a popular comedy series. He is said to have said, "I am aware that this could destroy me."

We are not talking about a politician who publically advocates sobriety but is to be found in the Kremlin bar at midnight stoned out of his mind. I am not suggesting that any hon. Members are in that category, because I would be out of order if I did that. We are not talking about somebody who has taken a conscious decision to enter public life or about a clergyman who has had a secret affair with the doctor's wife. We are talking about a private individual whose sole qualification for such attention is that he has become immensely popular with the public because the talent that he deploys is widely appreciated and enjoyed by many viewers. What right have a couple of Wapping hacks to pillory this man and, in his words, "destroy him"? I strongly disapprove of the behaviour of which he is said to have been guilty, but I protest that he is not public property and has a right to a private life.

The report was sanctimonious garbage and issued an unbelievably cant invitation to readers to phone in on separate telephone numbers to say whether the actor should stay in the television series or be harried out by a bunch of unscrupulous, disgraceful, disreputable and probably anonymous hacks whose own private lives would fail to stand up to the scrutiny of a lighted match. No doubt there will be a follow-up story about this man. I have made the assumption that all this is true.

There is also the case of an hon. Friend who left the House at the last election. He is still an hon. Friend but is no longer a Member of the House. I am speaking about Harvey Proctor, and many of us know about his

experience. He was charged with an offence and between his being charged and convicted a journalist called Annette Witteridge, a freelancer working for the *News of the World*, wrote a story in May 1987 suggesting that Harvey Proctor's friends were concerned about his health and that he should have an AIDS test. She told him that she had checked the story but later admitted that she had not done so and four or five months later her source told her that it was a pack of lies.

To this day the "News of the Screws"—for that is the popular name for the *News of the World*—has failed to retract that story. It is despicable that such people should continue to be allowed to operate in what is called a profession. They should have been drummed out of it long ago. I hope that those two examples show the kind of problem with which we are dealing.

The press is in part hostile to the Bill. Of course freedom of expression is vital and no hon. Member would gainsay that. However that freedom does not extend to the right to destroy individuals or their characters. The hon. Member for Hillhead is not in the Chamber. I say for his benefit that the free market operates, not in a vacuum but within bounds. There is the law of defamation, and the sponsors of the Bill seek to provide further clarification of the bounds within which free comment may take place. The press says that self-regulation is the safeguard, but, as early as 1962, Lord Shawcross was critical of the Press Council. Over many years we have had extensive declarations of good intent from the Press Council, none of which in my view, nor I think in the view of the House has been fulfilled.

There was a declaration of principle on privacy in April 1976 which stated:

"The publication of information about the private lives or concerns of individuals without their consent is only acceptable if there is a legitimate public interest overriding the right of privacy."

That is clearly the kind of thing that the Bill seeks to address, but has the press lived up to that? The answer is no. I do not agree with what my right hon. Friend the Member for Chingford (Mr. Tebbit) said in his article in yesterday's *Evening Standard* and I told him so last night. There is a remedy to him. He is a powerful man and can tell the press barons that, if they go beyond the boundary of what he deems to be his private life, he will come down on them like a ton of bricks. That remedy is not open to many of our fellow citizens to whom this Bill would give a remedy. That is why I have the greatest pleasure in supporting the Bill and I hope that it will be carried by the House.

12.10 pm

Mr. Ron Brown (Edinburgh, Leith): I support the Bill and do so for good reason. We should always remember that privacy is important to all of us, rich or poor, Socialist or non-Socialist. I am sure that many of us can speak from personal experiences. I can certainly give one or or two examples of my own.

An incident involving my assistant allegedly took place in the shower room of this House. I went to the Serjeant at Arms and asked for information about that alleged incident. He said that he had no information. In other words, the incident did not take place, but that did not stop the *Sun* printing a story. Of course, it was exciting stuff, but it was untrue. Nor did it stop the *News of the World*, the sister paper of the *Sun*, going one step further. It alleged that my assistant had become pregnant as a result of that so-called incident and it justified its allegation on the basis of a report thought up by a drug addict. That individual was paid a lot of money for that story. Not only did the Murdoch press feed his craving for drugs, but it fed a pack of lies to the public.

Naturally, the *News of the World* wanted to interview my assistant and offered her £30,000 for her story. There was no story, but that did not stop the newspaper and its reporters hounding my assistant, her husband and her relatives. That was despicable. They attempted to dig the dirt, but as they found no dirt, they had to invent the dirt. That is a sad reflection on the tabloids of this country.

If I condemn the Murdoch empire, I also condemn the Maxwell empire because its so-called newspaper, *The People*, thought that it could do a flyer. It thought that it would do a similar type of story about me, so what did it do? It found that I had originally stayed in Scotland. Journalists went to the flat at my old address. They spoke to the neighbours and asked them, "Could you find anything wrong with Ron Brown's presence at this address?" There was no criticism, but they found an old-age pensioner in that street and gave him a great deal of money to make a number of allegations. That old man —I do not blame him; no doubt the money was useful —alleged that he could see into my bedroom. He said that he could see all sorts of lurid events which allegedly took place there. That is remarkable. He could see through two sets of curtains and two sets of brick walls because the bedroom is at the other side of the house. That is a fact. The house is still there and is now occupied by a Tory Member. I am sure that he will give a guided tour to prove my point.

Surely we have reached a stage where any story can be pumped out by the tabloids and the media, provided that they can pay for it. Unfortunately, many people are willing to accept money, irrespective of the truth of the incident. The tabloids go from bad to worse. Of course, they live up to their slogan which states, about stories, "Make it simple, make it juicy, and make it up". That has repeatedly been the case in recent years and that slogan unfortunately brings the media into disrepute. It affects many honourable journalists because most of us suspect journalists' motives. That may be unfair, but the yardstick that we use as Members of Parliament must sometimes be used elsewhere.

Some people will no doubt suggest that I am exaggerating, that I complain too much and that, after all, I could go to the Press Council. I did go to the Press Council, but it did very little. It was not particularly interested and, when it considered all the allegations, it favoured, in the main, the media. It supported the tabloids, yet the tabloids could produce no evidence against me or my assistant.

Let me give another example of how the Press Council operates. Last January, I was in Afghanistan, negotiating the release of a French journalist who was held by the Afghan Government. There was an agreement for me to phone in reports about my efforts to the Press Association. Those reports were mentioned by the *Sunday Express* which, in turn, tried to rubbish my efforts. It said that I had made reverse-charge calls to the Press Association from Afghanistan, so I complained to the Press Council. The council looked at my complaint and found in favour of the *Sunday Express*, yet the Press Association has now

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admitted that it was wrong and that the Press Council was wrong. To my knowledge the Press Council has not reversed its decision.

That typifies the attitude of the Press Council at present. If a Member of Parliament cannot get a fair hearing from the Press council, who can? It will certainly not be the people outside this place whom we represent. I say that because a particular case springs to mind. Some time ago there was a rape case in Leith. It was a particularly nasty case and the tabloids were anxious to interview the victim and the mother. The mother refused and told the *Sun* in particular that she did not want to say anything. What did the *Sun* do? It made up an interview and, when a complaint was lodged with the Press Council, the council did nothing to help that particular lady.

Of course, if a person has bags of money, he can always go to the courts. We should always remember Gerald Nabarro's infamous remark that, if one is rich, one can buy justice. Sadly, that is the case today. Not everyone is wealthy enough to hire lawyers or has the money of Elton John, Jeffrey Archer or Koo Stark. Most people simply cannot afford lawyers to go to court.

I do not always agree with the Prime Minister, but she made the point some time ago, when she condemned trial by the media, that we must not simply say that we condemn it; we should do something about it. That is why, if we wish to look for a remedy, we must consider this Bill. It may not be perfect, but at least it is a step in the right direction and perhaps it will, for once, provide some basic rights and bring some sanity back to this country, particularly in the way that reports are put out by the media. This is an important Bill and I hope that all hon. Members will support it.

12.19 pm

Mr. Ivan Lawrence: I accord my congratulations to my hon. Friend the Member for Winchester (Mr. Browne) for judging the moment of parliamentary and public anger that enables him to make this difficult change to the law. It is a great honour to be a sponsor.

The gutter press is the unacceptable face of our free society. If the press does not like the Bill, it has only itself to blame, for, despite continuous warnings over many years, it has chosen to do nothing to control itself. The Bill is long overdue, and few in Britain will dispute that. One wonders why such a law was not placed on the statute book before.

It is partly because we do not have a written constitution enshrining a Bill of rights. We tend to forbid certain actions rather than give rights to enjoy. It is partly because the law of defamation, trespass and confidence, and the criminal law of breach of peace, have frequently been said to be adequate for dealing with problems caused by infringements of privacy. The argument that the Mancroft Bill of the 1960s was unworkable was advanced by the then very powerful Lord Chancellor, Lord Kilmuir. It was said that such legislation would constitute a serious danger to a free press and its right to publish and enjoy free expression. Brian Walden's Bill was withdrawn when the Home Secretary of the day announced that the Government proposed establishing a Royal Commission. Resistance to a privacy law was underlined by powerful law reform committees, such as the Younger committee in 1974 and the Porter committee on defamation in 1948. The conclusion reached by them all was that the right to privacy was too drastic a remedy for dealing with the relatively infrequent occasions when privacy had been abused, and that the risk of newspapers being deterred from communicating matters of great public concern was so high that occasional intrusions should be tolerated. We can now draw on the experience of countries such as the United States that have a law of privacy, and where there seems to be little problem in telling the public what they need to know in their own interest, notwithstanding such laws.

The tide has now risen, and it is to be hoped that no Canute seated at Wapping or by the river Fleet will turn it back. How has that happened? It is because the catalogue of horrors has grown too large and has been brought too closely to the attention of right hon and hon. Members.

I have no need to improve on the stories advanced today by my hon. Friends the Member for Thanet, South (Mr. Aitken) and for Aldershot (Mr. Critchley), and the hon. Members for Bristol, South (Ms. Primarolo), for Hillhead and for Edinburgh, Leith (Mr. Brown). However, I make mention of the totally despicable behaviour, by whichever newspaper it was, when, after the wife of one of the House's most respected Members was killed in a terrorist explosion and he lay maimed and mauled, to send its reporters to their young children's school to ask how they felt about what happened to their parents. It is difficult to imagine a more despicable act. It was at that moment that my thoughts turned to doing something far more drastic than had been previously attempted, to discipline the behaviour of a section of the press.

The tide has turned because it is now dawning on many people that, given the existence of communications satellites, sophisticated listening devices, computers and high-definition long-distance photography, the situation will become very much worse unless something is done. There is the realisation also that the Press Council has utterly failed. That is not its fault. It was never a court of law, and never had the power to stop publication. However, when a former Press Council chairman, Sir Zelman Cowen, and the present holder of that office, Louis Blom-Cooper, think that the time has come for the law to step in because the council is too feeble to discipline the gutter press, we must take cognisance of that.

Mr. Greg Knight: Will my hon. and learned Friend say when Louis Blom-Cooper commented that the law should step in? I understand that he never made such a comment. He said that he felt the Press Council as currently constituted needs changing, and that he proposes making certain amendments next week. I am not aware that he has ever made the statement that the law should step in and supplant the Press Council.

Mr. Lawrence: That is the conclusion I draw from the criticism levied by the current chairman of the council and by one of his predecessors—that their frustration is so great that something must be done. Whether the answer is strengthening the Press Council or introducing a right of privacy is a matter for the House to consider.

The tide has turned also because it is now clear that remedies existing in other areas of the law of tort and of the criminal law are inadequate for dealing with the overwhelming flood of press abuse. The hon. Member for

Hillhead was wrong to suggest that the crime of burglary will necessarily deter someone from entering premises for the purpose of bugging them.

The final reason why I believe the tide has turned is this excellent Bill, which neatly avoids the imprecise and generalised provisions of a right to privacy that has been the subject of past criticism because of its unworkability, in favour of a more practical and realistic approach to protecting the public misuse of private information. So that privacy can be breached, yes, but the product of it cannot be used—thus making it a waste of time to invade privacy.

This is a Bill whose time has come. It will be welcomed by all fair-minded people, as it will by all who have suffered at the hands of the gutter press and by their families, whose suffering has often been much greater. I suspect that the Bill is welcomed by a large section of the press, if only with relief that at last something is being done to stop the gutter press from doing something that is clearly indecent, to protect circulation when their competitors are doing the same thing. The Bill will certainly be welcomed by the decent press as a step forward in protecting the liberty of the subject. The Bill will be popular in the country because it recognises the deep feeling among all those who are privileged to live in a free society—for it has been said that, of all the jewels in the crown of human life, none shines so bright as the right to be left alone.

12.28 pm

Mr. Frank Cook (Stockton, North): I join other hon. Members in congratulating the hon. Member for Winchester (Mr. Browne) on his good fortune in the ballot, and also on his good judgment in choosing this topic. I thank him for doing me the honour of asking me to be one of the Bill's Labour sponsors, an honour that I gladly accept. While I have one or two reservations at this stage, as would anyone, I assure the hon. Gentleman and the Bill's other sponsors that I shall do all I can to improve the Bill and help it to reach the statute book.

Having listened carefully to the debate since 9.30 this morning, I have observed a number of ironies. First, I find it ironic that we should be criticising the press and at the same time offering its members a field day at our expense. I have been mildly amused at the almost salacious style of certain sketch writers who have scurried in and out of the Press Gallery as different hon. Members have stood up to speak. It is significant that they have been absent when the tone of the debate has been serious. I do not, of course, wish to suggest that any of it has been frivolous, but I think that the journalists have been much more interested in the gossipy, confessional contributions of some hon. Members than in attempts to analyse the problem seriously.

I do not blame the journalists for that. They make their bread by selling such nonsense, and we cannot expect them to change today simply because we happen to be debating their affairs—or our affairs, as discussed by them—any more than we can expect the leopard to change its spots.

I am pleased to see that my hon. Friend the Member for Glasgow, Hillhead (Mr. Galloway) has returned to the Chamber. He produced a wonderful exposé—an appropriate word in this context—of the case for the Bill, and then went on to say that it posed a threat to freedom. I understand what he means, and genuinely sympathise with the need to protect press freedom; but freedom is a two-way thing.

In an article that has already been mentioned several times this morning, the eminent barrister Robert Alexander quotes Oliver Wendell Holmes as saying:

"The right to swing my fist stops where the other man's nose begins."

That is fine as far as it goes, but does it go far enough? I have been accused by the press of almost swinging my fist. Had I done so, which I did not, and my fist had not landed, it could have been said that no freedom had been violated. But the threat to swing a fist is indeed an infringement of freedom if the potential victim happens to be frightened of receiving a fisticuff, as most people are.

I would go much further than Robert Alexander. I do not think that it is enough for my hon. Friend the Member for Hillhead to justify his opposition on those grounds. It is certainly not fair for him to say that he wants to be on the Standing Committee simply because he thinks that the Bill threatens to infringe freedoms and he wants to stop it from doing so if he will not allow freedom to those who are threatened.

It is also ironic that we should be discussing openness of access and what should and should not be permissible, and seeking to defend individual privacy from one point of view, when for a couple of days this week we have discussed the probability of Government agents freely infringing individual privacy. It is reassuring to see that so many Conservative Members have turned out to support the Bill; I only wish that I had seen as much ardent enthusiasm for the protection of the individual earlier this week. I notice that the Comptroller of Her Majesty's Household is nodding his head. I do not know whether he is nodding his head in agreement or whether he is nodding his head in appreciation of the irony of the situation. [HON. MEMBERS: "He is nodding off."] Ah, well, there we go.

I reaffirm my enthusiasm for the measure, as long as it is given a good airing in Committee. I promise the sponsor of the Bill all my support.

12.34 pm

Mr. Neil Hamilton (Tatton): No hon. Member can have sat through this morning's debate without being deeply moved by the experiences of many of the speakers that have been so eloquently recounted—some serio-comic and some desperately serious, which I found very moving, such as the speech of the hon. Member for Bristol, South (Ms. Primarolo). As is well known, I have crossed swords with the press and the broadcasting media from time to time, but I have no personal axe to grind in the debate. My disputes with them were entirely outwith the ambit of the Bill. We must draw a firm distinction between the laws of libel and what they are designed to cope with and the mischief with which this Bill is designed to cope.

I am sure that all hon. Members agree with the aims and objects of my hon. Friend the Member for Winchester (Mr. Browne), to whom we must all be grateful for sponsoring the Bill. Article 8 of the European convention on human rights provides for precisely the kind of result that my hon. Friend wishes to be achieved, but it does so in more generalised terms. Article 8 says that everybody has the right to respect for his private and family life, his home and his correspondence.

Freedoms of a similar kind have been protected in English law for centuries. There is freedom of the person

[Mr. Neil Hamilton]

from physical attack, as the hon. Member for Stockton, North (Mr. Cook) pointed out. It includes causing somebody to fear that he is about to be hit. That is already covered by the criminal law. There is also freedom to enjoy our property without molestation and free from invasion from without. In an eloquent speech in this House 250 years ago, William Pitt, Earl of Chatham, said:

"The poorest man may in his cottage bid defiance to all the forces of the Crown. It may be frail—its roof may shake—the wind may blow through it—the storm may enter—the rain may enter—but the King of England cannot enter—all his force dares not cross the threshold of the ruined tenement."

The law of this country, both the statutory and the common law as it has developed throughout the centuries, has protected private individuals against unwarranted incursions into their privacy in respect of their physical assets and persons. The time is now upon us when we should extend that protection to private life.

That view is shared by the Press Council, which in its 1976 annual report said:

"The publication of information about the private lives or concerns of individuals without their consent is only acceptable if there is a legitimate public interest overriding the right to privacy."

That is precisely what the Bill is designed to achieve.

Several hon. Members have pointed out that the Press Council, as an exercise in self-regulation, has manifestly failed. This morning we have heard of countless examples of the press acting like a pack of ravening hounds, setting itself on almost defenceless individuals and tearing them to pieces. The heartless, pitiless and merciless individuals who have been responsible for some of these excesses in many ways deserve our pity. How they sleep at night knowing what they have done, Heaven knows.

As my hon. and learned Friend the Member for Burton (Mr. Lawrence) pointed out, the former chairman of the Press Council, Sir Zelman Cowen, has said that he is sick at heart at the Press Council's failures and the revelations that have exposed people to hurt. Not all journalists today are quite as brazen as some who have treated the Press Council with contempt in years gone by. Mr. John Gordon, a former editor of the *Sunday Express*, when threatened by a report on him to the Press Council for failure to publish a justified factual correction, said this to his correspondent:

"You can report me to the Press Council, Madam Tussaud's, the Society for the Protection of Sputniks, NATO, UNESCO or the Dancing Dervishes' Association as you wish. May you enjoy yourself."

That is a fairly robust rejection of the Press Council and the protection which it is supposed to offer readers.

Dame Elaine Kellett-Bowman: I had a job with the Press Council at that time. He was the only one who treated it with such disrespect while it was under the chairmanship of Lord Devlin. It was only after Lord Devlin left that the press began to put two fingers up to it.

Mr. Hamilton: I simply cannot believe that my hon. Friend was a member of the Press Council that long ago. She does not look as if she could satisfy the dates to which she referred.

Even today there are such examples, and the *Sun* is foremost among them. There was the case of Mr. Terrance McCabe who refused to cross the picket line at Wapping. I was wholly opposed to the dispute at Wapping and I thought that the unions were quite wrong. But I am happy to draw to the attention of the House an example which involves somebody who is wholly opposed to what I stand for which demonstrates the tyranny of the press over individuals. Mr. McCabe refused to cross the picket line at Wapping. The *Sun* then printed a story about him calling him a "lying trucker" and printed details of his previous convictions. That article was condemned by the Press Council. The *Sun* responded by repeating the allegations and dared Mr. McCabe to sue. The Press Council further censured the *Sun*. As a result the *Sun* published the adjudication prominently and in full and repeated the allegations for the third time. Quite manifestly, the Press Council is not treated seriously by the press.

Mr. Cash: I spoke to Terrance McCabe quite recently and I received a letter from his wife explaining the incredible hurt, the dreadful way in which she was treated and the fact that their children were involved. Therefore, the situation involved their entire family.

Mr. Hamilton: I am sure that hon. Members will be moved by what my hon. Friend has said.

The position of the Press Council is so bad that in 1980 the NUJ withdrew its support for the Press Council on the ground that it was incapable of reform and wholly ineffective. I share the view of the NUJ, as do most hon. Members present today.

My hon. Friend the Member for Derby, North (Mr. Knight), who I know is a libertarian and is opposed to the Bill, drew attention to article 10 of the European convention on human rights which refers to the right to information. But that right to information is already restricted in many respects by existing law, not least by the law relating to defamation which by and large concerns only false allegations; but in some cases, even the truth is defeated as a defence of defamation by proof of malice, so there are restrictions on the dissemination of truthful information where it is not regarded as being justifiable in the public interest. The defence of fair comment in defamation is available only if that fair comment is made in the public interest.

If the hon. Member for Glasgow, Hillhead (Mr. Galloway) were to extend his argument that we cannot trust the courts to decide such issues, logic would dictate that we remove one of the existing defences in the law of defamation which was designed to protect persons making comments in the public interest.

The Bill does not introduce anything particularly novel in the method by which it seeks to achieve its object. Over the centuries the courts have developed the law in a flexible way and it will be further developed according to the acceptance of society at the time.

Mr. Lawrence: My hon. Friend does not need to be defensive in answer to my hon. Friend the Member for Derby, North (Mr. Knight) because the international covenant on civil and political rights and the European convention on human rights include rights of privacy, so we are inconsistent with those international agreements by not having such a right.

Mr. Hamilton: I am grateful to my hon. and learned Friend for that information. It is true that we are unusual amongst industrial and advanced states in having no protection for the rights of privacy.

Mr. Greg Knight: As my hon. Friend spent the last few minutes of his speech referring to my intervention, I think

that he will accept that it is only right for me to place on record the reason why I made that intervention. It is not fair to make a selective reference to a convention. My hon. Friend the Member for Winchester (Mr. Browne) referred to article 8, but we should also appreciate that the convention contains article 10.

My hon. Friend the Member for Tatton (Mr. Hamilton) spoke about other countries' laws on privacy. He should bear in mind that their laws on defamation are different from ours. We should look at the whole picture and not just at this particular narrow matter.

Mr. Hamilton: I accept that. The experiences of different countries will differ. Some countries' laws are more draconian than the Bill's provisions, and others are less so. Nevertheless, we are unusual amongst Western countries in having no proper protection for the individual against the abuses about which we have heard so much this morning.

I resent the view expressed by some hon. Members who, although they support the Bill, say that, as public figures, we are not entitled to privacy in our personal lives. There are aspects of our behaviour in private that impinge on our public duties, and it is right that the public should have a right to know about those actions and we should be held accountable for them. However, there is a swathe of activities which may not appeal to everyone but which are private and which those in the public eye are entitled to carry out privately.

Mr. Nigel Dempster, who performs a function that might be described as dandruff on the shoulders of Fleet street—that is the politest way to describe him—said:

"People who promote themselves as Members of Parliament, or write books and flog them to the public, or open their houses for profit, forfeit their right to their personal lives. They know that. They've known that throughout the history of this great country of ours."

That is an example of arrogance in the press that we are here to complain about—*[Interruption.]* I look forward to the revelations to come in the speech of the hon. Member for Birmingham, Erdington (Mr. Corbett).

I am anxious to complete my speech but I shall address the complaint made by opponents of the Bill that the proposals it contains are vague. They are no more vague than the concepts used in the common laws of negligence and nuisance and others upon which British law is based —the concept of reasonableness and the reasonable man. For 500 or 600 years the courts have developed and interpreted those concepts according to the facts of each case. The courts will continue to be able to do that and to develop in accordance with changes in feeling about this issue as they do in other matters.

If the Bill is passed, as I hope it will be, it will not lead to undue prohibition of freedom of speech. There are few countries in which that principle is taken more seriously than in the United States where it is protected by the constitution and the Supreme Court. The United States has a law of privacy which, in many respects, is similar to that which we are seeking to achieve in the Bill. It is applicable, inter alia, only if it involves private facts that do not belong to the category of legitimate news, the provisions of which are protected by the United States guarantee of freedom of speech. Although there is no written constitution in this country, we can replicate the provisions in the United States on legitimate access to information.

It has been said before that nobody lost money by underestimating the public taste. Tabloid newspapers have proved that daily for many years. We should ask them to do what the *News of the World* used to place at the end of its agent provocateur articles—make an excuse and leave.

12.49 pm

The Minister of State, Home Office (Mr. Tim Renton): It may be for the convenience of the House if I intervene to give the Government's view on the Bill.

I congratulate my hon. Friend the Member for Winchester (Mr. Browne) on his success in the ballot and on the skilful, persuasive and eloquent manner in which he invited the House to give the Bill a Second Reading. I pay tribute to the fact that he has not been afraid to make use of his good fortune in the ballot to take up an issue which, while undoubtedly of much public interest and importance, has nonetheless had a somewhat chequered history of previous attempts to legislate. I admire the pertinacity of my hon. Friend and his drafting ally, my hon. Friend the Member for Stafford (Mr. Cash). I have seen them a number of times in recent weeks huddled together in various parts of the House like Cassius and Casca, looking lean and hungry while preparing the Bill. I hope only that it is a Fleet street Julius Caesar whom they have in their sights rather than a Minister.

The roll call of those who have tried but failed to introduce a statutory right of privacy is impressive. Previous attempts were made by Lord Mancroft in 1961, Alex Lyon in 1967, Brian Walden in 1969 and, most recently, my hon. Friend the Member for Stafford in 1987. The Walden Bill led the then Home Secretary, now Lord Callaghan, to establish a committee on privacy under the chairmanship of the late Sir Kenneth Younger, which reported in 1972. Despite its age, the Younger report is still the definitive work on the subject. I disagree with my hon. Friend the Member for Winchester that its findings were naive. Events have moved on since 1972 and the world described by Younger was in some respects different from that of today. I should not wish to suggest that Younger's recommendations must necessarily represent the last word, but much of the committee's underlying analysis remains good and we must carefully consider the arguments that it presented.

I echo strongly what my hon. Friend the Member for Winchester and other hon. Members said about the extent of concern at the intrusion into individuals' private lives. I should not want to ignore the serious distress and hurt that can be caused to victims and their families. Undoubtedly, there is growing resentment in many quarters at the way in which some of the tabloid press blatantly exploits details of the private lives of not only public figures but, on too many occasions, ordinary people such as victims of disasters and their relatives, who, through no choice of their own, but through bad luck or happenstance, are thrust into the public eye. I hope that what has been said in the debate will be widely reported in the tabloids and the serious press.

Mr. Ron Leighton (Newham, North-East): Does the Minister accept that the behaviour of the tabloid press has become worse since Younger reported?

Mr. Renton: That point has been made often in the debate, and I shall return to it later.

[Mr. Renton]

There is something very objectionable about seeing the privacy of individuals invaded and lives, reputations and families destroyed by newspapers in pursuit simply of higher circulation figures. At times it seems as if the freedom of the press has degenerated into unpleasant and unforgivable licence. My hon. Friend the Member for Thanet, South (Mr. Aitken) gave us examples of the disgraceful behaviour of journalists after the sinking of the Herald of Free Enterprise. My hon. Friend the Member for Aldershot (Mr. Critchley) picked up on that theme in his inimitable columnist style. To show that the feelings is shared by hon. Members on both sides of the House, I am sure that we all have much sympathy with the hon. Member for Bristol, South (Ms. Primarolo) and a sense of disgust at some of the things described by the hon. Member for Glasgow, Hillhead (Mr. Galloway).

It is one thing to feel a sense of outrage and distaste about those things, but it is quite another to devise a sensible and satisfactory means of putting matters right. To use the metaphor employed by my hon. Friend the Member for Winchester, we need a means that will keep the water in the moat surrounding the metaphorical castle rather than one which allows it to seep out in unforeseen ways.

Ms. Clare Short (Birmingham, Ladywood): Does the Minister agree that as well as the invasion of privacy and the harm that is done to individuals and families, we should also consider the standards of our media and press? Material involving degeneracy and a low level of titillation does not simply relate to the invasion of privacy. There must be fundamental standards in the press. That enters the argument as well.

Mr. Renton: The hon. Lady is trying to lead me down an avenue in which she is very interested and which she may want to explore in the context of another private Member's Bill later in the Session.

I understand and sympathise with the view of my hon. Friend the Member for Winchester and his sponsors that this area calls for legislative action. I am aware that others take a similar view. Some years ago a committee of Justice, the British section of the International Commission of Jurists, to which my hon. Friend the Member for Winchester referred, published an influential report calling for the creation of a general right of privacy. That report was the basis for Brian Walden's subsequent Bill and the arguments have been carried forward since by Peter Carter-Ruck and most recently by Lord Alexander in his article in *The Daily Telegraph* last week.

Those who advocate a change in the law may be right. The Government are not prepared to say that they are wrong or that we have a better solution to put before the House. Nor do we want to argue, despite the complexities, that this is a subject which is inherently unsuitable for private Members' legislation. We shall not therefore oppose the Second Reading. I hope that my hon. Friend the Member for Winchester and his sponsors will take comfort from that. If it is the wish of the House, we are prepared for the Bill to be considered in detail in Committee. However, having said that, it is right for me to put on record a number of the reservations which the Government have about legislating on privacy and the legislation before us.

We must consider the role that the law should play in this area. My hon. Friend the Member for Winchester quoted extensively from Lord Ross and the minority report to the Younger Committee. However, I want to remind the House of the majority conclusion of that report. It stated:

"Privacy, however defined, embodies values which are essential to a free society. It requires the support of society as a whole. But the law is only one of the factors determining the climate of a democratic society"—

and that refers back to the point raised by the hon. Member for Birmingham, Ladywood (Ms. Short)—

"and it is often only a minor factor. Education, professional standards and the free interplay of ideas and discussion through the mass media and the organs of political democracy can do at least as much as the law to establish and maintain standards of behaviour."

Mr. Cash: My hon. Friend may recall that I quoted from the Younger report, which stated unequivocally that the committee had concluded merely that on balance—in 1972—there was no need, as it saw it, for a general right of privacy. That appears to be a different question from the one with which my hon. Friend is dealing.

Mr. Renton: I do not believe that that is right. I am conscious that my hon. Friend stressed in his speech the use of the word "yet" in the Younger committee report, and that is a word that I too, would use. I shall come back to that later.

The committee went on to say that it saw risks in placing excessive reliance on the law to protect privacy and that, subject to some specific recommendations aimed at giving the law its due place in the protection of privacy, it saw no need to extend it further. It argued especially against including any general right of privacy in our domestic law. It based its argument—the degree to which this has changed is questionable—in large part on the uncertain scope and unpredictable implications of a general right of privacy. In our judgment, a further consideration must be whether the creation of a new statutory right is likely in practice to give satisfactory redress to those whose privacy has been infringed. That is a question which must concern supporters of the Bill on both sides of the House, because the one thing that they want to see is satisfactory redress for those whose rights have been infringed.

That matter takes us straight into the question of legal aid for privacy actions. Under the Bill, the normal arrangements for civil legal aid would apply. With great respect to my hon. Friend the Member for Winchester, I believe that his remarks were incorrect on that point. My hon. Friend the Member for Derby, North (Mr. Knight) was right in his intervention. Legal aid is automatically available unless provisions are made to the contrary. It is a well-known fact, however, that legal aid is not available in defamation actions.

Mr. Browne: I understand that the Legal Aid Act 1988 enables the Lord Chancellor to extend legal aid to areas of the law by regulation. We should be pleased to see the Lord Chancellor do that. We are not precluding legal aid, but we have not included it in the Bill because we do not want to give officials the chance to hit it out of Parliament.

Mr. Renton: I listened carefully to my hon. Friend. I am not a lawyer any more than he is, but I know that the Lord Chancellor may, if he wishes, extend legal aid to categories that are currently exempted. Those apart, the normal

arrangements for civil legal aid will apply unless specific provisions are made to the contrary, which is a different point.

Legal aid is not available in defamation actions, as litigation in that area can be expected to be—and certainly is—contentious and uncertain, and more likely than most other kinds of proceedings to prove trivial or ill-founded. Similar considerations might point to excluding legal aid from proceedings for breach of privacy under the Bill. Although the legal aid scheme seeks to exclude unmeritorious proceedings—that might be something else that my hon. Friend the Member for Winchester had in mind—that is likely to prove especially difficult in actions for breach of privacy, and the availability of legal aid in such cases could be potentially expensive. We must recognise, therefore, that, as it stands, the Bill could have considerable resource implications because of the burden that it would impose on the legal aid fund, which was another point made by my hon. Friend the Member for Derby, North.

Mr. Quentin Davies: Does my hon. Friend agree that, if contingency fees are introduced—contrary to the restrictive practices currently upheld by the two sides of the legal profession—they would go a long way towards solving the problem and ensuring that, if the Bill becomes law, every citizen will have redress irrespective of his means, so long as he can persuade a lawyer that he has a sufficiently good case to represent him on that basis?

Mr. Renton: My hon. Friend leads me down an interesting path. From my experience as a commercial man in the United States, I have great sympathy with the idea of contingency fees. The possibility of extending that principle to either libel or invasion of privacy actions has yet to be explored. I accept, however, that it is an interesting idea.

My hon. Friends the Members for Winchester and for Stafford were right to remind the House that, by enabling actions to be taken in the county courts, costs are likely to be a good deal less than they would be in the High Court where fees are higher and cases tend to take longer to resolve. But we would be misleading ourselves to pretend that the cost of actions even in the county court may not be a serious deterrent for many would-be litigants.

Mr. John Browne: Is my hon. Friend saying that serious consideration by the Government about whether they should offer the individual citizen protection before the law, which would fill a serious existing gap—protection already approved of by the Government as a consequence of their international obligations—could be precluded because it might, as my hon. Friend the Member for Derby, North (Mr. Knight) said, have financial implications? Is that a serious reason to think ill of the Bill?

Mr. Renton: I am just about to discuss the interface between privacy and other areas of the law, which so far has only been commented upon by the hon. Member for Hillhead. One could argue that if it were commonly agreed that legal aid should be available for privacy actions—as the Bill is currently drafted there would be legal aid for such actions—there is a consequential reason why that aid should also be available for libel actions.

I shall explain what we see as the danger of legislating for privacy in isolation from other related areas of the civil law, in particular the link between privacy and breach of confidence and privacy and defamation.

Breach of confidence affords protection against the disclosure or use of information which is not publicly known and which has been entrusted to a person in circumstances imposing an obligation not to disclose or use it without the authority of the person imparting it. That action would therefore be available in some circumstances to which my hon. Friend's Bill would also apply. The Younger committee itself drew attention to the action for breach of confidence which it considered was potentially capable of affording greater protection to privacy than had hitherto been realised. The issue was subsequently referred to the English and Scottish Law Commissions, which have made proposals for changes to the existing law.

The interface between privacy and defamation is, in principle, yet more clear-cut. While my hon. Friend's Bill is concerned essentially with the disclosure of what is true, the essence of defamation is that it relates to statements that are both defamatory and false. But, that said, the injury inflicted by an invasion of privacy must bear a striking resemblance to the wrong for which a remedy is provided in the law of defamation. It is necessary therefore that the two should be considered in the same context. Proposals were made by the Faulks committee as long ago as 1975 for reforming the law on defamation but they have not found favour with successive Governments.

Mr. Cash: Does my hon. Friend agree that it would be absurd if a trivial libel were allowed because of the libel law, but, by the same token, there was no law to prevent a gross invasion of privacy? My hon. Friend has no argument about whether there should or should not be legal aid, because nobody would be likely to argue that, merely because of legal aid, there is no need for a libel law.

Mr. Renton: I am making a different point. If we are to go down this path it is right that the interconnection between and consequences on the law of libel and the law on breach of confidence should also be considered. I am not arguing—I believe that this is what my hon. Friends have suggested—that until everything can be done, nothing should be done. The best may be the enemy of the good, but I am concerned that in considering a possible new cause of action without being able to relate it properly to existing remedies—which may themselves be capable of restatement and improvement—the result may be that we produce overlapping and inconsistent provisions.

The third general point concerns the difficult concept of privacy itself. One of the early chapters of the Younger report is entitled "What is Privacy?", but one does not have to read very far in the chapter to discover that the majority of the committee took the view that the concept of privacy cannot be satisfactorily defined. As the committee noted, attempts to do so either went very wide, equating the right to privacy with what Judge Cooley last century termed:

"the right to be left alone",

or they boiled down to a catalogue of assorted values to which the adjective "private" or "personal" could reasonably, but not exclusively, be attached. Those who have sought in the past to legislate on the subject of privacy have varied considerably in the concepts of privacy for which they sought protection.

[Mr. Renton]

Despite the short title of the Bill, my hon. Friend the Member for Winchester has avoided any attempt to define privacy, but has based his proposed action on the unauthorised use or public disclosure of certain types of sensitive private information.

Mr. Lawrence *rose*——

Mr. Renton: I shall give way for the last time. I have been generous.

Mr. Lawrence: Is not the whole point of our law that a number of concepts, such as negligence, have been developed by the courts and that definitions that, over the course of time, reflect the wishes of the people at the particular period have been worked out by the courts? The same could happen with the definition of privacy.

Mr. Greg Knight: Like obscenity.

Mr. Renton: I accept my hon. Friend's point. However, obscenity is not a good example for those in favour of the Bill because of the reasons for reaching definitions in court. I shall come to the question of the courts' ability to construe general concepts, such as privacy.

My hon. Friend the Member for Winchester has found it necessary to define related concepts such as private information, personal and public use and disclosure. I do not believe—with all respect to my hon. Friend—that one can entirely avoid in that way the central problem of defining what the scope of privacy should be. The Justice committee, from whose report my hon. Friend produced an eloquent quotation, expressed well the difficulties that beset any attempt to find a precise or logical formula to circumscribe the meaning of privacy or to define it exhaustively.

The Justice committee suggested two reasons why the task was so intractable.

"First and foremost the notion of privacy has a substantial emotive content in that many of the things which we feel the need to preserve from the curiosity of our fellows are feelings, beliefs or matters of conduct which are themselves irrational. Secondly, the scope of privacy is governed to a considerable extent by the standards, fashions and mores of the society of which we form part and these are subject to constant change".

The Justice committee went on to suggest that one could identify a central area that consisted of certain matters which, at any given time, almost everyone would agree should be private and, therefore, protected from the intrusion of others. Surrounding that central area there was, it said, an outer grey area on which opinions would differ. But it had to admit that the extent both of the grey area and of the central area was bound to vary from time to time.

My hon. Friend would, I imagine, maintain that he has sought to do no more than give protection to specific matters of private information that would be generally agreed to form part of the central area identified by the Justice committee. But there is a further difficulty in his approach. Several categories of private information that his Bill identifies are themselves qualified by the word personal, such as personal communications, personal relationships, personal behaviour and personal financial affairs. Yet when we come to consider what is meant by the word "personal" in that context, the Bill tells us simply that it means by virtue of the private capacity of the individual. I have no better solution to suggest to my hon. Friend but the circularity of the argument is striking.

The balance between privacy and freedom of expression should properly greatly concern the House. Whatever the precise approach adopted for the purposes of legislation it is apparent that privacy cannot be an absolute right. As Younger said:

"A man's right to privacy has to be balanced against the rights of others; any additional protection which the law may afford to privacy may be found to impinge upon such other rights, in particular the right of free communication of the truth and comment upon it, which are generally accepted as of great importance in a democratic society."

It is important to note that this balancing of rights is explicitly recognised in the European convention on human rights. Although article 8 of the convention to which my hon. Friend the Member for Winchester drew attention; says:

"everyone has the right to respect for his private and family life, his home and his correspondence".

article 10 must also be considered. It provides that:

"everyone has the right to freedom of expression". That right includes,

"freedom to hold opinions and to receive and impart information and ideas without interference by public authority."

Mr. Devlin: That is not an argument on why there should not be an article 8.

Mr. Renton: Of course it is not. I am saying that article 10 must be read alongside article 8 because it is also in the convention.

Mr. John Browne: I thank my hon. Friend for giving way again. In the example of the United States the first amendment, not the fifth, sixth of seventh amendment of the constitution, provides for free speech and a free press. How is it that the United States can live with the privacy law when its first amendment also has to be balanced in the same way as article 8 and 10 in the convention?

Mr. Renton: I intend to deal with the position in the United States and in France and Germany about which my hon. Friend spoke earlier.

The House will agree that there is an inevitable tension between the individual's right of privacy and the right of a free press to investigate and report stories which are in the public interest. Clause 2(1) of the Bill recognises the fact that the public interest in securing the privacy of the individual may or may not be outweighed by the public interest in disclosure.

The question obviously arises as to who should decide whether the importance of a particular story should override personal privacy. Younger concluded that it was impossible to devise any satifactory yardstick for making such decisions, which had necessarily to be based on the circumstances of each case. The committee was in no doubt that the initial decision could be made only by those responsible for the publication, that is, by the press itself. The committee went on to consider whether, in performing this function, the press should be liable in case of complaint to be called to account by the courts acting under a law designed to protect personal privacy.

The difficulty that the committee saw, and which led it to reject this approach, was that judges would have to decide in each case between values which, in the abstract, might appear to have equal weight. The Committee thought that such a task would be likely to make the law

uncertain, at least until the necessary precedents, covering a wide range of situations, had been established. It would also extend the role of the judiciary too far into determining controversial questions of a social and political character.

That leads me to the point about the ability of the courts to construe general concepts. My hon. Friend the Member for Winchester has sought to argue that reservations about the ability of the courts to determine matters of this kind are overstated, and that in practice the courts are frequently involved in balancing conflicting considerations such as these. In our view that overlooks the fact that questions of privacy will often involve a more complicated and subjective judgment than would be required in other contexts. The Younger committee put the point well when it said:

"Where in defamation cases a court has to decide what is or is not in the public interest, it is at least dealing with a situation in which a given statement is defamatory and untrue, and it is clear to the courts that such a statement will give rise to liability unless the defence of public interest is made out. But when for instance the right to privacy and the right to speak and publish the truth are in conflict, and no guidance is given on their relative importance, it is very doubtful whether a court is an acceptable arbiter on the issue of public interest involved".

I doubt whether there has been much change in that position over the last 15 years. I might add that we already have a good deal of experience of the uncertainties which arise, for example, in obscenity cases, where the courts have to make judgments on controversial matters where statutory definitions are unclear or unsatisfactory and there is no consensus on the difficult social and moral issues that arise.

Dame Elaine Kellett-Bowman: It seems to me that my hon. Friend, throughout his argument, has been equating things that are untrue and therefore libellous with things that are true, but nevertheless extremely hurtful and quite unnecessary.

Mr. Renton: That point is made very clear in Germany. There is an interlapping between the law on libel, and the remedies that are available under that law, and similar remedies, that would be provided if we were to have a law against the intrusion of privacy. That is an important point for the House to consider if the Bill goes into Committee.

There is the further point that the law is likely to prove a clumsy instrument for handling all but the most extreme instances of breach of privacy, and we cannot necessarily assume that resort to the courts would be particularly frequent. While this may not in itself be a disadvantage, it could well be many years before a relevant case law was built up and, in the meantime, the uncertainty that would exist in the law might lead to serious inhibitions on freedom of communication. What would tend to happen, I suspect, is that writs would be issued with the object of preventing publication, followed subsequently by the settlement of actions out of court without any clarification of the law having taken place. In any case, as Younger again remarked, it is

"questionable whether a topic which is subject to such rapid changes in social convention as privacy can suitably be regulated on the basis of case law, slowly built up, which would tend to reflect the values of an earlier period rather than of contemporary society."

The Government share the reservations expressed by Younger about the risks of bringing the courts into these matters. While we would not necessarily go all the way with those who argued before the Younger committee that the potential cost of possible action for invasion of privacy would severely inhibit the press from proper reporting, neither do we believe that legislation would necessarily, in practice, foster an increased sense of responsibility by the press.

I disagree with my hon. Friend the Member for Stafford who referred to the deterrent value of the proposals. On the contrary, there could well be a danger of journalists and editors abandoning any idea of self-discipline and of treating anything as acceptable provided that it did not actually render them liable to legal action. I take the point made by my hon. Friend the Member for Winchester that the Bill contains a positive bias in favour of publication where the issue is finely balanced, but I continue to believe that we should be wary of any legislative initiative which might undermine our long-established tradition of press freedom. Newspapers do not of course always strike the right balance between liberty and responsibility, but a press which at times outreached the bounds of decent behaviour—a point made by the hon. Member for Hillhead—may be a price that we have to pay for freedom of speech.

For those reasons, I have to continue to believe that the present system of voluntary self-regulation through the Press Council, a system endorsed by successive Royal Commissions on the press, is a more effective and appropriate form of control than would be provided by legislative action. The council has been criticised as weak and ineffective——

Mr. Michael Brown (Brigg and Cleethorpes): It is a joke.

Mr. Renton: My hon. Friend warmly endorses that criticism.

Certainly the concept of self-regulation has been under strain because of the attitude taken by some newspapers towards the council. No hon. or right hon. Member will deny that.

However, the council is concerned to improve its image and procedures. Sir Zelman Cowen, the council's former chairman, has been succeeded by Louis Blom-Cooper, who began work only this month, and whom we must all welcome to his challenging and difficult job. He has begun developing radical and imaginative ideas for reform. Mr. Blom-Cooper should be given the opportunity to make his influence felt, before we rush into action that could effectively undermine the future of press self-regulation.

I do not think that my hon. and learned Friend the Member for Burton was right to say that Mr. Blom-Cooper implied that the time has come for the law to step in. On the contrary, Mr. Blom-Cooper pointed out, in a thoughtful article in *The Times* last Saturday:

"If only the Press would be prepared to make self-regulation work by co-operating more fully with the work of the Press Council, privacy Bills like Mr. Browne's would be unnecessary."

—*[Interruption.]* The House must remember that Mr. Blom-Cooper has been chairman of the Press Council for only four weeks.

I shall touch briefly on the subject of overseas experience of privacy legislation, as I promised my hon. Friend the Member for Winchester, that I would. He made the point, endorsed by other hon. Members, that it is nonsense to argue that there will be difficulties in introducing a right of privacy into British law, because a

[Mr. Renton]

number of other countries have enjoyed such a right in their own legal systems for many years. France, Germany and the United States are frequently mentioned in that connection. Some critics go further and claim that our country is failing in its obligations under article 8 of the European convention on human rights in not introducing a corresponding provision into our own law.

I agree that we should pay close attention to the experience of other countries. However, it is well known that the method of adjusting domestic legislation to the requirements of international agreements differs widely beween signatory states, and that is particularly true of human rights. Younger identified two reasons why that is so. First, the committee pointed out that certain legal systems are readier than others to declare a general right and then leave to the courts the development of effective sanctions against violations of it. It may be simpler for countries with written constitutions to proceed in that way than it is for those such as Britain, without one.

The second relevant consideration for Younger was the extent to which existing laws in particular countries already provide sufficiently for the protection of the new right. Younger noted that in some countries where the law of defamation is less developed than it is here, new laws for the protection of privacy are used in cases that we regard as falling squarely within the ambit of defamation. In Germany, for example, the dividing line between privacy and defamation is very blurred.

We should not underestimate the considerable extent to which privacy is already protected by existing British law. It may be said that we already have what are, by international standards, very stringent laws of defamation, making it fairly risky to say anything, true of false, about someone who is prepared to resort to litigation to pursue his point.

So far, I have concentrated on general issues that must be addressed in connection with the Bill. None of them is necessarily decisive, but they all serve to explain why the Government have yet to be persuaded that creating a statutory right of action for breach of privacy is the proper course to take at present.

Mr. Merlyn Rees (Morley and Leeds, South): The Minister has made a declaration of neutrality. If the Bill is given a Second Reading and goes into Committee, where a number of matters will have to be cleared up, will the Government play a positive part? Will the Minister on the Committee point out the difficulties so that we can alter the Bill if necessary, or will this neutrality be maintained?

Mr. Renton: I rather hope that I may serve on the Committee. I intended to touch on the role that I would play in my final remarks—which, I assure the House, are getting nearer. I apologise for taking so long, but I have given way several times.

Although I should like to make a number of points, time is getting on and other hon. Members wish to speak, so I shall mention only two aspects. First, the Bill applies to any unauthorised public use or public disclosure of private information. But public use and public disclosure are defined in clause 7 as relating to circumstances in which the material is made known simply to persons other than the individual to whom it relates. Two or more persons would apparently be sufficient, provided that the disclosure was made in the form of printed matter or broadcast material.

That leads on to the point that printed matter includes devices for automatic data processing, and could therefore catch material produced on a word processor, while broadcast material includes material reproduced by electronic means, and could therefore apply to the playing back of an audio cassette or tape recorder. The Bill could thus cover cases in which disclosure had in practice been made on a very limited scale, and had not been made public in the normal sense of the word.

Secondly, I think that there may be a problem with the requirement in clause 1 that proceedings must be brought by or on behalf of any person to whom the information relates. There may well be cases in which the distress, annoyance or embarrassment caused by the disclosure is suffered most acutely not by the person to whom the information relates but by a relative. In such cases, the aggrieved person would have no cause for action.

I have pointed out some of the issues on which the sponsors will need to concentrate if the Bill goes into Committee. Because, for the reasons that I have given, the Government are not yet persuaded of the need for such a Bill, I feel that despite the blandishments of my hon. Friend the Member for Winchester, the onus must be on him, not on me or my Department, to consider how the Bill can be improved to meet the points that I have mentioned.

As I have said, I do not intend to ask hon. Members to vote against Second Reading, despite my reservations about the Bill. We recognise the strength of feeling on these matters, and understand the widespread impatience in Parliament and the country for legislative action. Nevertheless the Bill as drafted poses significant problems. If the House decides to give it a Second Reading, we shall want to be satisfied at the end of the Committee stage that it can be made to work in a way that will not raise insuperable difficulties for the courts and those affected by it.

The Government's critics, be they political journalists or Members of Parliament, are fond of branding us foes of press freedom. We have been accused of wishing to censor newspapers, of designs to shackle civil liberties and of manufacturing cloaks of secrecy with the same speed and effectiveness as is deployed by Marks and Spencer in making socks or shirts. This debate should have punctured some of the extravagant assertions of those critics. I find it ironic that some of the hon. Members who have harried us most fiercely over our alleged concern for secrecy may today vote for a measure that will certainly define and limit the scope of investigative journalism.

The truth is that the Government start from the premise that we cannot have a free society without a free press.

Ms. Short: We have not got one.

Mr. Renton: From that it follows that any legislative curbs on newspapers and journalists—I hope that the hon. Member for Birmingham, Ladywood (Ms. Short) will bear this in mind—should be imposed only after careful thought and only when a matter of overriding national interest is involved. That is why, in our Official Secrets Bill, we are removing the great majority of official information from the protection of the criminal law. That is also why, despite my sympathy for my hon. Friend's objectives, and

despite the eloquent and persuasive speech that he has made, I must ask the House to consider carefully the pitfalls that lie along the road that he wishes us to tread.

1.35 pm

Mr. Robin Corbett (Birmingham, Erdington): We have just had 45 minutes of neutrality. It was akin to Mussolini's neutrality when he went to the aid of his pal, Adolph Hitler, at the start of the second world war.

I shall not weary the House with a detailed reply to the Minister of State's main points, which so unimpressed his hon. Friends. All I would say is that, as he knows very well, in areas such as nuisance, negligence and obscenity, juries can and do, every day of the week, on the basis of their common sense, take a view on the basis of the facts that are put before them. In none of these cases is there a detailed guide.

I, too, congratulate the hon. Member for Winchester (Mr. Browne) on enabling the House to debate this important topic, the wisdom of which is demonstrated by the unusually large turn-out of hon. Members.

I approach the Bill as both a journalist and a Member of Parliament. I have experience on both sides of the privacy fence. When I was on the *Daily Mirror* some years ago, I was sent to cover an accident in which twins had been killed in a playground accident. I drew the line at approaching either the parents or the relations, having got other aspects of the story, but because of that I was called to the office and given a wigging. Years later, my wife and I lost a baby in a cot accident. Although I was not then a Member of Parliament, a local journalist, under the guise of friendship, rang to express condolences and to ask for a photograph of the baby. We much resented that intrusion, and I do not doubt that all others in that position would do so as well.

There is no doubt that the excesses of the sewer *Sun* and other tabloids have reached such proportions in the quest for sensation and sleaze that action must now be taken, but we should be cautious about legislating on matters that affect the press. Whatever the justification, we should not legislate out of feelings of revenge. Even the sewer *Sun* seems to recognise the concern over the deliberate slide into profitable sleaze. It began a startling report on 17 January in mock reverential tones, not usually found in this rag. It crowed:

"The Sun is pleased to announce today the appointment of an ombudsman to act as an independent referee to hear and settle complaints by readers."

The independence of Mr. Ken Donlan, the 61-year-old managing editor of the *Sun*, is clearly in no doubt. He is paid by the *Sun*, he works full time for the *Sun*—so that, of course, ensures his total independence.

I hope that there is no truth in the story that is going around that Mr. Donlan greeted his appointment with some such offensive words as, "I'm the man who's got to deal with all those whingeing, pinko poofters." If he did not say that, or words to that effect, I apologise, but they fit exactly into the language that the sewer *Sun* uses daily.

Mr. Rupert Murdoch, the proud proprietor of the *Sun*, greeted the appointment thus, and presumably with a straight face:

"Newspapers and journalists today face heavy responsibilities to preserve the freedom we all enjoy by living up to the best traditions of British journalism."

That could have come stright from the mouth of the editor of the Daily Crucible in the "Hot Metal" series. It sounds all the more odd coming from Mr. Murdoch, given the vast sums in damages that his newspapers have had to hand over in the courts and elsewhere.

The *Daily Mirror* has had an ombudsman for four years. I tried to ring him yesterday. I was put through to the publisher's office, and, when I asked for the ombudsman, the person to whom I spoke grilled me on who I was and then asked, "Is he here?". "How do I know?", I replied. "Is he here for a meeting?", I was asked. "I have no idea.", I said, "He is the *Daily Mirror* ombudsman.". I was told, "Let me try another number.". Another number rang and I was back with Mr. Maxwell's office. We both laughed. There was a rustle of pages as telephone lists were consulted. Then I was told, "I only have an external number." I said, "What is an external number?", and I was told, "It is not an internal number; it is a home number.". I asked, "May I have it?". I was told, "I will check.". A moment later, back came the voice, "I have an idea, why don't you give me your number and I will ask him to ring you.". I asked, "But how can an ombudsman have a confidential number?". I was told, "It is the only one we have.".

I am still awaiting a call from the *Daily Mirror* ombudsman, and after this I doubt that I shall get one, so perhaps there is not much hope of help from ombudsmen, whatever they are, but the fact remains that they can come into operation only after the events which are complained about have taken place.

What about the Press Council? Even under the vigorous leadership of Louis Blom-Cooper, QC, there is little evidence yet of any lack of willingness or effort on the part, not of the Press Council, but of the newspaper proprietors in whose name and at whose behest the things about which everyone who has spoken today has complained are carried out. The Murdochs of this world have demonstrated that they will not comply with the Press Council now, and there is certainly no evidence to suggest that they would welcome the Press Council having stronger powers.

The problem is that many tabloid owners and editors think that anything goes and, certainly in the case of the sewer *Sun*, have given themselves a licence to lie. No one is safe from the sewer *Sun*. Falklands war widows had words put into their mouths by a journalist who was subsequently appointed editor of one of Mr. Murdoch's newspapers. The victim of the Ealing rape had an alleged photograph of her smeared across the front page of that rag. The lorry driver, Terrance McCabe, was attacked by the *Sun* when he refused to cross the picket lines at Wapping, as the hon. Member for Tatton (Mr. Hamilton) said. His previous spent convictions were continually carried as part of a vendetta by *Sun* journalists against small people who they know cannot hit or hurt them.

We should not be concerned only or mainly with ourselves or families. Every citizen should have a right to privacy and to keep private, their personal affairs. That is why I welcome the Bill in general as a step in that direction, although I believe that it has some flaws. We must not restrict or impede the responsible end of our press from its proper duties to reveal what the rich and powerful prefer to keep hidden.

I do not intend to quote from cases affecting right hon. and hon. Members for fear of giving them another run, except to say that many have been done over by the daily and Sunday tabloids, not for doing anything illegal or for engaging in activities which remotely could be considered

[Mr. Robin Corbett]

to affect their ability to carry out their responsibilities as Members of Parliament, but purely for the sake of titillation cheap thrills, and voyeurism.

It also happens for another reason. Earlier, my hon. Friend the Member for Bristol, South (Ms. Primarolo) movingly told the House the reaction of some sections of the press when she put the question to the Prime Minister, on behalf of her voiceless hon. Friend the Member for Cynon Valley (Mrs. Clwyd), and saying that she had achieved her position only because she had received the help of a millionaire.

The *Daily Mail*, whose editor is ever loyal in recognition of the knighthood he received from the Prime Minister, went to work on my hon. Friend the Member for Bristol, South. The next day that newspaper ran a piece heavy with smear and innuendo. It said that my hon. Friend was nicknamed Red Dawn—I guess only by Mr. John Deans, the newspaper's political correspondent, under whose, I hope embarrassed, name that report appeared. It made much of the fact that my hon. Friend had been constituency secretary to my right hon. Friend the Member for Chesterfield (Mr. Benn) when he represented a Bristol constituency and revealed—shock, horror—that she was separated from her husband. For added spice, the newspaper told us that he had lost his job for allegedly taking a swing at the headmaster of the school in which he worked. The newspaper said that my hon. Friend shares a house in Bristol with another woman. The inference was clear, as were the newspaper's attempts to involve my hon. Friend's son.

What on earth have those issues to do with the question that my hon. Friend asked on behalf of my hon. Friend the Member for Cynon Valley?

A legitimate follow-up to the issue raised by my hon. Friend would have been for the *Daily Mail* and other newspapers to consider how my hon. Friend and other women Members achieve election and the extra and special problems that they face in this place.

Opposition Members know only too well how the *Daily Mail*, the *Daily Express* and, of course, the sewer *Sun* hound and vilify elected trade union leaders and shop stewards who are involved in official legal disputes. Any tittle-tattle makes a good enough stick with which to beat them and seek to blacken their names. None of it has the remotest connection to the issues over which the strike or dispute is taking place.

It is the right of every citizen to have kept private the private aspects of their lives. The Bill, especially if amended, will help. We must clarify the question of legal aid. Without a clear entitlement to legal aid, only the well-heeled will be able to afford to take action and face the possibility of losing, and having to pick up crippling costs. Taking a case to a county court is not an attractive proposition because I understand that it is proposed to limit the amount of damages that can be awarded in the county court to £25,000.

I know that at least one of my hon. Friends—grossly libelled by the *Daily Mirror*, I am sorry to say—had to back off from legal action because, apart from the certainty of success in the courts, he dared not risk action because he could not meet the costs that he would face if, however perversely, the jury went against him. That is an argument not against a jury but for legal aid.

I can understand the hon. Member for Winchester wanting to protect the press from damages awarded by juries, but I believe that he has not addressed the problem correctly. In today's debate, many hon. Members have said that it is not the press that deserves or needs protection but the citizen, the man and woman in the street. Much of the press is rich and powerful and most citizens are not. Perhaps, though I doubt it, punitive damages would persuade the sleaze sheets to start cleaning up their act. Juries are made up of a random cross-section of women and men who are better able to reflect the hurt and harm caused by irresponsible publications and to award financial damages to match the seriousness of the offence. I accept that not all offences can be categorised, but this is a sector in which juries come into their own. On the basis of facts put before them and guidance on the law, they make such judgments every day.

We must not prevent responsible investigative journalism. I exclude Mr. Andrew Neil, who is editor of the *Sunday Times*, from that description following the report into the Thames Television programme, "Death on the Rock". Journalists should not be prevented from exposing people who hold high and influential positions. There is a place in journalism and democracy for some of the work done by publications such as *Private Eye*. The Bill acknowledges that fact and offers protection for the press through the public interest defence. No public interest defence or argument put before a jury will save the Murdochs of this world if they pray that in aid in the course of sleaze.

No responsible editor or journalist has anything to fear from the Bill, which I hope will be given a Second Reading so that we can improve it in Committee.

1.50 pm

Mr. Tim Devlin (Stockton, South): The Bill is a long overdue reform of the relationship between the press and people. Our great nation has always nurtured and defended its freedom carefully. Since the time of Caxton, printers have sought further freedom to publish freely held opinions, and even subversion, but above all they have sought freedom to uncover wickedness, depravity and injustice in public life. One has only to cast one's mind back over the history of John Wilkes and the gagging writs to remember how that freedom has been fought for and cherished. I do not believe that the Bill will introduce the concept of a gagging writ. It is a mark of a free society that we have a free and unfettered press. One of the newest and most glaring developments in modern Russia has been the rash of free-thinking and critical articles that have appeared under glasnost and perestroika.

The debate must move from the relationship of the press to the Government establishment to that between the press and the individual. The most important and powerful media of reporting in the 20th century is television. Among newspapers, the most revealing items have been conveyed by photograph. The camera did not exist in the formative centuries when the concept of a free press was developed. The camera can be very revealing—we are told that it never lies, except when in the hands of a dictator or in the strange magnetic conditions of the rock of Gibraltar. The camera has become the instrument most complained about in our press of today. One need only cast one's mind back to the publication by one tabloid newspaper of a picture of a heavily pregnant princess on a

beach taken by an ultra-powerful telescopic lens to understand the problem. What was newsworthy about that incident? It was widely known that the princess was pregnant. Further, it was known that she was on holiday. What else but a prurient curiosity was satisfied by the photograph?

To move the focus from the rich and supposedly famous, what of the photography of families in the north-east who were grieving over the loss of relatives on Piper Alpha? What of the villagers of Lockerbie who were unable to contain their grief, yet at the same time were met as they carried on their ordinary business by a solid wall of cameramen? In those cases people suffered grotesquely as a result of intrusive press reporting. It is unfortunate that whenever a figure of even moderate public standing is reported for a minor misdemeanour it is apparently obligatory for his or her family to be subjected to what is known in the trade as door-stepping. We readily agree with the concept of press freedom, but we have a right to qualify it when it involves innocent people having to hide indoors for days with the curtains drawn.

There is no right of privacy in this country. However, we are signatories to the European convention on human rights. The Minister made much of article 8 of the convention and my hon. Friend the Member for Derby, North (Mr. Knight) explained that that article should be read in conjunction with article 10 and we must try to achieve a balance. We know that article 8 states:

"Everyone has a right to respect for his private and family life, his home and correspondence."

I thought that the Minister said that those were cogent reasons why we should not enact something analogous to article 8 into English law, yet we know that we already protect under our law the freedom enshrined in article 10. If the Minister was referring to balance, I would agree with him. However, why are not articles 8 and 10, and even the whole European convention on human rights, enacted into English law? I have argued in the House that the rights of children and parents in the European convention on human rights should be enacted in English law. I am happy to repeat that request for the House to consider in future.

It is particularly strange that in the present circumstances those rights are available to Englishmen, Scotsmen and Irishmen if they go to the European Court of Human Rights after having exhausted the English legal system, but those rights are not available in English courts. The provisions cannot be enforced in our law courts. They are meaningless and that is a bad indictment of our much-prized legal system.

The Minister also referred to the interface between defamation and privacy. The formative case in the law of defamation is that of Princess Youssoupoff and Metro Goldwyn Mayer. Lord Justice Slesser set a two-part test in that case which states:

"not only is the matter defamatory if it brings the plaintiff into hatred, ridicule or contempt by reason of some moral discredit . . . but also if it tends to make the plaintiff be shunned or avoided."

The second part of the test was that the allegation must be untrue. The Minister and others have said that the damage of defamation is the same as the damage of privacy, but that is not quite right.

Let us consider the test set by Lord Justice Slesser. He said that a comment must be untrue. That is the distinguishing feature in defamation. He said damage applies if the plaintiff is brought

"into hatred, ridicule or contempt by reason of some moral discredit."

Why cannot the same test be introduced into the law of privacy? He also said:

"if it tends to make the plaintiff be shunned or avoided."

It has always been a feature of our English legal system that there must be damage before one can recover in the courts. If there is publication of something that a person did lawfully in his own home, but which in some way is unusual—perhaps very unusual or perhaps a particularly colourful previous sex life—it is not unreasonable to suggest that it might make the plaintiff be shunned or avoided. There is clear damage there and I do not see why there should not be some provision, perhaps through an amendment in the Bill, for compensation.

Some of my hon. Friends have told me that they will vote against the Bill. My hon. Friend the Member for Derby, North is one. They claim to be libertarians, but that means allowing people free rein so long as their activities are not dangerous to, or do not inhibit the freedom of others. The hon. Member for Stockton, North (Mr. Cook) referred to the test of Oliver Wendell Holmes about the use of a fist. If a man in public life has an unusual or exciting sex life, why should that be referred to publicly?

The point that I would have made—but for the assistance of my hon. Friends—when I interrupted the hon. Member for Glasgow, Hillhead (Mr. Galloway) was that what is of interest to the public about the hon. Member is his competence as a Member of this House. Whatever he may have done in the past, whatever his bank balance or whatever the other features of his life, as long as they do not affect his competence to sit in the House and make decisions on behalf of the public, it is of no interest to the rest of us what he may have done in his own time —on the Greek islands or anywhere else. Good luck to him, because I am sure that, if the spotlight were turned, most of the population would come in the same category.

It may be that these matters are of interest to the public because of its natural lurid curiosity, but are they in the public interest? That is what this Bill deals with. My submission would be that they may have been of public interest but they are not in the public interest. From our post bags, we know that individuals can live the most exotic private lives, but that is not reported, because they are not famous cricketers, union bosses or politicians.

The hon. Member for Hillhead commented on bank balances. One of the most competent and revered Prime Ministers in the history of this country was Disraeli. Yet it is well known from his biographies that he avoided bankruptcy on a number of occasions by the skin of his teeth. It did not, however, make him any worse a Prime Minister. The knowledge of what was in his bank balance, in fact, may have been damaging to him during his career. Is not the man with a massive overdraft—which is publicly known—more prone to bribery and corruption? Is not the man who is extremely rich and has a colossal bank balance in danger of being kidnapped or of suffering other extortionate practices? Barely a week goes by without a new victim of this intrusive curiosity being publicly shamed. The retiring chairman of the Press Council admits to feeling

"sick at heart when I read yet another revelation which exposes people to great hurt."

Even newspapers know in their hearts that often they go too far. The former editor of *The Star*, Mr. Lloyd Turner, said in December:

[Mr. Tim Devlin]

"We have gone too far and I include myself in that. When I was at *The Star* I did go too far. That was a mistake."

We know and the press know that that evil exists. The Press Council knows it, but, being a toothless paper tiger, it can do nothing about it.

I shall return to the photograph of the Princess of Wales on the private beach. When the Press Council condemned that photograph and the *Sun* for photographing it, the *Sun* republished it under a banner headline, which said:

"This is what the row's all about folks."

What greater contempt can anyone show for the powers, or supposed powers, of the Press Council? For their part the public condemn the press for going too far. The Press Council and its supposed powers are relatively unknown to the public. Louis Blom-Cooper QC, who has just taken over as chairman of the Press Council, said last year in a telling remark:

"To any extent that people have any view of the Press Council, it will be highly coloured and culled from one rather inaccurate press report."

Is that not a telling comment that by implication even the Press Council regards most press reports as being inaccurate?

In answer to what my hon. Friend the Member for Derby, North (Mr. Knight) said about Mr. Blom-Cooper's views on legislation, I must tell him that an article in *The Daily Telegraph* in May 1988, made it clear that Mr. Blom-Cooper did not regard the need for legislation as inherently objectionable. The Government have expressed their dissatisfaction, too. My hon. Friend the Minister of State, Home Department said in February last year that, if the press did not regulate itself satisfactorily, the Government might consider how proper standards could be enforced.

The only reason that I could divine from the Minister's speech today against the introduction of such standards is that it would be legally complicated. The concept of negligence was legally complicated and many lawyers thought that it was far too difficult to define until the leading case of Donaghue *v.* Stevenson. The law on that ethereal concept of negligence has been derived from a series of common law decisions from that day to this. Negligence is now one of the greatest areas of the law of tort.

Although I welcomed what my hon. Friend said in February, I do not believe that it is a proper role for the Government to control the press. I agree with the Labour Members that such control would be sinister. It is the proper role of the House, as representative of the people, to seek to control the excesses of the press in the interest of the public. Other free societies, such as France and the United States, have privacy laws, and I see no reason why such laws should not be introduced in Britain. The Minister signally failed to answer that point when it was raised earlier and he passed over it quickly in his speech.

The only difficulty that I can foresee is that of legal definition. As the Minister has said, some time may be needed for the law of precedent to be established. The way in which the Bill is drafted, however, could do a great deal to assist the law of precedent. In that context I shall quote the words of a leading and distinguished Queen's counsel, for whom I have the highest regard, Richard Alexander, who said:

"The strongest criticism of any suggested law of privacy has invariably been that such a law would be too vague and leave too much to the discretion of the judges. I always thought that this view underestimates the ability of the Common Law to develop both purposively and with common sense. The law of confidence, evolved to cover situations as different as commercial secrets and information held by members of the security services, is judge-made law.

In some countries and in much of North America, a right of privacy exists. Some 20 years ago now, I was sent to observe a case in Paris where a claim was brought against an English newspaper for breach of the *droit d'intimité*. Photographers using telephoto lenses had taken photographs of Brigitte Bardot in her private garden. In pursuing her complaint, her advocate eloquently declared: 'Unlike General de Gaulle, my client has not given herself to the nation.' He established that she had the right to private life and recovered damages.

We, by contrast, have no law which would allow redress if, for example, an aeroplane flew low over a house and thus enabled photographs to be taken of people pursuing their private lives. Yet our judges could shape the development of such a law in just the same way as the French judges can set the boundaries of *droit d'intimité* . . . This Bill may well be capable of improvement, or may need some amendment; but the principles it seeks to protect should now become part of our law."

Lord Ross said in his minority report to the Younger committee:

"With all respect to my colleagues I find these reasons"—

about uncertainties in the law—

"singularly unconvincing. In the first place uncertainty in the law is not unusual."

Mr. D. N. Campbell-Savours (Workington): I put it to the hon. Gentleman that he is damaging the possibility of the Bill reaching Committee because of the way in which he is conducting himself. I ask him to resume his seat.

Mr. Devlin: I am grateful to the hon. Gentleman for his advice because he is a distinguished and elder parliamentarian. I am about to draw my remarks to their rightful close and I shall do so in the next few seconds.

The common law of England is, as it always has been, capable of adapting to and defining new concepts. If my hon. Friend the Member for Winchester (Mr. Browne) will allow me to offer advice to him, I will gladly serve on the Committee. I support the Bill and I ask the House to give it a Second Reading.

2.10 pm

Mr. D. N. Campbell-Savours (Workington): I want to address my remarks specifically to the hon. Member for Derby, North (Mr. Knight) because it may be that the future of the Bill rests uniquely in his hands. I intend to speak only for a couple of minutes. I have reservations about the Bill because of my contact with journalists, with whom the hon. Member for Derby, North may also have contacts. I am concerned about the way in which injunctions can be used to prevent journalists from carrying out their legitimate activities. I have discussed the matter with lawyers and they conclude that there are conditions in which stories may be lost. The problem is that although, on one hand, I want to defend the interests of those journalists, I realise, that there is abuse. We must draw a balance and the only way in which we can establish that balance is in Committee. If the Bill goes into Committee, I shall vote against it, as will the hon. Gentleman, but I want the Bill to go to Committee because no damage will be done by that. It will merely help us to establish where we believe the balance should be.

I shall resume my seat after making one request. The hon. Gentleman may rise to his feet in a minute and he can,

in effect, talk out the Bill. If he does that, he will deny people such as myself and others who have reservations about the Bill the opportunity to promote the important debate that will inevitably take place in Committee. The hon. Gentleman knows that there is an element of public concern and he knows that there is an element of concern in the journalistic profession, but let us be given the opportunity to consider these matters. There are many further stages at which we can destroy the Bill if we wish. I can assure the hon. Gentleman that if all my concerns about press freedom are not met, I shall be among those who wish to destroy the Bill. However, the hon. Gentleman is in the unique position today to be able to destroy it. I, together with most hon. Members, appeal to him not to do that and to let us at least be given the opportunity to examine the whole subject in Committee.

2.13 pm

Mr. Greg Knight (Derby, South): It was odd that the hon. Member for Workington (Mr. Campbell-Savours) should make such comments. I seem to recollect that, when I was here some time ago to support the Licensing (Amendment) Bill, he spoke at such considerable length that several of my hon. Friends came to the conclusion that he was filibustering, but I did not seek to say that he was acting in a way that was out of order. I am sure that if you, Madam Deputy Speaker, feel that I am out of order at any time you will bring me to heel.

I must say to the hon. Gentleman that I accept that the matter raises strong feelings among many hon. Members, but I hope that he will accept that there are differing views about what—if anything—should be done and how the press should be regulated. So far in the debate, we have heard only one speech setting out the case against the Bill, which was made by the hon. Member for Glasgow, Hillhead (Mr. Galloway). I have several points to make that should be placed on record to explain why I do not want the House to proceed with the Bill.

Mr. Neil Hamilton: May I suggest that if my hon. Friend has many points, he votes for the Bill today so that he will have more time, in Committee, to develop them.

Mr. Knight: I am also aware that there are hon. Members who do not want the Bill to go to Committee because of other Bills further down the line, but I am not here for that reason. I am here because I disagree with the Bill. It is a bad Bill and I cannot see any way to make it work, even if it were amended in Committee. My hon. Friend the Member for Winchester (Mr. Browne) spoke for 38 minutes outlining why we should support the measure, so it is only fair for the House to listen to my speech. I am not saying that I shall speak for 38 minutes —and, in fact, I do not have that time—but the case against the Bill deserves to be expounded today.

I congratulate my hon. Friend the Member for Winchester on his success in the ballot, but I qualify those congratulations. He was twelfth in the ballot last year and I believe that the time has come for the House to examine its procedures and to consider whether perhaps, an hon. Member who comes in the top 20 should be disqualified the following year so that other hon. Members have a fair chance. My congratulations to my hon. Friend are also qualified because, as I have said, I cannot support the Bill. I have nothing personal against my hon. Friend and he may recollect that I warmly supported the Bill that he introduced last year and which got through both Houses.

The matter of privacy has a long history. The Minister spoke about 1961 when the late Lord Mancroft introduced his measure. Similar measures were introduced by Alex Lyon in 1967 and by Brian Walden in 1969. The important point about the Brian Walden Bill was that it led to the setting up of a Committee on privacy under the chairmanship of the late Sir Kenneth Younger. That Committee reported in 1972.

Some hon. Members seem to have had difficulties in fully appreciating all the arguments, and that is due to the difficulty of obtaining the Younger report. I went to the Library and found that the report, which is Cmnd. 5012, was published by Her Majesty's Stationery Office. I made inquiries at the Vote Office and was told that the report was long out of print. It took me some time to track down a copy. Initially, I was told that the Library did not have a copy, but then I found that it had one copy which, I understand, is kept in a brown paper bag out of sight of hon. Members because the Library is afraid of losing it. It does us no credit that hon. Members have to spend time in the Library photocopying a long document so that they may consider all the points that are relevant to the debate. The one positive side of this debate is that we now appreciate that where an unresolved issue has gone on for many years the Vote Office should keep some available copies of any Command Papers so that hon. Members can avail themselves of the evidence that was considered in the past.

Although 17 years old, the Younger report, as I think my hon. Friend the Minister said, is the only substantial report about an examination of the law on privacy in Britain. Therefore, the House is entitled to ask what that committee said about the matter. My hon. Friends the Members for Winchester and for Stafford (Mr. Cash) skimmed over the majority comments in that report, preferring to quote from the minority report.

Mr. Cash: Bluntly, I must tell my hon. Friend that I quoted the conclusions of the majority.

Mr. Knight: I shall come to that. I accept what my hon. Friend says. He did quote a paragraph from the conclusion. However, he did not go into the general thrust of the Younger report. All the way through, the report warns about the risks of placing excessive reliance on the law to protect privacy, especially with regard to the press. The committee argued against any general right of privacy in our domestic law, and the House is entitled to ask why it did that.

The report said that a general right of privacy would be uncertain in scope and would have unpredictable implications. That is exactly the position with this Bill. The House has to decide who is right—my hon. Friend the Member for Winchester or the compilers of the Younger report. We are entitled to examine whether the Younger report was as thorough as it should have been. In paragraph 6, page 2 of the report, there is a call for evidence. It says:

"Once our terms of reference had been clarified, we issued invitations for evidence: to the public at large by advertising extensively in 44 national and regional newspapers,".

Page 3 of the report says:

"As a result of suggestions from various quarters the list of addresses of this letter was eventually increased to a total of 225,".

[Mr. Knight]

I did not hear my hon. Friend the Member for Winchester speak about having undertaken that sort of research. It is all very well to refer to opinion polls and to say that 60 per cent. of people think that something should be done. I hazard a guess that many of those who were approached and gave answers in the opinion poll are the very people who buy some of the newspapers about which we have heard—the *Sun* and the *Daily Mirror*. Because of the circulation figures of those newspapers that must be so.

My hon. Friend the Member for Stafford referred to the committee's conclusion. He is quite right that the committee said:

"We have concluded that, on balance, there is no need at present for a general law of privacy."

My hon. Friend was not entirely fair to the committee's view, therefore, when he sought to take that to mean that, if the committee had reported last week, it would have reached a different conclusion. He cannot say that on the evidence because, throughout the report, the committee made it clear that it felt that the best way of dealing with the press was not by legislation, but by effective self-regulation.

That brings me to the point that a number of hon. Members have made about self-regulation. Although I oppose the Bill, I do not claim that there is no problem. Of course, there is a problem. Hon. Members have referred to cases involving disaster victims, the separation of spouses and bereaved families who find their pictures plastered across newspapers and are interviewed on television. There is a particularly odious form of television interviewing technique. When the person who is being interviewed shows signs of distress, the interviewer will suddenly stop and say nothing. The instinct of a person who is not accustomed to being interviewed in front of a television camera is to go on, so his or her distress becomes worse. I remember seeing a documentary on television four or five years ago in which that technique, which I deplore, was used. The person was encouraged by the interviewer's silence to open up, the distress became worse and the interview ended in tears. More can therefore be done in the area of self-regulation.

My next point was raised by some Opposition Members. I have little sympathy for flamboyant and outrageous characters, particularly in the pop music business, who make a point of exploiting their eccentricities and then cry foul when the press starts to pry into their private lives. People who behave in that way and are in public life forgo the privacy that we all hope and expect to see applied to the private individual.

I do not oppose all change. Some action is necessary. The House is entitled to hear what I think is the answer to the problem. We should be considering a sensible and reasoned way to put matters right. Legislation should not be the first and only option; there are others.

Let us consider the Press Council. My hon. Friend the Member for Brigg and Cleethorpes (Mr. Brown) shouted out, "It is a joke" when my hon. Friend the Minister referred to the Press Council. That caused much laughter among Conservative Members. I do not entirely disagee with my hon. Friend the Member for Brigg and Cleethorpes. The council has been ineffective in some areas and certain things can be done, but let us consider what is now happening to the Press Council. In an article in *The Observer* of 22 January this year, under the heading

"Press Council set for big shake-up",

the media editor, Richard Brooks, said:

"A complete overhaul of the Press Council, including a two-thirds cut in membership and an ombudsman for national and regional newspapers, is being proposed by its new chairman, Louis Blom-Cooper.

Newspaper groups themselves would bear the onus of dealing with grievances under the radical plans Mr. Blom-Cooper will present next Tuesday at his first meeting as the council's chairman."

It is incorrect to infer that the Press Council is useless and that nothing is being done. Something will be done next week. Some hon. Members would say that the House should give the Press Council one last chance. Well, it should certainly be given a chance now that it has a new chairman to see whether his radical ideas can improve the situation.

The report goes on to say that

"Mr. Blom-Cooper wants working journalists, rather than managers, to serve on the council. He also believes he should choose council members himself rather than rely on the traditional outside appointments body."

That is welcome news. The House should wait to see the result. One Opposition Member made a jocular comment about the appointment of the *Sun's* own ombudsman. I realise that the Opposition holds strong views about the *Sun*, but they should wait for the outcome of that development. I have more faith in the *Sun* than they do, and I do not believe that it is a window dressing exercise.

Earlier, in one of my interventions, I was taken to task by my hon. and learned Friend the Member for Burton (Mr. Lawrence) because I referred to article 10 of the European Convention on Human Rights. My hon. Friend the Member for Winchester also made great play about article 8 and how it supported his Bill. I thought it only right to place on record that article 10 provides a right of freedom of information.

I doubt the wisdom of legislating in the area of privacy alone. If the law is to be changed, what about defamation? A bit-by-bit, jigsaw approach is not the best way of proceeding. We may agree that improvements must be made, but that is not the issue today. The question is whether the Bill is the right vehicle. It should be rejected because not only is it the wrong vehicle but it is incapable of improvement in Committee to the extent that it will avoid several pitfalls that I shall explain to the House.

First, I am surprised that no Opposition Member spotted that clause 1 of the Bill provides that

"proceedings may be brought by any person"——

[Interruption.]

Madam Deputy Speaker (Miss Betty Boothroyd): Order. A number of conversations are under way, which shows great discourtesy to the hon. Gentleman who has the Floor.

Mr. Knight: I am grateful for your protection, Madam Deputy Speaker. I did not regard my right hon. and hon. Friends' conversations as a discourtesy, as I believe they were considering and mulling over my earlier points. As I said, I am surprised that no right hon. or hon. Member has spotted the fact that clause 1——

Mr. John Browne *rose in his place and claimed to move*, That the Question be now put.

Question put, That the Question be now put:—

The House divided: Ayes 98, Noes 1.

Division No. 59] **[2.27 pm**

AYES

Abbott, Ms Diane
Aitken, Jonathan
Alexander, Richard
Allen, Graham
Anderson, Donald
Baker, Nicholas *(Dorset N)*
Banks, Robert *(Harrogate)*
Barnes, Harry *(Derbyshire NE)*
Barron, Kevin
Beggs, Roy
Bowden, Gerald *(Dulwich)*
Bowis, John
Braine, Rt Hon Sir Bernard
Brown, Ron *(Edinburgh Leith)*
Browne, John *(Winchester)*
Buck, Sir Antony
Campbell-Savours, D. N.
Carlile, Alex *(Mont'g)*
Clark, Sir W. *(Croydon S)*
Clwyd, Mrs Ann
Cohen, Harry
Cook, Frank *(Stockton N)*
Coombs, Simon *(Swindon)*
Corbett, Robin
Corbyn, Jeremy
Couchman, James
Critchley, Julian
Crowther, Stan
Davies, Q. *(Staml'd & Spald'g)*
Devlin, Tim
Dobson, Frank
Dunnachie, Jimmy
Dykes, Hugh
Finsberg, Sir Geoffrey
Fishburn, John Dudley
Forman, Nigel
Fox, Sir Marcus
Fry, Peter
Golding, Mrs Llin
Gordon, Mildred
Gorst, John
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Griffiths, Win *(Bridgend)*
Hamilton, Neil *(Tatton)*
Hannam, John
Hardy, Peter
Hargreaves, Ken *(Hyndburn)*
Healey, Rt Hon Denis
Heffer, Eric S.
Holland, Stuart
Hordern, Sir Peter
Hughes, Robert G. *(Harrow W)*
Hughes, Simon *(Southwark)*
Hunter, Andrew
Janner, Greville
Jessel, Toby
Kellett-Bowman, Dame Elaine
Kirkhope, Timothy
Lawrence, Ivan
Leighton, Ron
Livingstone, Ken
McCrindle, Robert
Macdonald, Calum A.
McWilliam, John
Maginnis, Ken
Maples, John
Marshall, John *(Hendon S)*
Marshall, Michael *(Arundel)*
Moate, Roger
Nelson, Anthony
Primarolo, Dawn
Quin, Ms Joyce
Rees, Rt Hon Merlyn
Rhodes James, Robert
Richardson, Jo
Rossi, Sir Hugh
Ruddock, Joan
Short, Clare
Sims, Roger
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, C. *(Isl'ton & F'bury)*
Smyth, Rev Martin *(Belfast S)*
Stanbrook, Ivor
Stanley, Rt Hon Sir John
Summerson, Hugo
Temple-Morris, Peter
Thorne, Neil
Townsend, Cyril D. *(B'heath)*
Tracey, Richard
Tredinnick, David
Ward, John
Wiggin, Jerry
Williams, Rt Hon Alan
Winnick, David
Worthington, Tony
Young, Sir George *(Acton)*

Tellers for the Ayes:
Mr. William Cash and
Mr. Michael Brown.

NOES

Bottomley, Peter

Tellers for the Noes:
Mr. Greg Knight and
Mr. George Galloway.

Whereupon Mr. Speaker *declared that the Question was not decided in the affirmative, because it was not supported by the majority prescribed by Standing Order No 36 (Majority for closure, or for proposal of question).*

It being after half-past Two o'clock, the debate stood adjourned.

Private Members' Bills

ROAD TRAFFIC REGULATION (PARKING) BILL

Order for Second Reading read.

Bill read a Second time, and committed to a Standing Committee pursuant to Standing Order No. 61 (Committal of Bills).

INTERNATIONAL PARLIAMENTARY ORGANISATIONS (REGISTRATION) BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 17 February.

DEFINITIVE MAP MODIFICATION BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 3 February.

RIDERS OF EQUINE ANIMALS (WEARING OF PROTECTIVE HEADGEAR) BILL

Order for Second Reading read.

Hon. Members: Object.

Madam Deputy Speaker (Miss Betty Boothroyd): Second Reading what day? No day named.

GAMING MACHINES (PROHIBITION ON USE BY PERSONS UNDER EIGHTEEN) BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 3 February.

HUMAN RIGHTS BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 3 February.

HEDGEROWS BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 3 February.

Mr. Peter Hardy (Wentworth): On a point of order, Madam Deputy Speaker. I hesitated because I did not hear an objection taken, nor did my hon. Friends. It would be rather nice to find out who objected.

Madam Deputy Speaker (Miss Betty Boothroyd): I understand the hon. Gentleman's anxiety, but I can assure him that more than one voice was raised in objection to his Bill.

Mr. Jeremy Corbyn (Islington, North): Further to that point of order, Madam Deputy Speaker. I understand that you heard objections raised to my hon. Friend's excellent Bill. May we be assured that none of the people who objected to his Bill to protect headgerows has a vested interest by virtue of his owning a large amount of farmland?

Madam Deputy Speaker: That is not a question for the Chair.

WEIGHTS AND MEASURES (AMENDMENT) BILL: SECOND READING

Read a Second time.

Bill committed to a Committee of the whole House. —*[Mr. Wiggin.]*

Committee on Friday 3 February.

AGRICULTURE

Ordered,

That the provisions of paragraph (2) of Standing Order No. 84 (Constitution of standing committees), paragraph (1) of Standing Order No. 86 (Nomination of standing committees) and Standing Order No. 101 (Standing Committees on Statutory Instruments, &c.) shall apply to the draft Codes of Recommendations for the Welfare of Goats, Farmed Deer and Livestock-Sheep as if they were statutory instruments; and that the said draft Codes be referred to a Standing Committee on Statutory Instruments, &c.—*[Mr. Chapman.]*

BUSINESS OF THE HOUSE

Ordered,

That, at the sitting on Monday 30th January, the Motion in the name of Mr. John Wakeham relating to Access to the Precincts of the House may be proceeded with, though opposed, for one and a half hours after it has been entered upon; and if proceedings thereon have not been previously disposed of, Mr. Speaker shall at the expiration of that period put the Question on any Amendment which may have been moved, and shall then put forthwith the Question on any other Amendments selected by him which may then be moved, and on the Main Question or the Main Question, as amended.—*[Mr. Chapman.]*

Tinsley Park, South Yorkshire

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Chapman.]*

2.41 pm

Mr. Kevin Barron (Rother Valley): I raise this matter on the adjournment because of the great anxiety about the two planning applications for the development of Tinsley park in Sheffield, most of which is not in my constituency. I wrote to the Minister on 16 December, pointing out very briefly the concern among my constituents and other people in the area about the proposed planning applications. I have not received a detailed reply from the Minister, but I expect to hear more of the Department's views on the matter when he replies to the debate.

The application for opencast coal mining on the site preceded an application for what is best described as a short take-off and landing airport. The aircraft will come in over Catcliffe in my constituency and take off over Darnell which is in the constituency of my hon. Friend the Member for Sheffield, Attercliffe (Mr. Duffy).

There has been a major response to those proposals by many of my constituents. The local authorities, Rotherham metropolitan borough council and Sheffield city council, have brought forward the proposal for the airport and held public consultation meetings in my constituency and neighbouring areas. In addition, an exhibition went round the locality demonstrating exactly what the proposals had in store for the area.

The response to those public consultation meetings that the local authority received can best be summed up by the chairman of planning of Rotherham metropolitan borough council in his report to co-ordinating committee A. Page 3, paragraph 3, subsection 4 says:

"The overwhelming reaction of approximately 750 members of the public who attended the three public meetings was against both proposals. This was also reflected in comments slips completed at the six exhibition venues and in subsequent letters and petitions received. Over 4,500 public responses have been received in the form of exhibition slips, letters and petition signatures, the clear majority being opposed to both proposals with only a handful of people expressing support. A wide range of issues have been raised in responses by local people broadly covering environmental, noise, traffic, blighting of property, health and safety matters."

There is no doubt that both proposals created widespread alarm in the communities neighbouring the site.

The Tinsley Park action group was created as a result of this issue. It is a local group which articulates the views of local people. As well as advancing the arguments with the local authorities and elsewhere, it drew up a document called "Tinsley Park: A Case for Protection". The document details the environmental nature of the area.

To understand the feelings of that group and the local people, one needs to know that the area has suffered environmental blight from one source or another—whether industry or different forms of transport—for many years. Tinsley park is one of only two areas in the locality where people who live close by can enjoy the countryside. The countryside is not perfect, but it includes ancient woodland and a municipal golf course which, under the opencast coal mining proposals, would be reduced in size, if not destroyed completely.

I understand that the Department of the Environment has appointed an inspector, Mr. Acton, from Bristol, who

is examining the opencast coal executive's proposals. At a meeting last Monday in Sheffield the interested parties discussed British Coal's application. I understand that the inspector told the meeting—I would like the Minister to clarify this—that the Department of the Environment is suggesting the non-determination of planning application B, which was submitted to Sheffield and Rotherham local authorities and is holding a public inquiry in March.

It is important to know exactly what the Department of the Environment is saying will be presented to the public inquiry. My information is that, because of the non-determination of that planning application, British Coal has reconsidered it and discussed with the two local authorities the possibility of changing the application so that more of the environment is protected. British Coal would be happy for opencast mining to go ahead, but not in the terms envisaged in application B. It is important for my constituents to know which application will go to the public inquiry in March.

It is interesting that in the past few years the site has come under the curtilage of the new Sheffield urban development corporation set up by the Government.

I have a copy of an article that appeared in *The Star*, a local evening newspaper, on 15 December 1988. It is headed:

"Pledge on Tinsley Park opencasting."

The article continues:

"The non-elected SDC is now in charge of overseeing British Coal's plans to open-cast Tinsley Park."

I and many others in my area want to know what that means.

Opencast mining is carried out at another two sites in my constituency. A liasion committee has been set up between British Coal, the site operators and elected representatives from the parish council and Rotherham metropolitan borough council. Sheffield UDC is a non-elected body that is not answerable to my constituents. If the application for opencast mining is agreed, I hope that it will not assume that it can take the role of elected local councillors. While we do not like the idea of opencast coal mining, when planning permission has been given with the knowledge and consent of the local authority there has been good liaison between the site operators and the local community. If opencast mining goes ahead at Tinsley park, I want to ensure that Sheffield UDC does not interfere.

If the planning application is to go before a public inquiry in March at Sheffield, what will happen about the planned airport? I shall quote from the minerals planning guidebook, which was published by the Government in May 1988 and deals with planning for opencast coal mining. Under "Restoration and Aftercare", it says:

"The principles of restoration should be settled at the time planning permission is granted, although it may sometimes be sensible for the details to be agreed at a later stage. The intended after-use must also be decided when permission is granted, but in the case of longer-term sites the detailed aftercare programme can be settled in a scheme agreed subsequently."

Tinsley park is not a long-term site. I am concerned that the Department of the Environment will deal with the issues of opencasting and after-use at different inquiries. I hope that both issues will be the subject of a public inquiry and that Sheffield UDC will be unable to override it on the question of the proposed airport close to local communities. It would be more sensible if opencast mining, after-use and the airport were dealt with together at a full public inquiry at which all bodies concerned could be heard in a proper forum.

2.53 pm

The Parliamentary Under-Secretary of State for the Environment (Mr. Christopher Chope): The hon. Member for Rother Valley (Mr. Barron) has explained his concern about this case and I congratulate him on bringing this subject before the House. He was kind enough to send me a letter on 16 December about this matter in which he expressed his concern. In that letter he told me that he intended to apply for an Adjournment debate on the subject. I apologise for the fact that I did not reply in the interim period, but I was expecting this debate. I have also received letters about Tinsley park from other hon. Members and I will reply to them shortly.

Tinsley park is currently the subject of various planning applications connected with the opencast extraction of coal and the subsequent building of a short take-off and landing airport. The position with regard to the opencasting is that an application is under consideration by both Rotherham and Sheffield metropolitan borough councils which have indicated that they are minded to approve it subject to the conclusion of a section 52 agreement. However, the hon. Gentleman will no doubt be aware that the British Coal corporation has already submitted to my Department an appeal under section 37 of the Town and Country Planning Act 1984 in respect of a second application which relates to a slightly smaller site, together with requests for related compulsory purchase rights and footpath orders to be made. The public inquiry in respect of this appeal is due to open in March.

I am seeking further information about what was said on Monday. I am not sure whether I can answer the hon. Gentleman on that specific point this afternoon. If I do not get the information before the end of this debate, I will ensure that he receives a reply as soon as possible.

Mr. Barron: I appreciate what the Minister has said. However, it appears that the redefined application for a smaller plan B will be the subject of the public inquiry. As I represent the constituency close to the area concerned and as I represent the area which was originally the subject of plan B, I must state that I have not been notified that a different application will be put before the public inquiry. I assume that that will happen and that the amendment was made in the talks between British Coal and the local authorities and that the new application will go to the public inquiry. Am I right?

Mr. Chope: I am not sure whether the hon. Gentleman is right to assume that and that was not the intention of my earlier remarks. My advice is that the subject of the inquiry would be an ordinary application which was not determined. I understood that there was a section 37 appeal against non-determination and that that would go to the public inquiry in March. In the light of the hon. Gentleman's comments, I will have that checked for him.

With regard to the airport, the local authorities have also said that they are minded to approve the application, but they have referred the case to my right hon. Friend the Secretary of State as a departure from the development plan.

I am sure the hon. Gentleman will appreciate that while the appeal is before my right hon. Friend and while the

[Mr. Chope]

planning application for the STOLport is being considered from the point of view of whether my right hon. Friend should recover it for his own determination, I cannot discuss the merits of any of these proposals.

The hon. Gentleman has urged my right hon. Friend to call in these applications for a joint public inquiry. He has also referred to the role of the UDC. Before I deal with the question of call in, it may help if I explain the role of the UDC and say something about the Government's policy on opencasting as concern has been expressed about the impact of the proposals on the local area.

I will deal first with the question of planning responsibility and the role of the UDC. Development corporations are charged with bringing land and buildings into effective use; encouraging the development of industry and commerce and improving the environment. They place particular emphasis on the reclamation and servicing of land and the provision of adequate infrastructure to encourage private sector investment. They provide land for housing, industry, commerce and leisure. We are supporting development corporations with grants worth some £200 million in the current financial year.

Sheffield development corporation is one of our third generation UDCs, which came into force on 30 June 1988. It includes nearly the whole of Tinsley park, the subject of these planning applications.

Sheffield development corporation became the development control authority for its area, including Tinsley park, on 5 October 1988. Planning applications in the pipeline at that time, like the opencast and airport applications which had been made previously to Sheffield and Rotherham councils remain to be determined by those councils. But, quite clearly, it makes sense for the issues raised by the applications to be discussed and, where possible, agreed by the relevant parties.

I know that discussions are taking place between Sheffield development corporation, the two councils and British Coal Opencast Executive, all of which have a quite proper interest in the details of the proposals. I know, too, that Sheffield development corporation's strategy will be considering the contribution which opencasting, the resulting reclamation and a city airport could make to achieving its regeneration objectives. That said, however, these matters are now before my right hon. Friend and, while it is sensible for such discussions to continue locally, my right hon. Friend has to consider the matter before him on its merits.

The hon. Gentleman and other hon. Members in correspondence have expressed concern about the impact of the opencasting. Although mineral workings are temporary uses of land, they can have a serious impact on the environment. The Government recognise this. At the same time minerals are essential for the economy and can be worked only where they occur. It is the job of the planning system to balance the need for the mineral against environmental and other relevant factors.

I do not believe that it is necessary for me to set out in detail what is contained in the planning policy guidance note 3, which was published in May last year, to which the hon. Gentleman referred. It is sufficient to say that the guidance advises mineral planning authorities on the balance which needs to be struck between the economic benefits of developing this source of low cost energy and the protection of the environment.

Because opencast coal is one of the cheapest forms of energy available to this country, it is in the national interest to maximise production where that can be done in an environmentally acceptable way.

But there is no Government target for coal production or opencast output. That is a matter for the market. It is therefore for the industry to decide the level of opencast output for which it wishes to aim in any period. But it is for the mineral planning authorities initially—and, ultimately, my right hon. Friend if the case comes before him on appeal or call-in—to determine the acceptability of specific projects having regard both to the benefits of opencast coal and the particular proposal, and the environmental and other material considerations relating to the specific site.

Our aim is to encourage a positive and constructive approach by the industry and mineral planning authorities to ensure that this important resource is extracted in an environmentally acceptable way.

The hon. Gentleman has urged, that these applications should be considered by my right hon. Friend following a public inquiry. It is a long established policy for the Secretary of State not to interfere with the jurisdiction of planning authorities unless it is necessary to do so. That is an important principle. Parliament has given clear duties and responsibilities to local planning authorities. They often have to take difficult and unpalatable decisions, and it would be wrong for my right hon. Friend to interfere unnecessarily in the development control process. My right hon. Friend will therefore continue to be very selective about calling in cases for his decision, and applications will in general be called in only if planning issues of more than local importance are involved. Such cases may include, for example, those which in my right hon. Friend's opinion could have wide effects beyond their immediate locality, which give rise to substantial regional or national controversy and which may conflict with national policy on important matters.

Presently, there are three issues before my right hon. Friend. First there is the application for opencasting of the site currently before the local authorities, which he has been asked to call in. Secondly, there is a similar application for opencasting, on which British Coal has appealed on the ground of non determination, and on which the public inquiry has been called. Thirdly, there are applications for the STOLport which have been referred to my right hon. Friend as a departure from the development plan. Although these applications relate by and large to the same area of land, they are distinct matters and my right hon. Friend will consider each of the matters before him on its own merits.

The hon. Gentleman has referred to guidance from my department on whether simultaneous applications for different types of development on the same site are necessarily called in to be considered together at a joint public inquiry. The general position is that, if one of the proposals is before the Secretary of State for decision, consideration is given on a case-by-case basis whether it would be convenient for the parties for the applications to be considered at one inquiry. For example, if there are competing proposals for a site and they are mutually exclusive, that would be a good ground for a joint inquiry. If only one application, for example, were to be called in

by the Secretary of State, that proposal could be disadvantaged by having to spend time going through the public inquiry system. Under those circumstances, if asked to do so, the Secretary of State would consider calling in the other cases purely to ensure that each received equal treatment. Having said that, each would still be considered on its own merits. That circumstance applies to where the proposed developments are mutually exclusive.

However, where the competing proposals are not mutually exclusive, by virtue of being capable of consecutive development—for example the extraction of a mineral from a surface working or any other use of a site for a limited period, following which that site will once again be available for development—different criteria apply. In those circumstances, there is not necessarily anything to be gained by arranging for a joint inquiry.

Mr. Barron: Obviously I do not know the details of the discussions taking place between the opencast coal executive committee, the two local authorities and Sheffield urban development corporation. My understanding is that British Coal has told the local authorities that it will lay down the framework for the runway for a STOLport when it restores the site that it will opencast. I do not believe that there is any contradiction in my argument or in the planning guidance that has been issued by the Department. There is a strong link between British Coal's plans and the plans for the airport. That direct link has been discussed many times in the local press and everybody knows about it. That is why both plans should be subject to a public inquiry.

Mr. Chope: I note what the hon. Gentleman says, but I cannot comment upon the merits of his argument. As I said, my right hon. Friend is considering whether the STOLport application should be called in.

As a matter of general policy, our Department likes to encourage local authorities and applicants for planning permission to reach an accommodation between themselves. Often that is done with the assistance of section 52 agreements, and if a section 52 agreement was reached between the parties in this case, it would not be novel. Obviously, I cannot comment on that case, but what the hon. Gentleman has said will be taken into account when we decide whether to call in the application.

There is nothing more that I can usefully say to help the hon. Gentleman in anticipation of the quasi-judicial process that must continue. I assure him that I recognise the importance of the matters that he has raised, which have also been raised by the hon. Members for Sheffield, Attercliffe (Mr. Duffy) and for Sheffield, Brightside (Mr. Blunkett) as well as by people outside the House. All those representations will be taken into account by my right hon. Friend when he reaches a decision on the matter.

Question put to and agreed to.

Adjourned accordingly at six minutes past Three o'clock.

Written Answers to Questions

Monday 16 January 1989

PRIME MINISTER

Pre-school Education

Mr. Harry Greenway: To ask the Prime Minister if she has any plans to amalgamate the activities for the education of the under-fives of the Department of Education and Science and the Department of Social Security; and if she will make a statement.

The Prime Minister: The Government will give careful consideration to the recommendations made by the Education, Science and Arts Committee in its report on educational provision for the under-fives, including those which have a bearing on this, and will make our conclusions known in our response to that report.

Greenhouse Effect

Dr. David Clark: To ask the Prime Minister if she will make a statement on inter-departmental co-operation and co-ordination on the greenhouse effect.

The Prime Minister: My right hon. Friend the Secretary of State for the Environment is responsible for Government policy on the greenhouse effect, in consultation with the other Ministers concerned. I am entirely satisfied with the arrangements for inter-departmental co-operation and co-ordination.

Ministerial Advisers

Mr. Cryer: To ask the Prime Minister if she will list the ministerial advisers appointed in her office for each year since 1979, the salary each person received, whether paid directly or to another employer, and the duties undertaken, whether solely in her office or in conjunction with other Departments; and if she will make a statement.

The Prime Minister: The ministerial advisers appointed in my Office since 1979 are as follows:

Year and Name

1979
J. Hoskyns
Mrs. C. Ryder
N. Strauss

1981
Professor A. Walters

1982
C. W. Monckton
W. R. F. Mount
P. Shipley

1983
D. C. Hobson
R. T. Jackling
O. Letwin
N. C. Owen
Sir Anthony Parsons
D. L. Pascall
J. Redwood
R. Young

1984
V. E. Hartley-Booth
Sir Percy Craddock
P. T. Warry
D. L. Willetts
J. B. Wybrew[1]

1985
Professor B. Griffiths

1986
N. R. Blackwell
G. R. J. Guise
P. J. Stredder

1987
Mrs. T. Gaisman
A. J. O'Sullivan

1988
G. D. Bourne[1]
A. Dunlop
Miss C. Sinclair
I. K. Whitehead

[1] Salary paid to another employer. (Information prior to 1984 is not available).

It is not our practice to reveal the salaries of advisers as they are individually negotiated in relation to previous outside earnings and are therefore confidential.

Overseas Visits

Mr. Tony Banks: To ask the Prime Minister if she will make it her policy to close accounts relating to repayment of costs incurred by media organisations on her visits abroad within three months of the completion of the relevant visit.

The Prime Minister: I have nothing to add to the answer I gave the hon. Member on 10 January 1989 at column *495*.

Government Departments (Services)

Mr. Tony Banks: To ask the Prime Minister what is the general practice within Government Departments as to the time permitted for repayment by outside bodies of sums owing for services provided by Government Departments.

The Prime Minister: Government Departments are advised in "Government Accounting" that the full sums due must be calculated and collected promptly.

BBC Today Programme

Mr. Spearing: To ask the Prime Minister which Departments of State were invited to send speakers to the BBC Radio 4 Today programme on Wednesday 11 January to discuss families rendered homeless by mortgage default; what response was made; and if she will make a statement.

The Prime Minister: Both the Department of the Environment and the Treasury were invited to send a speaker. The Minister for Housing, Environment and Countryside being unavailable on the date requested, discussed the issue on the following day. Mortgage repossessions are very distressing for those involved, but it is important to keep things in perspective: less than one

third of 1 per cent. of building society borrowers had their homes repossessed according to the most recent figures available.

Disasters (Messages of Sympathy)

Mr. Rooker: To ask the Prime Minister what is her policy on redirecting to Buckingham Palace messages of sympathy received by her from Heads of State at times of disasters.

The Prime Minister: Appropriate action is taken on all the messages which I receive.

HOME DEPARTMENT

Mental Health

Mr. Cox: To ask the Secretary of State for the Home Department what consultation takes place with a local health authority when mentally ill patients are to be released from prison; and if he will make a statement.

Mr. Douglas Hogg: Prison standing orders require that the discharge of a prisoner in need of skilled advice and attention on grounds of mental disorder should, if the prisoner consents, be notified to the district medical officer for the area in which the prisoner intends to reside.

The desirability of further developing such arrangements was included in the recommendations of a joint Home Office/Department of Health working group and accepted by the Government. The Departments are in discussion about guidance to regional and district health authorities and also with the professions on how this ought to be given effect. Revised prison department instructions and a model letter for use by prison medical officers, both presently in draft, will provide an administrative framework for NHS medical staff to be invited to visit an inmate and to discuss his case with the responsible medical officer.

AIDS

Mr. Bermingham: To ask the Secretary of State for the Home Department how many male and female prisoners in England and Wales currently have the human immuno-deficiency virus; and in which prisons they are held.

Mr. Douglas Hogg: On 12 January 1989 the prison population of England and Wales included 50 male and seven female prisoners reported as having been identified as HIV antibody positive. For reasons of medical confidentiality it is not the Department's policy to disclose the number of such prisoners located at individual establishments.

Mr. Bermingham: To ask the Secretary of State for the Home Department whether he has any plans to designate any prisons or parts of prisons in England and Wales as national HIV and AIDS centres.

Mr. Douglas Hogg: In the context of its contingency planning the directorate of prison medical services is identifying prison service establishments, with medical facilities which would be capable, when needed, of giving short or longer-term care and suppport to prisoners, with AIDS, AIDS-related illness or other infectious illness, whose condition does not require admission to the specialised facilities of the National Health Service.

A purpose-designed unit is planned for Brixton prison. Accommodation at Risley remand centre near Warrington is to be the main resource in the north. Hospital accommodation with suitable facilities at other establishments in each of the four regions will also be used to fulfil a care and support function as and when necessary.

Scenes of Crime Officers

Mr. Gareth Wardell: To ask the Secretary of State for the Home Department if he will publish in the *Official Report* for each police force in England and Wales the number of scenes of crime officers in post; and what is the corresponding percentage of these which are civilian.

Mr. Douglas Hogg: The latest available information is as follows:

Police officers/civilians in scenes of crime department

Provincial forces[2]	*Number*	*Percentage civilian*[1]
Avon and Somerset	40	7·5
Bedfordshire	13	38·5
Cambridgeshire	10	20·0
Cheshire	22	27·3
Cleveland	20	—
Cumbria	26	61·5
Derbyshire	25	96·0
Devon and Cornwall	28	35·7
Dorset	13	—
Durham	22	36·4
Dyfed Powys	10	10·0
Essex	45	4·4
Gloucestershire	12	—
Greater Manchester	56	1·8
Gwent	12	—
Hampshire	44	9·1
Hertfordshire	19	—
Humberside	41	39·0
Kent	35	51·4
Lancashire	38	—
Leicestershire	23	34·8
Lincolnshire	15	33·3
Merseyside	24	—
Norfolk	20	15·0
Northamptonshire	14	78·6
Northumbria	44	27·3
North Wales	11	100·0
North Yorkshire	18	16·7
Nottinghamshire	31	70·1
South Wales	39	7·7
South Yorkshire	35	51·4
Staffordshire	19	—
Suffolk	12	—
Surrey	21	52·4
Sussex	44	50·0
Thames Valley	33	12·1
Warwickshire	12	41·7
West Mercia	34	38·2
West Midlands	57	31·6
West Yorkshire	54	7·4
Wiltshire	20	—
City of London	14	35·7
TOTAL	1,125	26·0
Metropolitan Police[3]	196	100·0

[1] It should be noted that some of the civilian staff identified for provincial forces may be engaged in general administrative support duties.

[2] As at 31 December 1987.

[3] As at 31 December 1988.

Police Grading

Mr. Gareth Wardell: To ask the Secretary of State for the Home Department if he will make a statement on the rationale and formulae used by his Department to establish the ratios of the different ranks of police officers in each force in England and Wales.

Mr. Douglas Hogg: My right hon. Friend is advised by Her Majesty's inspectorate of constabulary which, among other things, takes account of the rank ratios across the police service as a whole. At the end of 1987 these stood as follows:

	Per cent
ACPO	0·2
Chief Superintendent	0·4
Superintendent	1·3
Chief Inspector	1·8
Inspector	5·4
Sergeant	15·5
Constable	75·4

Cumbria Police Force

Mr. Marlow: To ask the Secretary of State for the Home Department if he will make a statement on the review of police staffing levels carried out by his Department with regard to the Cumbria force.

Mr. Douglas Hogg: The chief constable, not the Home Office, has carried out a review of police staffing levels in the Cumbria constabulary. Following that review the police authority has applied for an increase in the force establishments of 62 police posts. This will be considered along with applications which have been received from other authorities for increases in 1989-90. My right hon. Friend hopes to announce his decisions shortly.

Prison (Banstead)

Mr. Soley: To ask the Secretary of State for the Home Department whether the category C prison which is being built on the former Banstead hospital site is part of the previously announced programme of 26 new prisons to be opened between 1983 and 1995.

Mr. Douglas Hogg: The previously announced programme made provision for 800 prison places on the Banstead site. In view of the urgent need for prison accommodation, these are being increased and provided in two phases. The first phase of converting existing accommodation to category C places is nearly complete. The second phase of building a local prison for 620 inmates will begin later this year.

Ministerial Advisers

Mr. Cryer: To ask the Secretary of State for the Home Department if he will list the ministerial advisers in his Department for each year since 1979, the salary each person received, whether paid directly or to another employer, and the duties undertaken, whether solely in his Department or in conjunction with other Departments; and if he will make a statement.

Mr. Hurd: The special advisers employed in the Home Office since 1979 are as follows:

Name	*Period of appointment*
Mr. Robin Harris	June 1983 to March 1985
Mr. David Coleman	April to September 1983
Mr. Edward Bickham	September 1983 to April 1986
Mr. David Lidington	December 1987 onwards
Mr. John Godfrey (on secondment)	July 1988 onwards

They have provided advice on a wide range of Home Office subjects. It is not our practice to disclose the salaries of individual advisers as they are negotiated individually in relation to previous outside earnings and are therefore confidential.

Community Radio Franchises

Mr. Fisher: To ask the Secretary of State for the Home Department by what means he intends to sell community radio franchises.

Mr. Renton: The method of allocating community radio contracts is currently for the IBA to decide.

Entry Refusals

Mr. Darling: To ask the Secretary of State for the Home Department how many representations he has received from hon. Members in connection with individuals refused entry to the United Kingdom since 3 January; in how many cases he agreed to defer removal as a result of those representations; and in how many cases he refused to defer removal.

Mr. Renton: The revised guidelines on the handling of representations by hon. Members in immigration cases, introduced with effect from 3 January 1989, require that, before approaching the Minister to request deferment of removal of a passenger refused leave to enter the United Kingdom, an hon. Member should first contact the immigration service and invite them to consider deferment. There are no central records of the total number of such requests by hon. Members nor of the number of cases in which deferment has been or has not been granted.

Shotgun Licences

Mr. Ron Davies: To ask the Secretary of State for the Home Department what is *(a)* the number of current shotgun licences, *(b)* the number of shotgun licences issued since the enactment of the Firearms (Amendment) Act 1988, and *(c)* the number of (i) civilian and (ii) police staff dealing with the processing of shotgun licence applications and *(d)* the change in the number of such staff since the enactment of the Firearms (Amendment) Act 1988.

Mr. Douglas Hogg: Statistics on shotgun certificates are collected on an annual basis. A total of 861,300 shotgun certificates were on issue in England and Wales at 31 December 1987, the last year for which figures are available. Information is not collected centrally on the number of police and civilian staff dealing with shotgun certificate applications and could be obtained only at disproportionate cost.

Immigrants Advisory Services

Mr. Dunnachie: To ask the Secretary of State for the Home Department (1) if he has any plans to locate a United Kingdom immigrants advisory service office on the east coast of Scotland;

(2) if he has any plans to improve the provision of advice centres for ethnic minorities with regard to immigration, short-term visas and related problems.

Mr. Renton: Under the Immigration Act 1971 the Home Office makes a grant-in-aid to the United Kingdom immigrants advisory service, which offers a nationwide service to persons who have rights of appeal under the Act. We have no plans to make funds available for any other advice centres or organisations involved in these areas of work. The location of UKIAS offices is a matter for that organisation.

Police (Tape Recordings)

Mr. Corbett: To ask the Secretary of State for the Home Department if he will ask for a report from the Commissioner of Police of the Metropolis as to whether as a matter of policy and practice Metropolitan police officers are allowed to tape record a telephone conversation between a person held at a police station and a solicitor, relative or friend.

Mr. Douglas Hogg: The Metropolitan police, like other forces, are bound by the provisions of the Police and Criminal Evidence Act 1984 and the codes of practice made under the Act.

Mr. Corbett: To ask the Secretary of State for the Home Department what guidance he has given to chief constables about the tape recording by police officers of any telephone conversation between a person under arrest and a solicitor, relative or friend.

Mr. Douglas Hogg: No specific guidance about the tape recording of communications has been given, but general guidance to the police about the treatment of people under arrest is contained in code C of the codes of practice made under the Police and Criminal Evidence Act 1984. This provides, in accordance with section 58 of the Act, that communications between a suspect and his solicitor must be private except in certain circumstances when an arrest has been made under prevention of terrorism legislation. Telephone conversations between a suspect and anyone other than a solicitor may be listened to and used in evidence, for which purpose a record will need to be kept. The suspect must be informed beforehand that his conversation will be overheard.

Greater Manchester Police

My Tony Lloyd: To ask the Secretary of State for the Home Department what representations he has receive about the establishment of Greater Manchester police and what assessment he has made of them.

Mr. Douglas Hogg: Representations have been received from the Greater Manchester police authority and from hon. Friends and Members whose constituencies lie within the force area about the need for an increase in the establishment of the Greater Manchester police. My right hon. Friend will announce shortly his decision on this and other applications for increases in police establishments.

Vietnamese Embassy (Incident)

Mr. Mullin: To ask the Secretary of State for the Home Department when he expects that a reply will be sent to the letter from the hon. Member for Sunderland, South, referred to the Minister of State, the right hon. the Earl Ferrers, regarding the incident at the Vietnamese embassy on 4 September 1988.

Mr. Douglas Hogg: I am sorry that it has not yet been possible to provide a substantive reply. The correspondence raised a number of matters on which police inquiries were necessary and a report was requested from the Commissioner of Police of the Metropolis. I understand from the Commissioner that this should be completed shortly. My right hon. and Noble Friend will reply as soon as possible after the report has been received and considered.

Guildford Four

Mr. Hind: To ask the Secretary of State for the Home Department if he has reached a decision on whether to refer the case of the Guildford Four to the Court of Appeal; and if he will make a statement.

Mr. Hurd: On 22 October 1975, Patrick Armstrong, Gerald Conlon, Paul Hill, and Carole Richardson were convicted of murder and other offences connected with the bombing of two public houses in Guildford on 5 October 1974, in which five people died. They were sentenced to life imprisonment. In addition, Patrick Armstrong and Paul Hill were convicted of two murders arising from the bombing of a public house in Woolwich on 7 November 1974. On 28 October 1977, after a hearing lasting 11 days, the Court of Appeal refused applications by all four for leave to appeal.

Since then, considerable efforts have been made by many people to establish that these convictions were unsafe. A large number of arguments have been adduced and, in the last two years, much allegedly new evidence has been brought to light.

In circumstances such as these a Home Secretary has, broadly speaking, three choices:

(a) to take no action and allow the verdicts to stand;

(b) to refer the case back to the Court of Appeal;

(c) to recommend the use of the royal prerogative to pardon.

The Home Secretary is an elected politician representing the Executive. The judiciary is and must be seen to be independent of the Executive. It follows that the power of the Executive over decisions of the judiciary needs to be exercised with very great care. Those who are seriously concerned about civil liberties in this country should be particularly chary of urging the Home Secretary to use these powers. I believe that the Home Secretary should only exercise the power of referral within stiff constraints. He should resist the temptation to substitute his view of the case for that of a court of law. The opinions of those who make representations to him, however distinguished, on whether the jury or the Court of Appeal dealt correctly with the evidence before them should not be decisive. Nor should his own personal opinions. This rules out at a stroke many of the matters raised in this case, because they were before the jury or the Court of Appeal. Those who were not in court are not well placed to challenge the decision of those who heard the evidence, except on the ground that there is new evidence or other consideration of substance which was not available at the original trial or

appeal hearing. In January 1987 I told the House that in the light of that constraint my view was that there had not been raised any new substantive points which justified action on my part.

A large amount of further matter has been produced since then. The question, which I have examined with great care, is whether it is new and substantial, and now justifies my intervention.

At this point I should refer to the argument, on law not fact, advanced by Lords Devlin and Scarman when they came to see me on 23 July 1987 and further developed in an article in *The Times* on 30 November last year. In brief, I understood them to argue that the Court of Appeal was wrong to dismiss as worthless without reference to a jury the confessions to the Guildford and Woolwich bombings by members of the Balcombe Street Gang. These confessions were made between the original verdict and the appeal hearing. Lords Delvin and Scarman believe that the jury should have been given the chance to reach a conclusion on the convictions of the Guildford Four by a previous jury in the light of these confessions, of which that jury knew nothing. I understand that a similar point of law was raised in the contest of the Birmingham bombings. The Appeal Committee of the House of Lords, composed of three Law Lords, on 14 April 1988 refused leave to appeal on these grounds. Although I personally would be reluctant to contest an opinion held by Lords Devlin and Scarman, I do not think it would be sensible to base a reference to the Court of Appeal on a point of law which the Appeal Committee had recently declined to consider.

I should, however, point out that when a case is referred to the Court of Appeal by the Home Secretary he may cite grounds for such reference but the subsequent hearing is not confined to those grounds. Once a case is referred, it is treated for all purposes as an appeal by the persons convicted, and the defence may thus seek to raise any matters of fact or law which they regard as pertinent.

Against this background and after prolonged study and thought, I have decided to refer this case to the Court of Appeal. It is right that I make clear now that I do not feel justified in recommending the use of the royal prerogative to pardon or release them. But I am satisfied that amongst the many matters raised with me since January 1987 there are new and substantial points which clearly, and within the constraint set out above, are best considered by the court.

There are three particular matters, to which my attention was drawn:

(a) first, there is the matter of the use of drugs by Carole Richardson, and medical treatment given to her while in custody. There are two points here. Dr. Makos, the police surgeon who saw her in 1974, volunteered in August 1987, and repeated to the Avon and Somerset police in November 1987, that he had administered an injection of pethidine to Carole Richardson. Later, in December last year, in a letter and subsequent statement to officers of Avon and Somerset, he withdrew this admission. Dr. Makos' recollections may be uncertain or unclear, but it does appear that pethidine might not have been a suitable treatment for someone in Miss Richardson's apparent condition, that is suffering from withdrawal from barbiturates. Even if she was not given pethidine, at least some of her confessions would appear to have been made at a time when she was suffering from withdrawal to a greater degree than has hitherto been thought. The admitted administration of the drug tuinal to Miss Richardson would appear, in medical opinion now, to have had the effect of prolonging and increasing withdrawal symptoms. The possible effects of these drugs on the reliability of her statements were not adequately exposed to the jury or the Court of Appeal;

(b) second, the alibi given by Maura Kelly in March 1987 for Carole Richardson, alleges that during the afternoon of the Guildford bomb, 5 October 1974, she was visited at the baker's shop where she worked by Richardson and her friend Lisa Astin, at about 2.30 pm. The two left and returned to the shop some time later, when Richardson gave Maura Kelly a doll. When Maura Kelly closed the shop at around 5 pm, the two girls were still with her. She walked with them to the bus stop when they separated. Maura Kelly had left the country before the trial and the defence were unable to call her to give evidence. Neither a jury nor the Court of Appeal have therefore had the opportunity to assess the value of her evidence alongside the alibi presented by Carole Richardson, that during the course of the afternoon she had no opportunity to make any journey to Guildford;

(c) third, the alibi by Mrs. Fox for Paul Hill, produced on 15 July 1987 states that on the evening of the Woolwich bombing, 7 November 1974, she was at the flat of Mr. and Mrs. Keenan, where Paul Hill was living. Mrs. Fox says she was with Mr. and Mrs. Keenan between 7 pm and 10.15 pm. During that period Paul Hill was present except for a period of about 20 minutes when he left to make a telephone call to his girlfriend. Mrs. Fox attended the trial but did not give evidence, and Mr. and Mrs. Keenan and Paul Hill, who did give evidence, made no mention of her. In statements of 15 July 1987, both Mr. and Mrs. Keenan now confirm that Mrs. Fox had been at their flat that evening.

Paul Hill said he left Mr. and Mrs. Keenan's flat only to make a telephone call. This was supported by the Keenans in their evidence. The account Mrs. Fox offers appears to add weight to the alibi evidence, but neither the jury nor the Court of Appeal have had the opportunity to consider it.

Little purpose would be served by setting out in detail here the other points put to me. The three main points I mention seem to me to bear directly on the safety of the convictions. These points were not available to the jury of the Court of Appeal. They need to be tested in court.

I am grateful to all those whose genuine concern for justice had led them to take an interest in this case. Among many I would single out Cardinal Hume, with whom I have several times discussed the case and who led the delegation which came to see me in July 1987. I am also most grateful to the Avon and Somerset police, who conducted painstaking and invaluable inquiries into certain of the new matters submitted to me.

HOUSE OF COMMONS

Members' Income and Allowances

Mr. Allen: To ask the Lord President of the Council what was the cost to the public funds of the office and secretarial allowance for the last year for which figures were available; and what this is as a percentage of the total cost were each hon. Member to have claimed the full allowance.

Mr. Wakeham: The total expenditure from the House of Commons vote (class XX vote 8) during 1986-87 in respect of Members' office, secretarial and research

expenses was £11,673,136.50. This figure represents just over 89 per cent. of the total cost had all hon. Members claimed the full allowance during the year.

OVERSEAS DEVELOPMENT

Rain Forests

Mr. Dalyell: To ask the Secretary of State for Foreign and Commonwealth Affairs if he has any conveniently available figures for the volume of aid to *(a)* Brazil, *(b)* Malaysia, *(c)* Indonesia and *(d)* African states to help them preserve rain forest ecosystems over any convenient period.

Mr. Chris Patten: Available information on aid commitments to projects currently under way is as follows *(a)* £20,000, *(b)* £156,000 (a regional Asian project with special relevance to Malaysia), *(c)* £120,000 and *(d)* £21·9 million. In addition, over £575,000 has been committed to people from African countries undergoing rain forest-related training in the United Kingdom in 1987-89.

ATTORNEY-GENERAL

Ministerial Advisers

Mr. Cryer: To ask the Attorney-General, if he will list the ministerial advisers appointed in the Lord Chancellor's and Law Officers Departments for each year since 1979, the salary each person received, whether paid directly or to another employer, and the duties undertaken, whether solely in that Department or in conjunction with other Departments; and if he will make a statement.

The Attorney-General: Neither my Department nor the Lord Chancellor's Department has appointed any ministerial adviser during the period to which the question relates.

"The Guardian" (Prosecution)

Mr. Corbett: To ask the Attorney-General what consideration he has given to the possible prosecution of Mr. Richard Norton-Taylor of *The Guardian*, and of its editor Mr. Peter Preston, arising from the publication on 4 January 1989 of the name and background of the new head of the Secret Intelligence Service.

The Attorney-General: Sufficient.

FOREIGN AND COMMONWEALTH AFFAIRS

Falkland Islands (Geese)

Dr. Marek: To ask the Secretary of State for Foreign and Commonwealth Affairs what estimate he can make of the number of upland geese currently on the Falkland Islands; and what were the estimated numbers over the last decade.

Mr. Eggar: According to a 1987 report on geese grazing in the Falkland Islands, there are between 300,000 and 400,000 Upland geese on the Falkland Islands. In the late seventies, numbers were estimated at between 350,000 and 400,000.

St. Helena (University Qualifications)

Dr. Marek: To ask the Secretary of State for Foreign and Commonwealth Affairs what information he has as to the numbers of St. Helenians living in St. Helena with university qualifications; and what were the comparable figures five years ago.

Mr. Eggar: The number of St. Helenians living in St. Helena with university qualifications is nine (1 MEd, 3 BEd, 5 diplomas—postgraduate); the number five years ago was eight.

St. Georgia (Fish Conservation)

Dr. Marek: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will consider the introduction of a fish conservation zone for St. Georgia and its associated islands.

Mr. Eggar: Conservation in the waters around South Georgia is covered by the convention for the conservation of Antarctic marine living resources (CCAMLR). Under pressure from the United Kingdom and others CCAMLR recently banned all fishing around South Georgia for mackerel ice fish (the primary endangered species) until November 1989. The renewable resources assessment group of Imperial college is currently studying the fishery resources of the area on behalf of the South Georgia Government.

Emperor Hirohito

Mr. Amos: To ask the Secretary of State for Foreign and Commonwealth Affairs why Her Majesty's Government decided to send an official representative to the funeral of Emperor Hirohito; and if he will make a statement.

Mr. Eggar: We have close and friendly relations with Japan. The late Emperor of Japan made a state visit to this country in 1971 and The Queen made a state visit to Japan in 1975. Members of successive Governments have been received by the late Emperor. In the light of all these factors we have decided it is right to be represented at the Emperor's funeral.

WALES

Bus Companies (Privatisation)

Mr. Barry Field: To ask the Secretary of State for Wales if he will list those municipal bus companies that will be privatised in the next six months.

Mr. Wyn Roberts: Inter-Valley Link is expected to be sold shortly by Rhymney Valley district council. Proposals to sell any of the remaining five companies in Wales are a matter for the local authority concerned.

Ministerial Advisers

Mr. Cryer: To ask the Secretary of State for Wales if he will list the ministerial advisers appointed in his Department for each year since 1979, the salary each person received, whether paid directly or to another employer, and the duties undertaken, whether solely in his Department or in conjunction with other Departments; and if he will make a statement.

Mr. Peter Walker: Mr. C. J. Butler was a ministerial adviser in the Welsh Office from 1983 to 1985. His salary was paid directly to him and since it was negotiated taking into account his previous income it would not be appropriate to reveal it. He did not work for any other Government Department in the period and his duties were set by my predecessor as Secretary of State for Wales.

Home Improvement Grants

Mr. Alan W. Williams: To ask the Secretary of State for Wales what was the amount spent on home improvement grants by *(a)* Carmarthen district council, *(b)* Dinefwr district council and *(c)* the total for all Welsh local authorities in each of the financial years from 1978-79 to the present at 1988 prices.

Mr. Grist: The amount spent on completed renovation grants in each financial year at 1987-88 prices is given in the table:

(£000's)

	Wales	*Carmarthen*	*Dinefwr*
1978-79	17,427	550	369
1979-80	20,657	739	490
1980-81	20,442	1,060	442
1981-82	21,786	735	256
1982-83	41,927	1,004	121
1983-84	115,501	6,576	1,006
1984-85	99,149	4,006	1,511
1985-86	59,707	1,840	520
1986-87	62,063	2,032	410
1987-88	60,992	1,889	416

Nursing Homes

Mrs. Clwyd: To ask the Secretary of State for Wales what was the total cost, and from which Government Departments, of funding private and voluntary nursing homes in each year from 1982 to 1987.

Mr. Grist: We have no general powers to fund nursing homes, although project applications relating to their establishment may be considered under urban programme, urban development grant and joint finance schemes. However, the information requested of the Department is not readily available and I have no ready access to information about the costs to other Government Departments.

Mrs. Clwyd: To ask the Secretary of State for Wales how many places there were in local authority nursing homes in each year from 1982 to 1987 by district health authority; and what was the total cost of those places in each year.

Mr. Grist: There are no local authority nursing homes. The definition of nursing homes refers to those establishments in the independent sector which provide recognised nursing care.

Pay Beds

Mrs. Clwyd: To ask the Secretary of State for Wales how many pay beds were available in Welsh health authorities in each year since 1979; what was the percentage occupancy rate in each year; and how much money is still owed by pay bed users.

Mr. Grist: Available information is given in the table. Information on the money still owed by pay bed occupants is not centrally available.

Year[1]	*Number of pay beds authorised*	*Percentage occupancy*
1979	39	35·8
1980	36	58·9
1981	[2]46	33·6
1982	[2]47	29·8
1983	[2]47	29·5
1984	[3]49	26·8
1985	[3]49	30·0
1986	[2]54	34·5
1987	[2]54	31·4

[1] At 31 December for each calendar year.
[2] Excludes two beds for emergency use only.
[3] Excludes three beds for emergency use only.

Mrs. Clwyd: To ask the Secretary of State for Wales how many beds were available in private hospitals in Wales in each year since 1979.

Mr. Grist: Information which relates to each calendar year since statistics became available is given below:

	Number of beds
1982	255
1983	246
1984	246
1985	246
1986	212
1987	215

Consultants

Mrs. Clwyd: To ask the Secretary of State for Wales how many National Health Service consultants held full-time and part-time contracts in the Welsh health service in each year since 1979.

Mr. Grist: The information is given in the following table:

Number of consultants—as at 30 September[1]

	Full-time	*Part-time*[2]
1979	391	307
1980	404	300
1981	431	299
1982	443	300
1983	481	290
1984	500	289
1985	494	319
1986	504	334

[1] Excludes locums and community staff.
[2] Includes consultants with part-time, maximum part-time and honorary contracts.

Mrs. Clwyd: To ask the Secretary of State for Wales how many consultants were working part-time and full-time in the private health sector in Wales in each year since 1979.

Mr. Grist: The information requested is not available centrally.

Hospitals (Contractors)

Mrs. Clwyd: To ask the Secretary of State for Wales how many contracts have been awarded in the Welsh hospital service to outside contractors in each of *(a)* catering, *(b)* cleaning, *(c)* laundry, *(d)* engineering, *(e)*

building and *(f)* gardening since 1985; and what percentage of those services are performed by outside contracts.

Mr. Grist: Of the 78 contracts let by competitive tendering since 1985 for catering, cleaning and laundry services, one domestic contract (4 per cent. of total service costs) and one laundry contract (2·5 per cent. of total service costs) were let to private contractors. All other contracts let so far for these services have been awarded to in-house teams. There is no doubt that cost-effectiveness has been greatly improved as a result of the tendering process. Information on engineering, building and gardening services is not held centrally.

NHS Review

Mrs. Clwyd: To ask the Secretary of State for Wales (1) if he will make a statement on the impact of the National Health Service review's proposed reforms on the Welsh health service;

(2) whether an internal market in the Welsh Health Service will be backed by a subsidised transport service to allow all patients to benefit from empty beds in other areas.

Mr. Barry Jones: To ask the Secretary of State for Wales if he proposes to issue a White Paper on the future of the National Health Service in Wales; and if he will make a statement.

Mr. Peter Walker: I shall be announcing shortly the results of my review of the NHS in Wales.

Parc Beck Allotments Society

Mr. Alan Williams: To ask the Secretary of State for Wales if he will meet representatives of the Parc Beck allotments society accompanied by the right hon. Member for Swansea, West.

Mr. Peter Walker: No, since there is nothing that I can usefully add to the many exchanges which I have had with the right hon. Gentleman and with representatives of the Parc Beck allotment society. The matter is one for the West Glamorgan health authority to pursue in accordance with the relevant departmental guidance.

Local Authorities (Capital Receipts)

Mr. Barry Jones: To ask the Secretary of State for Wales if he will publish the amount of accumulated capital receipts held by local authorities at the end of 1987-88; and if he will make a statement.

Mr. Peter Walker: The total amount of accumulated capital receipts held by local authorities at the end of 1987-88 was £472 million.

TRADE AND INDUSTRY

Post Office (Industrial Relations)

Mr. Allen: To ask the Chancellor of the Duchy of Lancaster how many representations he has received regarding industrial relations in the Post Office from *(a)* Conservative and *(b)* other hon. Members.

Mr. Forth: My right hon. Friend and I have received 25 such representations since the beginning of 1988, 24 of which were from hon. Friends.

Post Office (Letters Monopoly)

Mr. Bowis: To ask the Chancellor of the Duchy of Lancaster if he has any plans to seek to end the Post Office monopoly of letter delivery.

Mr. Forth: We have made it clear that the Post Office's monopoly over the conveyance of letters priced at below £1 is a privilege not a right. We keep the monopoly under review and have said that in the event of cessation or serious decline in the quality of the letter service, we would consider seriously suspending the monopoly. I have, however, no present plans to do so.

Marketing and Research Consultancies

Dr. Hampson: To ask the Chancellor of the Duchy of Lancaster how many marketing or market research consultancies based out of London have been invited to tender for Government contracts.

Mr. Forth: During the years 1987 and 1988 17 marketing or market research consultancies based out of London were invited to tender by my Department. I am unable to provide details for other Government Departments.

Market Research

Dr. Hampson: To ask the Chancellor of the Duchy of Lancaster what the total amount spent by Government Departments and agencies on market research was in 1987-88; and what proportion was contracted out to private companies.

Mr. Forth: My Department's records for that year do not separately identify expenditure on market research. The cost of extracting the information manually would be disproportionate. I am unable to comment on such expenditure in other Government Departments.

Post Office (Letter Deliveries)

Mr. Bowis: To ask the Chancellor of the Duchy of Lancaster if he will make a statement on Royal Mail deliveries during December 1988.

Mr. Forth: The quality of the letter delivery service is an operational matter for the Post Office. I understand that despite the 24-hour closure of the Coventry sorting office as a result of a letter bomb and exceptionally high levels of staff sickness, almost all mail posted on or before the latest posting dates recommended by the Post Office was delivered before Christmas day. However, a less than full service was provided in the south-west London district as a result of unofficial industrial action in nine of the 20 sub-districts.

Ministerial Advisers

Mr. Cryer: To ask the Chancellor of the Duchy of Lancaster if he will list the ministerial advisers appointed in his Department for each year since 1979, the salary each person received, whether paid directly or to another employer, and the duties undertaken, whether solely in his Department or in conjunction with other Departments; and if he will make a statement.

Mr. Forth: The files containing the information requested are not immediately available. Information from earlier years is being gathered and I shall reply to the hon. Member as soon as possible.

Post Office Counters

Mr. Kirkwood: To ask the Chancellor of the Duchy of Lancaster whether he will arrange to meet the managing director of Post Office Counters to discuss the effects of the current downgrading of main post offices.

Mr. Forth: My right hon. Friend and I meet the members of the Post Office board regularly to discuss matters of current interest relating to the Post Office businesses.

Textiles (China)

Mr. Knapman: To ask the Chancellor of the Duchy of Lancaster if the details of the bilateral agreements on trade in textiles within the People's Republic of China initialled by the EC Commission last month have yet been made public.

Mr. Alan Clarke: The quantitative limits for 1989 imports under the agreement were published in the Official Journal of the European Communities (OJL 367) dated 31 December, recently received. However no figures for member state shares of EC-wide limits are given. These are not expected for some weeks.

A copy of the relevant extract from OJL 367 is being placed in the Library.

I understand that a further part of the Official Journal for 31 December has just been published, reproducing the terms of the agreement. This will be placed in the Library as soon as it is received.

EDUCATION AND SCIENCE

St. Anne's Hospital, Nottingham

Mr. Allen: To ask the Secretary of State for Education and Science what assistance his Department will give the local education authority in meeting the needs of psychiatrically disturbed children and adolescents in the Nottingham area arising from the closure of St. Anne's hospital and its hospital school.

Mr. Butcher: Before any maintained special school, including a hospital school, can close, the local education authority must seek the Secretary of State's approval under section 14 of the 1981 Education Act. A copy of the Department's Circular 3/82 "Section 14 of the Education Act 1981: Discontinuance of Maintained Special Schools", which explains these procedures, is available in the Library. It is for local education authorities to specify the alternative provision they will be making for pupils affected by the closure of a special school.

No proposal to close St. Anne's hospital school has been received by the Secretary of State.

Natural Environment Research Council (Funds)

Mr. Simon Hughes: To ask the Secretary of State for Education and Science what is the level of his Department's funding of the Natural Environment Research Council for each of the past 10 years in real terms at 1988-89 prices; if he will increase the planned level of funding for the 1989-90 financial year; and if he will make a statement.

Mr. Jackson: The information for the past 10 years is as follows:

	£ million 1988-89 prices
1979-80	68·3
1980-81	73·6
1981-82	77·8
1982-83	77·7
1983-84	78·9
1984-85	79·6
1985-86	78·5
1986-87	78·7
1987-88	77·9
1988-89	91·9

My right hon. Friend announced on 1 November 1988, at columns *605-10*, that the Science Budget for 1989-90 would be £825 million and that he would be seeking the advice of the Advisory Board for the Research Councils on the allocation of this amount. In answer to questions from my hon. Friends the Members for Rutland and Melton (Mr. Latham) on 7 November 1988 at columns 2-3 and Derbyshire, West (Mr. McLoughlin) on 8 November 1988 at columns *134-35*, my right hon. Friend has already announced that he has allocated in 1989-90 an additional £3 million for the British Geological Survey and an additional £10 million for the British Antarctic Survey. The ABRC advice is now being considered. We hope to announce the allocations to the individual councils (including NERC) shortly.

Special Educational Needs

Mr. Key: To ask the Secretary of State for Education and Science (1) what is his timetable for making regulations under section 17 and section 19 of the Educational Reform Act 1988 regarding provision within the national curriculum for children with special educational needs; and if he will make a statement;

(2) if he will make it his policy not to lay before this House draft orders for mathematics and science within the national curriculum until after he has published proposals for regulations under section 17 and section 19 of the Education Reform Act 1988 regarding provision for children with special educational needs; and if he will make a statement.

Mrs. Rumbold: There is no need for regulations under section 17 regarding provision for children with special educational needs to be drafted before orders for attainment targets and programmes of study for mathematics and science are made. The National Curriculum Council has advised my right hon. Friend that these orders should apply to all pupils without modification, with every effort being made to facilitate access for all pupils including those with a statement of special educational needs made under the Education Act 1981. My right hon. Friend proposes that the mathematics and science requirements should not, however, apply to pupils with statements of special educational needs until autumn 1990. This will give time for statements to be revised to modify or disapply the requirements if necessary.

If section 17 regulations are needed in respect of national curriculum requirements to be introduced in 1990 and subsequently, my right hon. Friend will ensure that the necessary consultations take place in good time.

Regulations under section 19 about temporary exemptions to national curriculum requirements will not be specific to particular subjects. It is my right hon.

Friend's intention to consult on draft regulations shortly, so that the regulations can take effect from 1 August 1989 at the same time as the first statutory requirements relating to the national curriculum.

Teachers (Statistics)

Mr. Thurnham: To ask the Secretary of State for Education and Science how many people aged 40 years or over have trained since 1980 to become teachers as an alternative to their former profession and are now employed in state schools; and if he will make a statement.

Mrs. Rumbold: In March 1986 (the latest date for which figures are available) there were about 1,800 teachers full-time in maintained nursery, primary and secondary schools in England who had qualified since 1980 and were aged 40 or over at the time they did so.

Mr. Straw: To ask the Secretary of State for Education and Science what records are kept by his Department, or which are available to his Department, in respect of the names, current addresses, experience and occupations of persons who have qualified as teachers but who are not at present employed as a teacher by any local education authority in England.

Mr. Kenneth Baker: The database of teacher records (DTR) maintained by the Department to administer the teachers' superannuation scheme contains a record of every teacher who has either had reckonable service or completed a course of initial teacher training in England and Wales. However, for teachers not at present in service the DTR would not hold any of the details listed except for their name at the time of last leaving service or completing training.

Secondary Education (Trafford)

Mr. Tony Lloyd: To ask the Secretary of State for Education and Science what advice he has given to groups seeking to opt-out secondary schools in Trafford.

Mrs. Rumbold: The Department issued general advice in its circular 10/88, "Grant-Maintained Schools", and in a booklet "School Governors: How to Become A Grant-Maintained School". These were sent to the chairmen of governors of all maintained schools in England, including secondary schools in Trafford, in autumn last year.

Mr. Tony Lloyd: To ask the Secretary of State for Education and Science what information has been given by his Department to interested groups about plans of the local authority to reorganise secondary education in Trafford.

Mr. Butcher: The Department has informed interested parties that, in view of my right hon. Friend's role in relation to statutory proposals, it is not possible for the Department to comment on the matter. Information on the procedure for rationalising school provision was given in the Department's circular 3/87.

AFRC Bristol

Mr. Dalyell: To ask the Secretary of State for Education and Science what are his reasons for reducing the operation of AFRC Bristol in view of the need to conduct heart and related research.

Mr. Jackson: The total resources available for science are distributed taking into account the needs of individual institutions, but that distribution is not determined by my Department.

ENVIRONMENT

Council and New Town Properties

Mr. French: To ask the Secretary of State for the Environment if he will state the total spending by local authorities and new towns in England and Wales on repairs to council and new town properties in *(a)* cash and *(b)* real terms for such financial year for the most recent 20-year period for which figures are available.

Mr. Trippier: Available figures for English local authorities and new towns are given in the table. For Welsh figures, I refer the hon. Member to the Secretary of State for Wales.

Capital and revenue expenditure on renovation[1]

£ million

	Cash	*1987-88 prices*
1981-82	1,550	2,085
1982-83	2,025	2,545
1983-84	2,360	2,835
1984-85	2,550	2,930
1985-86	2,640	2,860
1986-87	2,860	3,000
1987-88	[2]3,060	[2]3,060

[1] Excluding estimates of revenue expenditure by Northampton, Redditch and Washington new towns.
[2] Provisional.

Figures for earlier years could be provided only at disproportionate cost.

Public Sector Tenants

Mr. French: To ask the Secretary of State for the Environment if he will state, for the most recent 20 year period for which figures are available, the annual rate of transfer of public sector tenants from council and new town homes to (i) owner-occupation in the private sector, not including sales of council houses, (ii) private sector flats and (iii) housing association properties.

Mr. Trippier: Estimated numbers of local authority and new town tenants who had moved to other tenures in the previous 12 months, other than by purchase as sitting tenants, are available from two national movers surveys carried out in the 1970s and from the 1984 labour force survey housing trailer. Estimates for England and Wales in 1971 and for England in 1977-78 and 1984 are as follows:

Present tenure and type of accommodation	*1971*	*1977-78*	*1984*
Owner occupier			
House	66,000	46,000	32,000
Flat			5,000
Private renter			
House			12,000
Flat	25,000	25,000	5,000
Housing association renter			3,000

Type of accommodation is not available for 1971 and 1977-78.

Urban Development Corporations (Report)

Mr. Corbyn: To ask the Secretary of State for the Environment when he intends to respond to the House of Commons Employment Committee's report on urban development corporations.

Mr. Trippier: I sent the Government's response to the Committee's chairman on 29 November 1988.

Paid Appointments

Mr. Mullin: To ask the Secretary of State for the Environment how many paid appointments to official bodies were within his gift *(a)* in 1979 and *(b)* now.

Mr. Ridley: Paid appointments to public bodies for which my Department is currently responsible are shown in the HMSO publication " Public Bodies 1988". Since it went to print, urban development corporations have been established at central Manchester, Leeds and Sheffield and each has 10 paid members.

Publications in the series did not start until 1982 and there was no comparable publication in 1979. However, appointments in the gift of the Secretary of State for the Environment in 1978 are listed in the HMSO publication "A Directory of Paid Public Appointments made by Ministers 1978".

Housebuilding (Wakefield)

Mr. Lofthouse: To ask the Secretary of State for the Environment if he will list by year for the last 15 years for which figures are available the annual number of completions within Wakefield metropolitan district council area of (i) private sector houses and flats, (ii) council and new town houses and flats, and (iii) housing associations' housing and flats.

Mr. Trippier: Housebuilding completions as reported by Wakefield district council for 1986 and 1987 are as follows:

	Local authority	*Housing association*	*Private sector*
1986	59	58	251
1987	54	—	427

Figures for 1980 to 1985 appear in table 1 of "Housebuilding in England by local authority areas: 1980 to 1987". For earlier years figures appear in the following issues of "Local Housing Statistics":

Year	*Issue No.*	*Table*
1974	33	5
1975	37	5
1976	41	5
1977	45	5
1978	49	5
1979	59	4

Copies of these publications are available in the Library. Comparable figures for 1973 are not available because of the reorganisation of local government in 1974.

Channel Tunnel (Terminal)

Mr. Tony Banks: To ask the Secretary of State for the Environment if he will make it his policy to call in any application to locate the second London terminal for the Channel tunnel at King's Cross.

Mr. Chope: The usual means of proceeding with the development of new railway schemes is by private Bill procedure. It is British Rail's intention to use this procedure for the development of the second London terminus for the Channel tunnel at King's Cross. There would, therefore, be no planning application for my right hon. Friend to call in.

Mr. Tony Banks: To ask the Secretary of State for the Environment what contribution has been made by his Department to the selection process for the site of the second London terminal for the Channel tunnel; and if he will make a statement.

Mr. Chope: None. It is for the promoters to put forward proposals.

Mr. Tony Banks: To ask the Secretary of State for the Environment what environmental impact studies have been made by his Department on the siting of the second London terminal for the Channel tunnel; and if he will make a statement.

Mr. Chope: None. However, I would expect any Select Committee to take the environmental aspects of a second London terminus at King's Cross into account when considering a private Bill.

Mr. Tony Banks: To ask the Secretary of State for the Environment what representations have been made to his Department against the possible location of the second London terminal for the Channel tunnel at King's Cross.

Mr. Chope: None.

Mr. Tony Banks: To ask the Secretary of State for the Environment if he will name the organisations which have expressed an opinion in favour of *(a)* Stratford, *(b)* King's Cross, and *(c)* another site, as the preferred location for the second London terminal for the Channel tunnel.

Mr. Chope: One favourable opinion has been expressed to my right hon. Friend by the London borough of Newham in respect of Stratford.

Bristol Channel (Pollution)

Mr. Speller: To ask the Secretary of State for the Environment, pursuant to his answer to the hon. Member for Devon, North of 21 December 1988, *Official Report*, column 269, if he will now take steps to collect and publish the information relating to discharges of sewage into the Bristol channel.

Mr. Moynihan: The information sought is already available on the public registers which the water authorities concerned are required to maintain. Registers are open to inspection free of charge at all reasonable hours.

Water (Privatisation)

Mr. Rooker: To ask the Secretary of State for the Environment if any discussions have been held or arranged with the suppliers or manufacturers of those chemicals added to the public water supply at the request of health authorities in respect of any changes in liability for the effects of these chemicals following privatisation.

Mr. Moynihan: No.

Housing

Mr. Marlow: To ask the Secretary of State for the Environment what is the average length of time taken to construct a unit of accommodation, the average cost and the average interest costs arising during construction, assuming all construction costs throughout the construction period are based on borrowed money *(a)* for direct labour organisations pertaining to inner London authorities and *(b)* for the private sector in inner London.

Mr. Trippier: This information is not available.

Football Clubs (Membership Scheme)

Mr. Harry Barnes: To ask the Secretary of State for the Environment whether it is his intention to extend the proposed national identity scheme to non-league football clubs who have a record of football violence should the scheme operate successfully with Football League clubs.

Mr. Moynihan: I hope that it will not be necessary for the national membership scheme to be extended to non-league football but the possibility is one that the Government and the Football Membership Authority would need to consider if there was evidence of a serious problem of hooliganism at non-league football clubs.

Mr. Mullin: To ask the Secretary of State for the Environment if he will list the organisations which have made representations in favour of his proposed national membership scheme for football supporters.

Mr. Moynihan *[holding answer 12 January 1989]:* I refer the hon. Member to the reply I gave to him on 22 December at column *433*. I shall be writing to him very shortly.

Mr. Pendry: To ask the Secretary of State for the Environment what representations the Minister for Sport has received from the Bedfordshire police regarding identity cards for football supporters; whether they support his proposals for identity cards for football supporters; and if he will make a statement.

Mr. Moynihan *[holding answer 13 January 1989]:* The acting chief constable of Bedfordshire police wrote to me on 16 December asking whether the national membership scheme for football supporters would preclude Luton Town football club from continuing to operate its home members only scheme. My present view is that the scheme should be a national one, allowing all members to attend any match, subject to the right of the owner or occupier of any ground to exclude people whom they do not wish to admit. The Football Membership Authority will wish to look at this issue in drawing up the scheme.

Local Authorities (Economic Development)

Mr. Blunkett: To ask the Secretary of State for the Environment, pursuant to his answer of 21 December to the hon. Member for Battersea (Mr. Bowis) on local authority economic development, what is his policy with regard to the future funding by local authorities of support and advisory staff for new businesses.

Mr. Gummer *[holding answer 10 January 1989]:* Local authorities have an important role in providing advice and suitable back-up support for new businesses in their area. The new general economic development power will enable them to do this. We are discussing with the local authority associations the precise scope of the power which will be embodied in regulations in due course.

Luton Town FC

Mr. Pendry: To ask the Secretary of State for the Environment what was the source of his information on the number of arrests during the 1987-88 football season at Luton Town football club which took place *(a)* outside and *(b)* inside the ground; and if he will seek to provide a similar breakdown of arrest figures for the other Football League clubs.

Mr. Moynihan *[holding answer 10 January 1989]:* I am aware from information provided by the club that the one arrest for a drugs-related offence, made at Luton Town's home Football League matches last season was outside the ground. Arrest figures for Football League clubs are collated by the Association of Chief Police Officers. They do not differentiate between arrests inside and outside grounds.

Football (Statistics)

Mr. Harry Barnes: To ask the Secretary of State for the Environment pursuant to his answer on football statistics in the *Official Report* on 19 December 1988, columns *55-60*, whether there is any overlap in numbers between those arrested and those ejected from grounds.

Mr. Moynihan *[holding answer 10 January 1989]:* No. The figures for ejections are in respect of ejections other than those following arrest.

Mr. Harry Barnes: To ask the Secretary of State for the Environment pursuant to his answer on football statistics in the *Official Report* for 19 December 1988, columns *55-60*, if he will list similar tables for matches played to date in the 1988-89 season showing clubs according to the proportion of arrests at their grounds, with the clubs with the smallest proportion of arrests first.

Mr. Moynihan *[holding answer 10 January 1989]:* I refer the hon. Member to the reply from my hon. Friend the Parliamentary Under-Secretary of State for Home Affairs to a question from my hon. Friend the Member for Northampton, North (Mr. Marlow) on 10 January at column *492*.

Oil Pollution

Mr. Atkinson: To ask the Secretary of State for the Environment if he will make a statement on the recent pollution of the south coast by oil.

Mr. Moynihan *[holding answer 12 January 1989]:* I refer my hon. Friend to the statement made by my hon. Friend the Parliamentary Under-Secretary of State, my hon. Friend the Member for Surrey, South-West (Mrs. Bottomley), in reply to the hon. Member for Newham, North-West (Mr. Banks) on 10 January 1989 at column *510*.

Water Authorities (Land)

Mr. Ron Davies: To ask the Secretary of State for the Environment what is the total area of land disposed of by each of the water authorities in England since 1983.

Mr. Moynihan *[holding answer 12 January 1989]:* I have nothing to add to the information which I gave to the hon. Member in my reply of 12 December at column *415*.

Mr. Pachett: To ask the Secretary of State for the Environment when he will be in a position to provide information on water authority land which is designated as *(a)* of special scientific interest, *(b)* national parks and *(c)* areas of outstanding beauty; and if he will make a statement.

Mr. Moynihan *[holding answer 13 January 1989]:* I have no plans to make such information available. I refer the hon. Member to the recent publication by the Countryside Commission, "Sites of Conservation and Recreation value currently in the ownership of Water Authorities", which provides most of the information he seeks.

Local Authorities (Capital Receipts)

Dr. Cunningham: To ask the Secretary of State for the Environment if he will publish the information he has collected on the accumulated capital receipts held by local authorities at the end of 1987-88.

Mr. Ridley *[holding answer 12 January 1989]:* The information requested is not yet available. I shall write to the hon. Member when it is available and place a copy of the information requested in the Library at that time.

Rates

Mr. Battle: To ask the Secretary of State for the Environment if he will list, using 1988-89 prices, for each charging authority area *(a)* the revenue support grant which would be payable to that area in the first year of safety netting if there was no upper limit to contributions from authorities to the safety net, *(b)* the revenue support grant which would be payable without safety nets, *(c)* the difference between *(a)* and *(b)* and *(d)* the average rate payment per adult in 1988-89, showing aggregates, or, where appropriate, averages, for each class of charging authority, for each county or metropolitan area and for each region, respectively.

Mr. Gummer *[holding answer 22 December 1988]:* The information requested has been placed in the Library of the House.

National Rivers Authority (Correspondence)

Mr. Livsey: To ask the Secretary of State for the Environment if he will publish his correspondence with the chairman of the National Rivers Authority advisory committees.

Mr. Moynihan: *[holding answer 13 January 1989]:* No.

Radioactive Waste (South Yorkshire)

Mr. Patchett: To ask the Secretary of State for the Environment if he is yet in a position to name the sites identified by United Kingdom Nirex Ltd. for deep disposal facility for radioactive waste in south Yorkshire; and if he will make a statement.

Mrs. Virginia Bottomley *[holding answer 13 January 1989]:* We have asked Nirex to put forward proposals for a radioactive waste disposal facility. My right hon. Friend expects a report shortly.

Water (South Yorkshire)

Mr. Patchett: To ask the Secretary of State for the Environment when Her Majesty's inspectorate of pollution last monitored south Yorkshire's drinking water; and what were the resulting findings.

Mr. Moynihan *[holding answer 13 January 1989]:* Her Majesty's inspectorate of pollution does not monitor drinking water as it has no responsibility for this subject. Yorkshire water authority is responsible for monitoring the quality of its supplies.

Water Act 1973

Mr. Wigley: To ask the Secretary of State for the Environment (1) on how many occasions since the coming into force of the Water Act 1973 disputes have been submitted to him for determination under the provisions of section 11(4) of that Act; and if he will specify the local authority area in which such disputes have arisen;

(2) on how many occasions since the coming into force of the Water Act 1973 he has issued directions under the provision of section 4(10) of that Act to the National Water Council; and what was the purpose of each such direction;

(3) on how many occasions since the coming into force of the Water Act 1973 he has issued directions under the provisions of section 17(5) of that Act, to water authorities; and for which estuary each such direction was made;

(4) on how many occasions since the coming into force of the Water Act 1973 he has issued directions under the provisions of section 5(2) of that Act to water authorities; and for what purpose each such direction was made.

Mr. Moynihan *[holding answer 13 January 1989]:* So far as I am aware, none of these powers has been used.

Water Pollution

Mr. Rooker: To ask the Secretary of State for the Environment if he will publish the form of the current undertakings as to liability regarding the effects of any additional chemicals added to the public water supply at the request of health or other authorities.

Mr. Freeman: I have been asked to reply.

I have today placed in the Library a copy of the model agreement dated November 1987 which provides the basis for discussions between health authorities and water undertakers on the terms under which fluoridation of domestic water supplies may be carried out. This includes a copy of the terms of the indemnity which is provided for water undertakers operating fluoridation schemes.

DEFENCE

Royal Air Force Exercises

Mr. Fearn: To ask the Secretary of State for Defence whether the Royal Air Force will continue to exercise its legal right under a supplement to the 1963 North Atlantic Treaty Organisation status of forces agreement to conduct exercises outside its normal bases; and if he will make a statement.

Mr. Neubert: The Royal Air Force will continue to exercise in the Federal Republic of Germany in accordance

with the provisions of the supplementary agreement to the North Atlantic Treaty Organisation status of forces agreement.

British Army of the Rhine (Drunkenness)

Mr. Sean Hughes: To ask the Secretary of State for Defence how many British Army of the Rhine personnel were convicted by courts martial of drunkenness offences in each year from 1979 to 1987.

Mr. Neubert: The numbers of British Army of the Rhine personnel convicted by courts martial of drunkenness offences in the period specified were as follows:

	Total	*Officers*	*Servicemen/ women*
1979	24	1	23
1980	19	1	18
1981	14	—	14
1982	22	—	22
1983	18	—	18
1984	9	—	9
1985	5	—	5
1986	5	—	5
1987	6	—	6

HMS Bronington

Mr. Churchill: To ask the Secretary of State for Defence if he will make a statement on the future of HMS Bronington.

Mr. Sainsbury: Following a competitive tender, a consortia of business men have purchased HMS Bronington. They will be placing the vessel in the hands of a charitable trust, which will ensure its permanent preservation. HMS Bronington will be leased to the Trafford Park development corporation and it proposes to preserve, maintain and use the vessel as a floating museum, representing to the general public life on board one of the Royal Navy's mine hunters. The vessel will be sited for the foreseeable future within or adjacent to the corporation's most prestigious development area, Wharfside, Manchester Docks.

Lockerbie Air Disaster

Mr. Menzies Campbell: To ask the Secretary of State for Defence how many service personnel, from which services and of what ranks, have been engaged in operations at Lockerbie, following the Pan Am aircraft crash.

Mr. Archie Hamilton: A total of 7,442 man-days of assistance were provided by the three Services during the operation at Lockerbie up to 12 January. The majority of this effort was directed towards the search for bodies and wreckage. A breakdown by Service is given below:

Service	*Man-days*
Royal Navy	357
Army	2,836
Royal Air Force	4,249

This assistance included a considerable number of formed units; the precise number deployed for each rank is not held. In the immediate aftermath of the incident, up to a dozen RAF and RN helicopters carried out daily salvage and transport tasks. This commitment was subsequently reduced to two helicopters, which continued operations until 12 January. A number of photo-reconnaissance flights have been flown by the RAF to assist in the difficult task of locating the remaining salvage and the Royal Engineers assisted with the removal of the cockpit wreckage. The RAF repair and salvage squadron will continue to support the air accident investigation branch and 100 service men are still assisting with the search for wreckage.

Mr. Menzies Campbell: To ask the Secretary of State for Defence what additional payments are to be made to service personnel engaged in operations at Lockerbie following the Pan Am aircraft crash, specifying the amounts of such additional payments and the ranks to which they are to be paid.

Mr. Neubert: Service personnel are liable for duty at all times and do not receive extra pay for working overtime or on public holidays. The Armed Forces Pay Review Body takes account of this in recommending levels of service pay, which incorparate a 10 per cent. enhancement (9 per cent. in the case of service women) known as the X-factor, in recognition of the disadvantages of service life, including liability for duty at all times without extra pay.

There is, however, provision for a small additional payment to be made where the work undertaken is of an objectionable nature. Those service men who were involved in the recovery of bodies at Lockerbie will be eligible for this payment which is set by the Armed Forces Pay Review Body at 90p a day. In addition, modest welfare payments have been authorised: service men may make free telephone calls up to £2 in value a week and units can claim the equivalent of 50p per man per week to provide recreational facilities.

NORTHERN IRELAND

Long-term Unemployed

Mr. Mallon: To ask the Secretary of State for Northern Ireland how many long-term unemployed there are presently in each of the 26 district council areas in Northern Ireland.

Mr. Viggers: The latest unemployment figures available relate to 10 November 1988. The numbers of claimants in each district council area of Northern Ireland, who had been continuously unemployed for more than one year at that date, are as follows:—

District Council Area	*Total*
Antrim	1,395
Ards	1,275
Armagh	1,845
Ballymena	1,450
Ballymoney	960
Banbridge	714
Belfast	15,967
Carrickfergus	760
Castlereagh	1,276
Coleraine	2,019
Cookstown	1,348
Craigavon	2,527
Derry	5,525
Down	1,162

District Council Area	Total
Dungannon	2,087
Fermanagh	2,265
Larne	825
Limavady	1,458
Lisburn	2,626
Magherafelt	1,450
Moyle	779
Newry and Mourne	3,801
Newtownabbey	2,067
North Down	1,157
Omagh	1,720
Strabane	2,067
Northern Ireland	60,525

Teachers (Premature Retirement)

Mr. Beggs: To ask the Secretary of State for Northern Ireland if he will list for the years ending 31 March 1978, 1983, 1987 and 1988 the total number of teachers in Northern Ireland who were granted premature retirement on grounds of ill health.

Dr. Mawhinney: The information is as follows:—

	Number
Year ending 31 March 1978	23
Year ending 31 March 1983	47
Year ending 31 March 1987	58
Year ending 31 March 1988	82

Further Education

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland what proposals he has for the future development of further education in Newtownards and Bangor; and if he will make a statement.

Dr. Mawhinney: The South-Eastern Education and Library Board has plans at an advanced stage for a major extension to North Down college of further education. It has been agreed with the board of governors that this should be at the Bangor campus.

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland how many temporary classrooms there are at the further education colleges in Bangor and Newtownards.

Dr. Mawhinney: A total of 26 at Bangor and 10 at Newtownards.

Youth Training

Mr. Hume: To ask the Secretary of State for Northern Ireland what are the numbers on the youth training programme by appropriate district unit in Northern Ireland.

Mr. Viggers *[holding answer 21 December 1988]:* At 25 November 1988 some 14,306 young people were receiving training under the youth training programme. Statistics are not available by district but are collated on a job market area basis in respect of full-time training only. Details are as follows:

Numbers in full-time training

Job market area	Numbers
Bangor	367
Lisburn	443
Newtownards	97
Belfast South and East	1,770
Belfast North and West	1,531
Antrim	181
Carrickfergus	117
Larne	153
Magherafelt	139
Ballymena	560
Ballymoney	126
Coleraine	206
Limavady	125
Londonderry	1,117
Strabane	158
Armagh	93
Cookstown	90
Dungannon	169
Enniskillen	228
Omagh	366
Portadown	319
Ballynahinch	50
Banbridge	105
Downpatrick	158
Kilkeel	1
Lurgan	283
Newcastle	85
Newry	632
Total	9,669

In addition an estimated 4,637 young people were in receipt of employment with training under YTP work scheme throughout Northern Ireland.

ENERGY

Electricity Sales

Mr. Morgan: To ask the Secretary of State for Energy (1) what percentage of total sales of each of the 12 area boards in the electricity supply industry in England and Wales is accounted for by customers in each of the following categories of supply *(a)* 10 MW-50 MW, *(b)* 50 MW-100 MW, *(c)* 100 MW-200 MW and *(d)* over 200 MW;

(2) how many customers each of the 12 area boards in the electricity supply industry of England and Wales currently have in each of the following categories of supply *(a)* 10 MW-50 MW, *(b)* 50 MW-100 MW, *(c)* 100 MW-200 MW and *(d)* over 200 MW.

Mr. Michael Spicer: This is a matter for the area electricity boards and I am asking the individual chairmen to write to the hon. Member.

Fulmar Oilfield (Incident)

Mr. Doran: To ask the Secretary of State for Energy if he will make a statement describing the sequence and timings of the events of 1 January involving the failure of the anchoring system of the floating storage unit on the Fulmar field, the consequent rupture of the pipeline connecting the Fulmar platform to the floating storage unit and subsequent shutdown of oil pumping through this pipeline.

Mr. Parkinson: My inspectors are currently investigating an incident on the Fulmar field of the kind described, which took place on 24 December. Full information on this incident will only be available once the investigation is complete.

Preliminary indications from the operator are that the Fulmar floating storage unit (FSU) and the single anchor point leg mooring (SALM) broke loose from the anchor base at approximately 04.45 hours on 24 December 1988.

Failure of the sea bed latch released the SALM and caused rupture of oil feed pipes at its coupling. The main pipeline was undamaged. Consequent constriction of the feed pipes prevented low oil pressure cut-outs from closing down the main oil pumps on the Fulmar A platform. It was confirmed at 5.30 am that the FSU had moved off its mooring and pumping ceased at approximately 05.35 hours.

Mr. Doran: To ask the Secretary of State for Energy what are the relative locations, in terms of compass bearing and distance, of oil production platforms on the Fulmar, Auk and Clyde fields to the normal position of the mooring of the Fulmar floating storage unit.

Mr. Parkinson: The information is as follows:

Fulmar A 2 nautical miles bearing 44° (true)
Auk 5·2 nautical miles bearing 204° (true)
Clyde 5·5 nautical miles bearing 106° (true)

Mr. Doran: To ask the Secretary of State for Energy if he will list the submarine pipelines within a 50-mile radius of the normal position of the Fulmar floating storage unit with a description of their contents and operating pressures.

Mr. Parkinson: The information is as follows:

Pipeline	*Contents*	*Maximum allowable operating pressure*[1]
Fulmar A to SALM	Crude oil	183
Auk to Fulmar	Crude oil	148
Clyde to Fulmar	Crude oil	348
Clyde to Fulmar	Gas	2,175
Fulmar to St. Fergus	Gas	2,750
Ekofisk to Teesside	Crude oil	1,680
Argyll base manifold to pipeline end manifold	Crude oil	3,000

[1] Pounds per square inch gauge.

In addition, there are a series of pipelines to the Argyll base manifold for the recovery of crude oil from subsea completions in the Innes, Duncan and New Argyll fields. The maximum allowable operating pressures in these pipelines is 3,000 psig.

Mr. Doran: To ask the Secretary of State for Energy if there was any danger of rupture of pipelines in the vicinity of the Fulmar field on 1 January caused by the drifting floating storage unit dragging the remains of its mooring system across them.

Mr. Parkinson: No. I understand the only pipeline in the vicinity was the Ekofisk-Teeside oil line which was crossed at 11.15 hours after the Fulmar floating storage unit was under partial control. I am advised that at no time did the unit drag on the sea bottom; clearance above the Ekofisk-Teeside line was approximately 15 metres.

Mr. Doran: To ask the Secretary of State for Energy what route was followed by the Fulmar floating storage unit after it broke loose on 1 January and before it was fully in control again; what was its closest approach to any installation; and what was its approximate speed of drift.

Mr. Parkinson: Information provided to my Department indicates that the Fulmar floating storage unit drifted at 3·3 knots for three hours on a bearing of 110° (true). After four hours the drift speed slowed and the bearing changed to 125° (true) when the unit came under control of tugs. The Clyde platform was passed at 06.34 hours at a distance of 0·7 nautical miles.

Mr. Doran: To ask the Secretary of State for Energy what contingency plans existed for the situation in which the Fulmar floating storage unit broke its moorings on 1 January; and whether there was a secondary, emergency anchoring system on the tanker or propulsion and steering systems for this eventuality.

Mr. Parkinson: Emergency procedures prepared by the operator envisage that mooring failure would be dealt with by the use of heavy duty tow lines launched by rocket to the standby vessel and other available tugs. The sector club system involving neighbouring operators provides for additional heavy duty towing, a diving support vessel and aircraft, all of which were used on this occasion.

There was no emergency anchoring system as this is considered to be impracticable for controlling or stopping a vessel of this size under emergency conditions.

The Fulmar floating storage unit has no propulsion or steering systems.

Oil and Gas Installations

Mr. Frank Doran: To ask the Secretary of State for Energy what standards are set by his Department regarding the resistance of North sea oil and gas installations to impact by vessels; and what information he has on the standards set by the Norwegian petroleum directorate.

Mr. Parkinson: The Department's current guidance on design and construction of offshore installation recommends that they be designed to withstand the impact of a ship of 2,500 tonnes displacement travelling at 0·5 metres per second, assuming that all of the kinetic energy is absorbed by the installation.

However, following a study by J. P. Kenny, consultant engineers, which was commissioned by my Department, a consultation document is to be issued shortly recommending an increase in the energy absorbtion value for offshore installations. J. P. Kenny's technical report was published on 10 January and a copy has been placed in the Library of the House. I will send a copy of the consultation document to the hon. Member once it is available.

I understand the requirements of the Norwegian petroleum directorate are not expressed in the same way as the United Kingdom requirement. However, I am advised that the values of kinetic energy required to be absorbed in Norway are, in effect, comparable with those to be recommended in our proposed new guidelines.

HEALTH

Births and Deaths Registration Act

Mr. Alton: To ask the Secretary of State for Health if he will place a copy of the report of the Registrar General of the application of the Births and Deaths Registration Act 1953 to the case of the Carlisle baby in the Library; and if he will make a statement.

Mr. Freeman: The Registrar General is a Crown appointee under section 1 of the Registration Service Act 1953. The Secretary of State has no responsibilities or powers as regards the day to day exercise by the Registrar General of her functions under the Act or under the Births and Deaths Registration Act 1953. The Registrar General's conduct may be the subject of review by the courts. The Registrar General does not make information public about individuals which has come to her knowledge through her duties under the Births and Deaths Registration Act which is not already in the public domain.

The background note provided by the Registrar General on the Carlisle baby case was to enable the Secretary of State to respond to parliamentary inquiries and it is not appropriate for this document to be placed in the Library. It may however be helpful if I set out the legal position with regard to registration procedures.

Section 2 of the Births and Deaths Registration Act 1953 places a duty, primarily on the parents of a child, to give information for birth registration. This information is required to be given within 42 days of the date of birth and failure to give it may result in the local registrar issuing a notice in writing requiring any person to attend to register who is qualified to carry out the registration under the legislation. If a parent, or the mother in the case of a child born outside marriage, continues to refuse to register then that person commits an offence under section 36(c) of the 1953 Act.

Before issuing a formal requisition and pursuing the registration the local registrar has to establish that a birth which is registrable under the 1953 Act has actually taken place. In normal circumstances this information will come via the health authority under the provision set out in section 124(7) of the National Health Service Act 1977. This enables the registrar to have access to notices of births received by a medical officer. However, these notices are required by statute only in respect of births of more than 28 weeks gestation. In the absence of such a notice, the registrar must satisfy himself from other information that a birth has occurred which is registrable under the 1953 Act before issuing a formal requisition.

After 12 months have elapsed the local registrar's immediate responsibilities come to an end and the Registrar General's authority for registration of a birth and also of a death is required under sections 7 and 21 of the 1953 Act. The Registrar General has no powers to require any informant to register a birth or death, and if application is made to her for late registration by a qualified informant she needs to be satisfied that a registrable live birth or death have occurred.

Infant Deaths

Mr. Gareth Wardell: To ask the Secretary of State for Health (1) what information his Department has on research in different countries on the links between infant deaths and a sudden fall or rise in body temperature;

(2) what information his Department holds on research in foreign countries examining the results on human infant health of the use of early warning temperature monitors.

Mr. Freeman: Departmental officials are kept informed of research developments including those in other countries through articles in learned journals and through informal contacts with colleagues in those countries. No comprehensive list of such research is however held centrally.

Mr. Gareth Wardell: To ask the Secretary of State for Health (1) if he will publish in the *Official Report* details of any grants that his Department administers or gives for the development of technical aids or equipment by private companies which prevents the death of human infants;

(2) if his Department is giving financial or other assistance to any private company in the research or development of an early warning temperature monitor for human infants.

Mr. Freeman: The Department has made no grants or given any other form of financial assistance to private companies involved in research into such subjects.

Royal National Orthopaedic (Country) Hospital

Mr. Dykes: To ask the Secretary of State for Health if he will agree to receive a deputation representing relevant interests groups, including the hon. Member for Harrow, East, to assess the importance of the long-term development of the Royal National Orthopaedic (Country) hospital at its present site in Stanmore, Middlesex.

Mr. Mellor: I would be happy to meet such a deputation once consultation about transfer of management responsibility from Bloomsbury to Harrow is under way.

Health Index

Mr. Dobson: To ask the Secretary of State for Health what conclusions he has reached about the feasibility of creating a health index; and what decision he has taken about its implementation.

Mr. Kenneth Clarke: I do not believe that the construction of a single index measure of the nation's health is feasible. The state of the nation's health is best gauged by looking at a large range of different measures. In July my predecessor announced the setting up of a new small multi-disciplinary unit in the Department in line with the recommendation in the Chief Medical Officer's report on public health in England. The major function of this new unit will be to monitor and analyse information about the health of the population.

Cancer Screening

Mr. Dobson: To ask the Secretary of State for Health, pursuant to his reply to the hon. Member for Holborn and St. Pancras of 6 December 1988, *Official Report*, columns *130-31*, if he will place a copy of the guidance notes for health authorities on equipment requirements for breast cancer screening in the Library; whether these recommendations also apply to screening units operated in the private sector; what steps are taken to inspect private mobile screening units; how many staff are employed to perform those inspections; how many such inspections were made in 1988; and how frequently each unit is inspected, on average.

Mr. Freeman: Health authorities are asked to make relevant advice and guidance available to locally registered hospitals and nursing homes but they have no power to

monitor private sector screening units. Copies of the guidance notes referred to by the hon. Member have been placed in the Library.

Blood Transfusion Service

Mr. Dobson: To ask the Secretary of State for Health if he will give, for each year since 1978, the number of staff employed to collect blood from donors by each blood transfusion service; and if he will also give for each year and each blood transfusion service the number of staff vacancies for posts intended to collect blood from donors.

Mr. Freeman: The information requested is not held centrally.

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Ministerial Advisers

Mr. Cryer: To ask the Secretary of State for Health if he will list the ministerial advisers appointed in his Department for each year since 1979, the salary each person received, whether paid directly or to another employer, and the duties undertaken, whether solely in his Department or in conjunction with other Departments; and if he will make a statement.

Mr. Kenneth Clarke: Since 1979 up to the formation of two separate Departments in July 1988, the Departments of Health and Social Security appointed the following ministerial advisers.

Name	*Date of Appointment*	*Department*
Prof R. Dyson	August 1979	DHSS
Mr. N. True	May 1982	DHSS
Mr. A. J. Turner	February 1987	DHSS
Mr. C. Hendry	May 1988	DHSS
Miss M. Libby[1]	May 1988	DSS from July 1988
Mr. J. Hill	July 1988	DH

[1] Since July 1988, Miss Libby has worked only to the Secretary of State for Social Services. Mr. Hill was appointed to advise the Secretary of State for Health.

It is not our practice to reveal the salaries of individual advisers as they are individually negotiated in relation to previous outside earnings and conditions and are therefore confidential.

Except for Professor Dyson who was seconded into DHSS for one day per week, all salaries were paid direct to the individual adviser. Professor Dyson's employer was reimbursed on a pro-rata basis for his services.

With the exception of Professor Dyson, who was employed as a consultant adviser on industrial relations in the NHS, all advisers were employed solely on duties outside the Department laid down by the Minister they served.

Hip Replacements

Mr. Richard Shepherd: To ask the Secretary of State for Health what is the average waiting time for a hip replacement operation in National Health Service hospitals in each regional health area in England and Wales; and which district has the shortest waiting time.

Mr. Freeman: The available information for 1985, the latest year for which data are held centrally, is given in the table. Sample numbers in the Department's central data base are too small for reliable estimates to be made below regional level. Information for Wales is a matter for my right hon. Friend the Secretary of State for Wales.

Estimated median interval in weeks between the time a patient was placed on a waiting list and admission to an NHS hospital in England for total hip replacement or other arthroplasty of hip operations, by region, 1985

Region of treatment	*Median waiting time (weeks)*
Northern	19
Yorkshire	20
Trent	25
East Anglian	21
North West Thames	13
North East Thames	18
South East Thames	23
South West Thames	26
Wessex	28
Oxford	18
South Western	22
West Midlands	24
Mersey	16
North Western	19

Liver Transplants

Mr. Terry Davis: To ask the Secretary of State for Health how much money is given directly to liver transplant units by his Department; how many liver transplant units are funded in this way; how much money is given to each unit; and whether he intends to increase the total amount given to liver transplant units or the number of liver transplant units receiving grants from his Department.

Mr. Mellor: We provide supra-regional funding to the designated units through earmarked allocations given to regional health authorities. In the financial year 1988-89 the revenue allocation provided for the four liver transplant centres was £5,038,000.

In 1988-89 the total sum provided for this service will be £7,031,000, a 40 per cent. increase in funding. Individual allocations will be as follows:

	1988-89 £	*1989-90* £
Addenbrookes Hospital, Cambridge	1,569,000	2,398,000
King's College Hospital, London	1,133,000	1,368,000
Queen Elizabeth Hospital, Birmingham	1,762,000	2,452,000
St. James' University Hospital, Leeds	574,000	813,000

We will also be providing capital allocations to two units in 1989-90. King's college hospital will receive £21,000 and Addenbrooke's £331,000.

We have no immediate plans to increase the number of designated centres, but the supra-regional services advisory group keeps the service under review and advises Ministers accordingly.

Factor 8

Mr. Ron Davies: To ask the Secretary of State for Health whether any batches of the blood product Factor 8 have had to be discarded due to viral hepatitis B infection of the plasma pool of the blood products laboratory.

Mr. Freeman: Yes, occasionally finished batches of Factor 8 have to be discarded for this reason following quality control checks.

Junior Hospital Doctors

Mr. McCrindle: To ask the Secretary of State for Health if he has any estimates of the average hours worked by junior hospital doctors in the four Thames regional health authorities as against other health authorities in the rest of the United Kingdom; and if he will make a statement.

Mr. Mellor: We do not hold this information in the form requested.

Mr. McCrindle: To ask the Secretary of State for Health when he expects to receive the study on health authorities' plans to reduce junior hospital doctors' working hours; and if he will make a statement.

Mr. Mellor: I expect to receive reports from health authorities later this month and have agreed to consider them with representatives of the British Medical Association in February.

Consultants

Mr. McCrindle: To ask the Secretary of State for Health if he will provide separate and additional funding for health authorities to employ more consultants in areas where need can be demonstrated; and if he will make a statement.

Mr. Mellor: Generally, health authorities are responsible for determining the number of consultant posts required to fulfil their service objectives and for funding these posts. However, to give an initial impetus to the "Achieving a Balance" initiative we provided central funding for 100 additional posts in general medicine, general surgery and traumatic and orthopaedic surgery. Some authorities have also used the waiting list fund to provide additional consultant sessions to help tackle the problem of long waiting lists and times.

Mr. McCrindle: To ask the Secretary of State for Heath what is his target for the number of consultants in the National Health Service; when he expects this target to be met; and if he will make a statement.

Mr. Mellor: Regional health authorities are responsible for planning the number of consultants they require to meet service needs. Their forward plans show an average rate of expansion similar to the historical rate of growth of some 2 per cent. per annum and I would expect this to be maintained. Regional health authorities are held to account annually, through the regional review procedure, for meeting the targets that they set in their plans.

Wakefield Health Authority

Mr. Hinchliffe: To ask the Secretary of State for Health if he will list the composition of the appointment boards for each district general manager appointed for the Wakefield health authority.

Mr. Mellor: We do not hold such details centrally. The hon. Member may wish to contact the chairman of the health authority which is responsible for the appointment of its district general manager, for the information he is seeking.

Bradford Health Authority (Chair)

Mr. Madden: To ask the Secretary of State for Health if he will make it his policy to conduct an election among the citizens of Bradford for the new Chair of Bradford health authority.

Mr. Mellor: No.

Mr. Madden: To ask the Secretary of State for Health how long the post of Chair of the Bradford health authority has been empty; and if he will now announce his new appointment.

Mr. Mellor: Since 8 November 1988. We hope to appoint a new chairman soon.

Waiting Lists (Yorkshire)

Mr. Lofthouse: To ask the Secretary of State for Health what progress he has made in reducing hospital waiting lists in the Yorkshire region.

Mr. Freeman: The most recent figures show that, at March 1988, there were 49,000 patients on the in-patient waiting list in Yorkshire region. This is over 8 per cent. lower than at March 1979.

Waiting Lists (Pontefract)

Mr. Lofthouse: To ask the Secretary of State for Health what were the in-patient waiting list figures for the Pontefract district health authority in March 1988, 1987, and 1979.

Mr. Freeman: The information requested is give in the table.

In-patient waiting list Pontefract District Health Authority[1]
31 March 1979, 1987 and 1988.

Year	*Total*
1979	3,007
1987	2,079
1988	[2]1,701

[1] Eastern Wakefield District, prior to 1982
[2] on a comparable basis with previous statistics

Pontefract Health Authority

Mr. Lofthouse: To ask the Secretary of State for Health what is his latest estimate of the projected budget deficit of the Pontefract district health authority in *(a)* the current financial year and *(b)* the next financial year.

Mr. Mellor: We do not collect such information centrally. The hon. Member may wish to contact the chairman of Pontefract health authority for the information that he is seeking. The Yorkshire regional health authority received a recent 7·7 per cent. cash increase for 1989-90, and it must decide what allocation to give to the DHA to meet its approved plan next year.

Aplastic Anaemia

Mr. Lofthouse: To ask the Secretary of State for Health (1) if he has any evidence that pesticides, drugs, and toxic chemicals could be the cause of aplastic anaemia;

(2) what evidence he has available on the cause of aplastic anaemia.

Mr. Freeman: Different disorders are sometimes classified under the term appastic anaemia. In some cases the anaemia can be attributed to a chemical including some pesticides and some drugs. High doses of radiation can also give rise to this condition. In other cases, the cause cannot be determined, that is, it may occur as a disease of unknown aetiology.

We are aware of published evidence that prolonged exposure to very high levels of the industrial solvents benzene, toluene and carbon tetrachloride has been associated with the development of aplastic anaemia in some people. There is more limited evidence also that exposure to certain pesticides, namely chlordane, DDT, heptachlor, lindane, pentachloraphenol and those based on arsenic or mercury might cause aplastic anaemia.

The use of all these industrial solvents is controlled, and occupational exposures are well below those at which harm has been shown to occur. Of the pesticides, heptachlor and DDT are no longer approved for use in the United Kingdom, and the others are approved for restricted use under conditions which, as with all pesticides, should avoid harmful effects occurring.

Aplastic anaemia is recognised as a possible adverse reaction to a number of drugs. The Committee on Safety of Medicines has received from doctors over 1,000 reports associated with almost 200 medicinal products.

There is good evidence to suggest that the antibiotic drugs chloramphenicol and phenylbutazone, which are used in veterinary practice, cause aplastic anaemia in those humans sensitive to their effects. Chloramphenicol is only administered in life-threatening conditions where no suitable alternative exists.

Health Authorities (Meetings)

Mr. Tony Lloyd: To ask the Secretary of State for Health if he will list the district health authorities in *(a)* the north western region and *(b)* the Mersey region which meet on a bi-monthly basis.

Mr. Mellor: The following district health authorities meet formally on a bi-monthly basis:

(a) north western region
Blackpool, Wyre and Fylde Health Authority
Bury Health Authority
Tameside and Glossop Health Authority

(b) Mersey region
Southport and Formby Health Authority[1]
South Sefton Health Authority
Wirral Health Authority
Chester Health Authority

[1] This year the health authority will meet in both April and May.

Regrading

Mr. Tony Lloyd: To ask the Secretary of State for Health what is the number of *(a)* midwives and *(b)* nurses on different grades following the regrading exercise.

Mr. Mellor: I refer the hon. Member to the reply by my right hon. and learned Friend, the Secretary of State, to the hon. Member for Staffordshire, Moorlands (Mr. Knox) on 28 November 1988 at column *147-8*.

Health Authorities (Representatives)

Mr. Tony Banks: To ask the Secretary of State for Health if he will provide details of the numbers of local authority representatives on each district health authority in England and Wales.

Mr. Mellor: This information is available in the National Health Service (Constitution of District Health Authorities) Order 1981 (as amended)—SI 1981:1838.

HEALTH

Health Authority Funding

Mr. Nicholas Winterton: To ask the Secretary of State for Health (1) whether he has any information concerning the amount of funding transferred by each regional health authority in the latest year for which figures are available from the mental health services budget to the acute services budget;

(2) whether his Department has issued any guidelines to regional health authorities concerning the transfer of funds from the mental health budget to the acute services budget following the closure of mental hospitals as part of the community care programme.

Mr. Mellor: It is for health authorities to determine what proportion of their resources to devote to the various services that they provide. Within a national framework of health care priorities, they have to determine, in the light of local needs and circumstances, how their resources can best be used.

No guidelines have been issued to regional health authorities concerning the transfer of funds between budgets and it is not possible to assess, from information available centrally, the extent to which such transfers may have taken place.

Health authorities are required to ensure that receipts from the sale of land at mental illness and mental handicap hospitals are specifically used to develop services for the mentally ill and mentally handicapped.

Residential Homes (North-West)

Mr. Tony Lloyd: To ask the Secretary of State for Health what is the number of residential homes established in the north western region for each of the last four years, by local authority district.

Mr. Freeman: Information is not readily available in the form requested. The total number of residential homes for elderly and younger physically handicapped people in the north western region by local authority for the years ending 31 March 1984 to 1986 is published in "Residential Accommodation for Elderly and Younger Physically Handicapped People: All Residents in Local Authority, Voluntary and Private Homes year ending 31 March 1981 to year ending 31 March 1986 England". The total number of homes and hostels for mentally ill and mentally handicapped people is published annually in "Homes and Hostels for Mentally Ill and Mentally Handicapped People at 31 March England". Copies of these publications are available in the Library. Provisional information for 1987 is given in the table.

Number of residential care homes in North Western Region, by local authority, as at 31 March 1987 (Provisional)

Local authority	*Elderly and younger physically handicapped*	*Mentally ill*[1]	*Mentally handicapped*[1]	*Other client groups*[2] [3]
Cheshire	138	27	32	1
Lancashire	581	17	55	0
Bolton	44	2	6	0
Bury	25	1	4	0
Manchester	102	23	45	1
Oldham	49	5	7	0
Rochdale	33	2	5	0
Salford	36	6	8	0
Stockport	59	12	17	0
Tameside	34	2	5	0
Trafford	60	6	6	0
Wigan	32	8	9	0
Knowsley	9	3	4	0
Liverpool	75	14	10	2
Sefton	151	5	15	0
St. Helens	13	1	4	0
Wirral	91	13	25	1
Total	1,532	147	257	5

[1] Includes unstaffed homes and hostels.
[2] Collected from 1987 onwards.
[3] Includes alcohol and drug misusers.

Test Census

Mr. Rooker: To ask the Secretary of State for Health what were the criteria used for selecting the parliamentary constituencies referred to in his answer of 10 January, *Official Report*, column *603*, in respect of the test census in 1989.

Mr. Freeman: The main criteria in selecting areas for the 1989 census test were to ensure that they would cover varying circumstances that would be encountered in a full census in 1991 and provide a thorough test of the response of the public to a question on ethnic group.

In order to make sure that the procedures for delivering and collecting census forms will be effective a test covering a few relatively large areas is preferable to one including many small areas. Areas where recent census tests have been held were avoided.

The precise areas selected were local authority wards as they existed at the time of the 1981 census. The parliamentary constituencies are those including the selected wards.

Listeria

Mr. Hinchliffe: To ask the Secretary of State for Health (1) what action he is taking following the publication of the survey by Bristol environmental department, a copy of which has been sent to him, which indicates that listeria monocystogenes affected one in every 15 samples of pre cooked-chilled chicken;

(2) what information he has as to the proportion of cook-chill food bought from supermarkets which is potentially fatal as a result of the presence of listeria, and what steps he is taking to reduce this proportion.

Mr. Freeman: At the request of the Department, the public health laboratory service has been undertaking a national survey of cooked and chilled foods. The results of this survey are expected shortly. Meanwhile, the Ministry of Agriculture, Fisheries and Food has commissioned studies into the temperature sensitivity of listeria monocytogenes and both the Department and the Ministry are working together with retail and manufacturing sectors of industry to consider optimal production methods for these foods.

Where a product has actually been identified as contaminated the local environmental health officers will take appropriate action in the usual way.

A statement was issued by the Department on 12 January and this has been copied to chief environmental health officers of local authorities. A copy has been placed in the Library.

Mr. Hinchliffe: To ask the Secretary of State for Health if, in the light of new evidence of the presence of listeria in a substantial proportion of cook-chill food, he will now order the immediate suspension of the implementation of cook-chill catering in hospitals.

Mr. Freeman: No. The recent survey by Bristol environmental health department did not find listeria in any hospital produced cook-chill food. The one positive result came from a purchased previously prepared product that would have been subjected to further testing and processing before being released for consumption.

Children (Safety)

Ms. Richardson: To ask the Secretary of State for Health whether he will introduce regulations for privately-run holiday schemes and privately run out-of-school schemes to provide for the safety of children.

Mr. Mellor: I have no power to make such regulations under present legislation but I refer the hon. Member to my reply to her question on amendments to the Children Bill today.

Childcare

Ms. Richardson: To ask the Secretary of State for Health what representations he has received on his proposal to seek to amend the Children Bill so as to deregulate child care facilities; and if he will make a statement.

Mr. Mellor: The Government proposed in the White Paper "The Law on Child Care and Family Services" that registration requirements should not extend to private arrangements where people look after children aged over five. The Government have announced that they will table amendments to the Children Bill to amend the Nurseries and Childminders Regulation Act 1948. These will rationalise the provisions regulating private and voluntary facilities for day care, short stay and holiday arrangements for children up to age 16.

Present provisions relating to children aged five to 16 are not well understood or enforced. Following consultation in 1988 the intention is for registration and regulation to be retained only for certain residential facilities and for it to be clarified so that it can be more readily enforced. When the amendments have been published we will of course consider representations made on them.

Ms. Richardson: To ask the Secretary of State for Health what representations he has received from the Chair of the Equal Opportunities Commission on his proposal to seek to amend the Children Bill so as to deregulate child care facilities.

Mr. Mellor: I received a letter on 10 January on this subject.

Nurses

Mr. Corbyn: To ask the Secretary of State for Health if he will list by health authority the number of state enrolled nurses, state registered nurses and auxiliaries *(a)* in post and *(b)* vacancies for each year since 1983.

Mr. Mellor *[holding answer 12 December 1988]:* The numbers of registered and enrolled nurses and nursing auxiliaries in each regional health authority at 30 September 1983, 1984, 1985, 1986 and 1987 are given in the tables.

National Health Service registered nurses[1]
30 September each year

Whole-time equivalents[2]

Region	*1983*	*1984*	*1985*	*1986*	*1987*
1. Northern RHA	10,270	10,500	10,950	11,260	11,560
2. Yorkshire RHA	11,090	11,460	11,890	12,110	12,640
3. Trent RHA	13,050	13,470	14,200	14,640	15,340
4. East Anglian RHA	5,710	5,960	6,250	6,350	6,610
5. North West Thames RHA	11,760	12,160	12,150	12,150	11,700
6. North East Thames RHA	13,440	13,460	13,830	14,000	14,340
7. South East Thames RHA	12,600	12,590	12,820	13,200	13,370
8. South West Thames RHA	10,110	10,090	10,190	10,130	10,080
9. Wessex RHA	8,860	9,090	9,420	9,610	9,820
10. Oxford RHA	6,900	7,330	7,530	7,650	7,940
11. South Western RHA	10,190	10,290	10,700	10,870	11,200
12. West Midlands RHA	15,120	15,400	15,980	16,570	17,220
13. Mersey RHA	7,980	7,940	8,220	8,350	8,420
14. North Western RHA	14,090	14,590	15,170	15,550	15,640
20. London PG(T)	2,430	2,200	2,430	2,400	2,420
London Ambulance Service	—	—	—	[3]—	[3]—
Other statutory authorities	—	—	—	—	10

Region	1983	1984	1985	1986	1987
ENGLAND TOTAL	153,610	156,330	161,730	164,840	168,310

[1] Includes district nurses and health visitors; excludes agency staff. Includes staff in "Other statutory authorities" (for example, Public Health Laboratory Service and the Health Education Authority) not previously collected in annual manpower censuses. Figures are therefore not directly comparable with those for earlier years.
[2] All figures are independently rounded to the nearest ten (10) whole-time equivalents.
[3] Figures less than 10.
Source: Department of Health annual census of National Health Service non-medical manpower.

National Health Service enrolled nurses 30 September each year

Whole-time equivalents[1]

Region	1983	1984	1985	1986	1987
1. Northern RHA	5,460	5,530	5,640	5,650	5,670
2. Yorkshire RHA	5,740	5,830	5,980	5,950	5,880
3. Trent RHA	6,760	6,920	7,180	7,190	7,190
4. East Anglia RHA	2,330	2,470	2,570	2,620	2,670
5. North West Thames RHA	4,520	4,690	4,720	4,580	4,340
6. North East Thames RHA	5,770	5,750	5,760	5,560	5,510
7. South East Thames RHA	5,200	5,180	5,210	5,220	5,140
8. South West Thames RHA	4,080	4,080	4,080	3,930	3,790
9. Wessex RHA	3,290	3,350	3,390	3,380	3,370
10. Oxford RHA	2,430	2,540	2,580	2,600	2,600
11. South Western RHA	4,380	4,390	4,520	4,590	4,570
12. West Midlands RHA	7,470	7,620	7,840	7,810	7,870
13. Mersey RHA	4,570	4,630	4,710	4,680	4,490
14. North Western RHA	6,950	7,230	7,300	7,260	7,140
20. London PG(T)	1,060	1,000	930	920	820
ENGLAND TOTAL	70,020	71,210	72,400	71,930	71,050

[1] All figures are independently rounded to the nearest ten (10) whole-time equivalents.
Source: Department of Health annual census of NHS non-medical manpower.

National Health Service ancillary staff[1]
30 September each year

Whole-time equivalents[2]

Region	1983	1984	1985	1986	1987
1. Northern RHA	5,880	5,720	5,810	5,930	6,090
2. Yorkshire RHA	6,790	6,690	6,790	6,860	6,800
3. Trent RHA	8,670	8,630	9,020	9,170	9,340
4. East Anglian RHA	3,900	3,820	3,940	3,940	4,020
5. North West Thames RHA	5,360	4,980	5,010	5,250	5,270
6. North East Thames RHA	6,430	6,240	6,280	6,190	6,420
7. South East Thames RHA	6,570	6,220	6,110	6,050	6,290
8. South West Thames RHA	5,710	5,560	5,590	5,550	5,580
9. Wessex RHA	6,150	6,210	6,400	6,520	6,620
10. Oxford RHA	4,140	4,170	4,070	4,070	4,110
11. South Western RHA	7,080	7,090	7,300	7,420	7,650
12. West Midlands RHA	10,360	10,160	10,480	10,410	10,610
13. Mersey RHA	5,740	5,480	5,610	5,590	5,570
14. North Western RHA	8,800	8,620	8,730	8,810	8,890
20. London PG (T)	620	550	520	510	720
ENGLAND TOTAL	92,200	90,160	91,640	92,250	93,990

[1] Includes all unqualified nursing staff but excludes agency staff.
[2] All figures are independently rounded to the nearest ten (10) whole-time equivalents.
Source: Department of Health annual census of National Health Service non-medical manpower.

Information about vacancies is not collected by the Department. However, a sample survey for the pay review body showed the proportion of nursing and midwifery staff posts at 31 March each year which had been vacant for three months or more as:

	Percentage
1984	2·5
1985	2·5
1986	3·2
1987	3·5

SOCIAL SECURITY

Regional Organisation

Mr. Norris: To ask the Secretary of State for Social Security if he is yet in a position to make a full announcement of his plans for implementing the recommendations of the report of the regional organisation scrutiny team.

Mr. Moore: In my reply to my hon. Friend the Member for Lancashire, West (Mr. Hind) on 12 December 1988, at column *458*, I said that plans for moving some work from 21 local offices in London were under consideration. We

have now decided to go ahead with moving from those offices all work that does not need face-to-face contact with the public. All of these 21 offices will remain open and continue to provide a service to callers. Indeed, we intend to improve the network of offices by opening new offices in areas not previously served.

New Social Security centres to handle the relocated work will be set up in Glasgow, Belfast and Wigan. This means that we shall be creating over 1,000 jobs in parts of the United Kingdom where they will make a major contribution to our stated policy of encouraging economic development outside London and the south-east.

This project is a major initiative which allows us to address the serious problems that we face in London in delivering the standard of service that we would all like to see. Our staff in London do hard and dedicated work; but we have great difficulties over recruiting and retaining staff. Moving some work to areas of the country where we shall have a more stable workforce will allow us to offer a speedier and more accurate service. By relieving pressure on our London staff will also allow them to offer a better face-to-face service to our customers. I am therefore convinced that this initiative represents a major contribution to improving the service that we give our customers.

The report made a total of 54 recommendations for improving the way the regional organisation delivers its service. An action plan covering all the recommendations has now been produced. Copies of the action plan, and of a detailed information pack on the relocation project, have been placed in the Library.

Pensioners (Nottingham)

Mr. Allen: To ask the Secretary of State for Social Security how many pensioners in Nottingham are in receipt of housing benefit transitional payments.

Mr. Peter Lloyd: The information is not available in the form requested. The transitional payments unit can provide details of the number of recipients in certain groups only within the area of individual local authorities. As Nottingham is covered by more than one local authority, in various surrounding areas, we cannot provide these figures. Once the majority of payments have been made, we will publish national figures showing a breakdown of the numbers of payments made to people in each local authority.

Ministerial Advisers

Mr. Cryer: To ask the Secretary of State for Social Security if he will list the ministerial advisers appointed in his Department for each year since 1979, the salary each person received, whether paid directly or to another employer, and the duties undertaken, whether solely in his Department or in conjunction with other Departments; and if he will make a statement.

Mr. Moore: Since 1979 special advisers were appointed to the Department of Health and Social Security as follows:

Name	*Date of appointment*
Professor R. Dyson	August 1979
Mr. N. True	May 1982
Mr. A. J. Turner	February 1987
Mr. C. Hendry	May 1988
Miss M. Libby	May 1988

Following the creation of two separate Departments of State in July 1988 Miss Libby was appointed to the Department of Social Security.

It is not our practice to reveal the salaries of individual advisers as they are individually negotiated in relation to previous outside earnings and conditions and are therefore confidential. Except for Professor Dyson who was seconded into the Department of Health and Social Security for one day per week, all salaries were paid direct to the individual adviser. Professor Dyson's employer was reimbursed on a pro-rata basis for his services.

With the exception of Professor Dyson who was employed as a consultant adviser on industrial relations in the National Health Service, all advisers were employed on duties laid down by the Minister they served, solely in the Department.

Income Support

Mr. Tony Banks: To ask the Secretary of State for Social Security if he will amend regulation 8(4) of the Income Support (Transitional) Regulations 1987 to make the higher pensioner premium or disability premium available to claimants who have ceased to be entitled to mobility allowance or invalidity pension solely on account of their age.

Mr. Scott: No-one has reached the upper age limit for mobility allowance. People in receipt of the higher pensioner premium when they reach the upper age limit for invalidity pension retain entitlement to that premium. We have no plans at the present time to extend this premium to people who were not in receipt of the higher pensioner premium when they reached the limit.

Benefits and Allowances

Mr. Tony Banks: To ask the Secretary of State for Social Security what was the average length of time from receipt of claim to issuing of a decision for the following benefits during the last year for which statistics are available and in what percentage of those claims the period in question exceeded four weeks; attendance allowance, child benefit, family credit, guardians allowance, industrial disablement benefits, invalid care allowance, mobility allowance, retirement pension, severe disablement allowance, war pensions and widows benefits.

Mr. Peter Lloyd: Based on the latest available data the average time between the date of claim and when a decision on the claim is made is as follows:

	Time
Attendance Allowance	7.6 weeks
Child Benefit	
New Claims	
straightforward[1]	5.96 days
non-straightforward[2]	13.15 days
Supplementary claims	
straightforward[1]	4.91 days
non-straightforward[2]	10.84 days
Family Credit	22.9 days
Invalid Care Allowance	17.0 weeks

	Time
Mobility Allowance	7.5 weeks
War Pensions	27.5 weeks

[1] Claims processed by computer.
[2] Claims processed clerically.

I regret that information is not available for the other benefits mentioned nor about the percentage of claims cleared within four weeks.

Family Credit

Mr. Tony Banks: To ask the Secretary of State for Social Security by what date he expects family credit claims to be dealt with within the statutory time limit of 14 consecutive days.

Mr. Peter Lloyd: I assume that the time limit to which the hon. Member refers is that contained in section 99(1) of the Social Security Act 1975. This provides that

> "99—(1) An adjudication officer to whom a claim or question is submitted under section 98 shall take it into consideration and, so far as practicable, dispose of it in accordance with this section, and with procedure regulations under section 115, within 14 days of its submission to him."

A claim for family credit is not normally submitted to an adjudication officer until all the evidence about the claim has been gathered. Claims are then determined by the adjudication officer, on average, within five days.

Pensioners (Second-hand Clothes)

Mr. Winnick: To ask the Secretary of State for Social Security if the price of second-hand clothes bought at jumble sales by pensioners is taken into account in the setting of local social security payments.

Mr. Peter Lloyd: The income support personal allowances and premiums are set nationally, at a level intended to provide for all normal day-to-day living expenses including the purchase and replacement of clothing. It is for individuals to spend their benefit as they see fit in the light of their personal needs and preferences.

EMPLOYMENT

Training and Enterprise Councils

Mr. Clelland: To ask the Secretary of State for Employment what total annual budget he envisages for the 100 training and enterprise councils outlined in the White Paper "Employment for the 1990s".

Mr. Cope: "Employment for the 1990s" indicated that the annual budget to each TEC would range between £15 million and £50 million, depending on the size of the TEC. Most of the budget would be programme money but it also included costs of administration.

Tourism Review Committee

Mr. Allen: To ask the Secretary of State for Employment when he will consider the final report of the Tourism Review Committee.

Mr. Cope: My right hon. Friend has received the report of the tourism review at the end of last year and is currently considering it.

Opencast Coal Mines

Mr. Batiste: To ask the Secretary of State for Employment what action he is taking, in the light of the report of Her Majesty's principal district inspector of mines and quarries on the flooding of St. Aidan's opencast coal site to *(a)* identify other sites of potential risk and *(b)* implement the inspector's principal recommendation to establish a standard form of stability analysis.

Mr. Nicholls: The Health and Safety Executive's mines and quarrries inspectorate has carried out a survey of all sites nationally and identified those where working was planned in the vicinity of water courses. Where necessary preventive and advisory action has taken place. Work has already started to implement HSE's recommendations by drafting a code of practice incorporating best current technical procedures and also clearly identifying areas of responsibility.

Ministerial Advisers

Mr. Cryer: To ask the Secretary of State for Employment if he will list the ministerial advisers appointed in his Department for each year since 1979, the salary each person received, whether paid directly or to another employer, and the duties undertaken, whether solely in his Department or in conjunction with other Departments; and if he will make a statement.

Mr. Fowler: The following list shows the ministerial advisers appointed or on secondment to the Employment Department since 1979. It is not our practice to reveal the salaries of individual advisers as they are individually negotiated in relation to previous outside earnings and are therefore confidential. The duties of each adviser were as laid down by the employing Minister and were for Employment Ministers only.

List of Ministerial advisers in the Employment Department since 1979

1979 Mr. T. A. G. Davis
Mr. R. J. Shepherd
1982 Mr. M. J. Dobbs *(on secondment)*
1984 Mr. R. A. Ehrman
1985 Mr. H. James *(on secondment)*
1986 Mr. J. H. Hill
1987 Mr. W. M. Lightfoot

Labour Statistics

Mr. Lofthouse: To ask the Secretary of State for Employment how many people under the age of 21 years are currently unemployed in the Pontefract and Castleford constituency.

Mr. Lee: Following is the available information, which is also in the Library. Unemployment figures are not available for the requested age group. However, in October 1988, the latest available date, the number of unemployed claimants aged under 20 in the Pontefract and Castleford parliamentary constituency was 416.

Mr. Lofthouse: To ask the Secretary of State for Employment what is the current level of unemployment in the Pontefract and Castleford constituency.

Mr. Lee: The information is in the Library. In November 1988 there were 4,244 unemployed claimants in Pontefract and Castleford parliamentary constituency.

Mr. Gill: To ask the Secretary of State for Employment what has been the rate of change in the unemployment figures relative to the number of notified vacancies over the last 12 months; and if he will make a statement.

Mr. Lee: The table shows seasonally adjusted unemployment and seasonally adjusted unfilled vacancies at jobcentres in the United Kingdom for November 1987 and 1988 with the percentage change over the period.

	November		
Seasonally adjusted	*1987 (thousands)*	*1988 (thousands)*	*Percentage change*
Unemployed claimants[1]	2,604·4	2,108·6	−19·0
Unfilled vacancies[2]	265·1	244·9	−7·6

[1] Consistent with current coverage.
[2] Recent research shows that, nationally, only about a third of vacancies are notified to jobcentres.

Health and Safety Executive Factory Inspectors

Mr. Allen: To ask the Secretary of State for Employment how many Health and Safety Executive factory inspectors have been employed *(a)* as a whole and *(b)* on factory visits for each year since 1979 (i) in the Nottingham area and (ii) in the east midlands; and if he will make a statement.

Mr. Nicholls: The Health and Safety Executive's factory inspectors operate through an area office network. The numbers of factory inspectors based at the north midlands and east midlands area offices since 1979 are as follows:

	Area location	
	North Midlands (Nottingham)	*East Midlands (Northampton)*
1979	29	29
1980	31	29
1981	30	26
1982	29	24
1983	26	23
1984	25	23
1985	27	23
1986	23	25
1987	23	26
1988	21	24·5
1989[1]	21	25

All factory inspectors employed at the Health and Safety Executive's area offices undertake factory visits.

For 1988-89 the Government increased provision to the commission by £6·7 million gross above the level previously planned. In 1989-90 planned provision will be enhanced by a further £8·8 million gross, allowing for gross expenditure of £118·3 million. The planned provision for 1989 to 1992 allows for real growth in the Health and Safety Executive's activities over the next three years. This will enable the executive to increase the number of inspectors including factory inspectors.

Unemployment Benefit

Dr. David Clark: To ask the Secretary of State for Employment how many people *(a)* within South Shields and *(b)* nationally had their unemployment benefit stopped because they were considered to be not available for work in the period from January to September.

Mr. Lee *[holding answer 22 December 1988]:* Information is not available in the precise form requested. However, for the period 1 January 1988 to 30 June 1988, 2,424 cases were considered in the adjudication office area which includes the town of South Shields, because of doubts about availability. From 3 March 1988 not all cases of doubt led to benefit being withheld pending a decision. Between 1 July 1988 and 30 September 1988, 2,164 cases were considered.

It is not possible to provide national figures up to September. However, for the period 1 January 1988 to 30 June 1988, the total number of cases considered due to doubts about availability was 123,606.

CIVIL SERVICE

Agencies

130. **Mr. Evennett:** To ask the Minister for the Civil Service if there has been further progress in setting up Civil Service agencies; and if he will make a statement.

Mr. Luce: I refer my hon. Friend to the reply I gave earlier today to my hon. Friend the Member for the Isle of Wight (Mr. Field).

Mr. Thurnham: To ask the Minister for the Civil Service if he will make a statement on current progress towards the setting up of agencies within the Civil Service.

Mr. Luce: Since I last spoke to the House on this subject on 5 December 1988, Her Majesty's Stationery Office has been launched as an agency bringing the total of agencies which have been set up to three. Around 30 other candidates for agency status have been announced as under active consideration, and I expect more to be announced.

Civil Service Unions

129. **Ms. Quin:** To ask the Minister for the Civil Service when he last met representatives of the Civil Service unions; and what was the content of the discussions.

131. **Mr. Wareing:** To ask the Minister for the Civil Service when he last met the Civil Service unions; and what subjects were discussed.

134. **Mr. Favell:** To ask the Minister for the Civil Service when he last met leaders of the Civil Service unions; and what subjects were discussed.

Mr. Luce: I have meetings from time to time with representatives of Civil Service trade unions both centrally and during visits to Civil Service establishments. A wide variety of matters are raised.

Child Care Facilities

132. **Mr. Gerald Bowden:** To ask the Minister for the Civil Service what steps he is taking to improve child care facilities for civil servants.

Mr. Luce: The Civil Service is developing child care facilities to help staff deal with work and domestic responsibilities, thereby putting it in a position to compete with other employers in recruiting and retaining skilled and experienced staff who will be in short supply as a result

of the demographic changes in the 1990s. Some nursery facilities for under-fives are among the schemes under consideration. A number of holiday playschemes for school age children are already in operation and more are planned. An interdepartmental scheme will start in central London in the spring. There are also some local departmental schemes to help parents find good childminders. My officials are providing practical advice to Departments where required.

Environmental Policies

133. **Mr. Corbyn:** To ask the Minister for the Civil Service what action is being taken to ensure that the Civil Service uses recycled paper and does not use rare tropical timber; and if he will make a statement on his Department's environmental policies.

Mr. Luce: A working party representing the paper industry and public sector users is encouraging use of recycled paper where this is cost effective, and HMSO publicises its availability. However, supplies of good quality waste are limited and recycled paper can be up to 50 per cent. more expensive than general purpose paper produced from virgin pulp. Imported wood pulp includes only small amounts from tropical countries, mainly from specially planted eucalyptus.

It is my Department's practice to participate in those environmental initiatives applicable to Government Departments in general.

AGRICULTURE, FISHERIES AND FOOD

Eggs

Sir Eldon Griffiths: To ask the Minister of Agriculture, Fisheries and Food, what is his estimate of the loss to cereal farmers arising from reduced sales to chicken and egg producers as a result of the recent fall in demand for eggs; and what plans he has to compensate feed wheat growers for this loss.

Mr. Ryder: There is no evidence that the recent fall in demand for eggs has had a significant effect on the ex-farm price of wheat. The level of ex-farm prices is determined by the level of demand in the market as a whole, including demand for exports, and not by demand in any particular sector.

Mr. Allen: To ask the Minister of Agriculture, Fisheries and Food if he will take steps to introduce clearer markings on eggs or egg containers to indicate to consumers whether the egg was produced by battery or free range methods.

Mr. Donald Thompson: Eggs produced under alternative systems are already marketed in packs bearing the terms "free-range eggs", "semi-intensive eggs", "perchery eggs (barn eggs)" or "deep litter eggs". Consumers may reasonably assume that packs not carrying one of these terms contain eggs which have been produced in a battery.

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food whether the European Community has given approval for the introduction of the aid scheme to the egg industry announced on 19 December 1988; and if he will make a statement.

Mr. MacGregor: Before introducing these measures, I explained to Mr. Andriessen (then Commissioner for Agriculture) the exceptional occurrences which necessitated them. I have since sent the Commission details of the schemes, which the Government consider to fall within the terms of article 92(2)(b) of the treaty of Rome.

Mr. Ron Davies: To ask the Minister of Agriculture, Fisheries and Food how many egg packers have received compensation under the scheme he announced on 19th December 1988; what have been the maximum and minimum levels of compensation; what has been the average compensation payment; and what is the total amount of compensation paid to date.

Mr. Ryder *[holding answer 13 January 1989]:* So far 221 payments totalling £482,450 have been made to egg packers in the United Kingdom. Payments ranged from £90 to £45,810 with an average of £2,183. A considerable number of applications have yet to be processed to the payment stage.

Mr. Ron Davies: To ask the Minister of Agriculture, Fisheries and Food how many inspections of poultry farms in each of the last five years revealed salmonella enteritidis in the laying stock; and how many revealed salmonella strains other than salmonella enteritidis.

Mr. Donald Thompson *[holding answer 13 January 1989]:* The Zoonoses Order 1975 requires isolations of salmonella including in laying flocks to be reported. During 1988 there were 20 reports of the isolation of salmonella enteritidis in commercial table egg producing flocks. It is not possible to identify separately how many isolations of salmonella in laying flocks other than salmonella enteritidis were reported in 1988.

As regards comparable information for previous years it is not available without disproportionate cost.

Civil Defence College

Mr. Redmond: To ask the Minister of Agriculture, Fisheries and Food what were the posts, ranks and responsibilities of those attending the North Atlantic Treaty Organisation central supplies agency study held at the civil defence college in June 1984.

Mr. Ryder: The arrangements for hosting the NATO study in June 1984 were undertaken by my Department. Details of the proceedings, including those attending are subject to NATO security classification and I am therefore unable to provide this information.

Water

Mr. Wigley: To ask the Minister of Agriculture, Fisheries and Food on how many occasions his Department has after 31 March 1978 made an order under section 19(7) of the Water Act 1973, in relation to applications made to him for an option charges order, giving the date of any such order and the location to which it applied.

Mr. Ryder: The power was replaced by section 62 of the Land Drainage Act 1976 but nevertheless has not been used.

Mr. Wigley: To ask the Minister of Agriculture, Fisheries and Food what directions he has issued to a water authority under the provisions of section 24(11) of the Water Act 1973, since the implementation of that Act, giving details of the date and circumstances of any such order.

Mr. Ryder: No directions have been given.

Deer (TB)

Mr. David Clark: To ask the Minister of Agriculture, Fisheries and Food if he will list the organisations which have been invited to nominate representatives to form an advisory group to consider controlling tuberculosis in deer; and if he will make a statement.

Mr. Donald Thompson: My officials have written to the following organisations inviting them to nominate representatives to form an advisory group to consider setting up a deer health scheme:

British Deer Society
British Deer Producers Society Ltd.
British Deer Farmers Association
National Farmers Union
British Veterinary Association
Royal College of Veterinary Surgeons

The purpose of the deer health scheme will be to establish a pool of tuberculosis-free herds in Great Britain. It is not the aim of the scheme to control tuberculosis in deer. Control will be by means of the new legislative measures I announced in my statement of 15 December 1988 at columns *674-675*.

Mr. David Clark: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement about the details of his proposals for an industry funded programme for the compulsory slaughter of tuberculosis infected deer.

Mr. Donald Thompson: In response to calls from industry for compulsory slaughter I have suggested that it might consider the possibility of an industry funded programme. Whether to proceed with such a programme, and the details of it, would depend partly on the industry's response.

Mr. David Clark: To ask the Minister of Agriculture, Fisheries and Food from how many organisations he is awaiting a response about the possibility of his Ministry introducing an industry-funded compulsory slaughter programme for deer infected with tuberculosis; and if he will make a statement.

Mr. Donald Thompson: My officials have written to 13 organisations in England and Wales about the measures which the Government propose to introduce and also referring to the request to the deer farming industry to consider the possibility of an industry-funded slaughter programme. A similar letter has been sent to two organisations in Scotland. The letters invited comments from the organisations consulted. Four have replied so far; responses from the others are awaited.

Ministerial Meetings

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food how many meetings he or his ministerial colleagues have had in 1988 with *(a)* the National Farmers Union, *(b)* the Royal Society for the Protection of Birds, *(c)* the Council for the Protection of Rural England, *(d)* the Royal Society for Nature Conservation, *(e)* the World Wide Fund for Nature, *(f)* the Friends of the Earth, *(g)* the National Consumer Council, *(h)* Consumers in the European Community Group, *(i)* the London Food Commission, and *(j)* the United Kingdom Agricultural Supply Trade Association.

Mr. MacGregor: Ministers in my Department have contact with a vast number of organisations and individuals. These contacts include many with similar interests to those listed in the question, but also inevitably go much wider than this.

The number of identifiable formal ministerial meetings which Ministers had during 1988, which included the national representatives of the organisations listed was: *(a)* 37, *(b)* 4, *(c)* 2, *(d)* 0, *(e)* 0, *(f)* 0, *(g)* 2, *(h)* 0, *(i)* 1, *(j)* 7. However, these meetings form just a small part of the very wide ranging contacts which my Ministers and officials have all over the country with these and other organisations.

Bovine Somatotropin

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food when he expects the field trials on bovine somatotropin, being conducted by two pharmaceutical companies, to cease; and if he will make a statement.

Mr. Donald Thompson: This is primarily a matter for the pharmaceutical companies involved who are responsible for generating the data needed to support applications for product licences.

Meat Inspectors

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food how many meat inspectors he has employed in each year since 1980; and if he will make a statement.

Mr. Donald Thompson: None. Meat inspection is the statutory responsibility of local authorities (district councils) which are required to appoint sufficient meat inspectors to carry out the duties required of them by the regulations.

Slaughterhouses (Hygiene)

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food what action he is taking to improve hygiene standards in slaughterhouses; and if he will make a statement.

Mr. Donald Thompson: The maintenance of hygiene standards in slaughterhouses is the statutory responsibility of local authorities (district councils). Officials of the Ministry's state veterinary service visit all slaughterhouses to give advice on the standards to be achieved. In preparation for the single market after 1992 we are discussing with other EC member states the implementation of a single set of rules for all slaughterhouses throughout the European Community.

Mr. Hinchliffe: To ask the Minister of Agriculture, Fisheries and Food if he will take steps to ensure that standards of hygiene, and the possibility of inspection, in British slaughterhouses are not adversely affected by increases in the rate of slaughter.

Mr. Donald Thompson: Enforcement of slaughterhouse hygiene and meat inspection legislation is the responsibility of local authorities. They have the duty to ensure that all meat sold for human consumption is produced under hygienic conditions and has been inspected and passed as fit for human consumption.

Sheep (Radiation)

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food if any restrictions are place on the movement of sheep in farms in north Yorkshire as a result of the Chernoby accident under the Food and Environment Protection Act 1985; and if he will make a statement.

Mr. Donald Thompson: Extensive monitoring of sheep in north Yorkshire in 1987 revealed two breeding ewes above the level of 1,000 Bequerrels of radiocaesium per kilogramme. The animals were not destined for the food chain, but as a precaution, I served a direction on the owner of the flock preventing the movement of sheep out of the flock without my express permission. The direction remains in force.

Ministerial Advisers

Mr. Cryer: To ask the Minister of Agriculture, Fisheries and Food if he will list the ministerial advisers appointed in his Department for each year since 1979, the salary each person received, whether paid directly or to another employer, and the duties undertaken, whether solely in his Department or in conjunction with other Departments; and if he will make a statement.

Mr. MacGregor: The special advisers appointed in this Department since May 1979 are:

Mr. T. Boswell (part-time)	May 1984-November 1986
Mr. R. Gueterbock	February 1988-Date

It is not our practice to reveal the salaries of individual advisers, as they are individually negotiated in relation to previous outside earnings and are therefore confidential. Special advisers in this Department assist the Minister and junior Ministers in the presentation of the Government's policies for which the Department is responsible.

Aflatoxins

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food whether he intends to introduce a legal limit on the level of aflatoxins permitted in food; and if he will make a statement.

Mr. Ryder: Following a recommendation by the Food Advisory Committee regulations are currently being drafted placing a limit of 10 microgrammes/kilogram on the level of aflatoxins in nuts and nut products.

Butter (Storage and Sale)

Mr. Teddy Taylor: To ask the Minister of Agriculture, Fisheries and Food what estimate he has made of the cost to European Economic Community and to national Government funds, respectively, of the sale of 887,105 tons of butter from public storage and of the storage aid of 264,000 tons in private storage in the period from 1 November 1987 and 31 October 1988.

Mr. Donald Thompson: The loss on the sale of 887,105 tonnes of butter from Community intervention between 1 November 1987 and 31 October 1988 is estimated at approximately 2,145 mecu. The cost of granting private storage aid to 264.000 tonnes of butter in 1988 is estimated at approximately 70 mecu, on the assumption that all butter remained in store for the maximum 180 days. Expenditure in both these areas is met from Community funds, partly on the basis of deferred reimbursement.

Milk Quota Scheme

Mr. Teddy Taylor: To ask the Minister of Agriculture, Fisheries and Food what has been the cost to the European Community and to national Governments of the sums paid to farmers for not producing milk, under the milk quota scheme, in each year since the commencement of the scheme.

Mr. Donald Thompson: Until the 1987-88 milk quota year there was no provision for the Community to finance withdrawal from milk production. Community provision for the cost of the outgoers scheme and permanent quota cuts agreed in 1986 and the United Kingdom share of this provision to date are as follows:

	Total cost to EC budget		*Expenditure in the United Kingdom*	
	Mecu	*£ million*	*Mecu*	*£ million*
1987-88	129	82	18·9	12·0
1988-89	194	123	28·3	18·0

The provision made to compensate for the temporary suspensions of quota agreed at the same time is as follows:

	Total cost to EC budget		*Expenditure in the United Kingdom*	
	Mecu	*£ million*	*Mecu*	*£ million*
1987-88	416	264	61·3	39·0
1988-89	572	381	84·3	56·1

All the expenditure provided for is fully financed from the Community budget.

Member states may make separate provision to compensate producers for total or partial withdrawal from milk production. Expenditure in the United Kingdom under these arrangements has been as follows:

	£ million
1984-85	5·0
1985-86	9·6
1986-87	9·5
1987-88	11·1
[1]1988-89	11·7

[1] Estimated.

Information on spending on national schemes by other member states is not available.

Community measures to compensate for the reduction or cessation of milk production are an essential part of a programme to reduce the total amount of milk produced in the Community. The full cost of these Community measures over seven years will be some 1·4 billion ecu. At current disposal costs, the extra spending arising from the continued production of a corresponding amount of milk would be 3·6 billion ecu.

Butter Sales

Mr. Teddy Taylor: To ask the Minister of Agriculture, Fisheries and Food if he will publish a table showing the total amount of butter sold from EEC public intervention storage of butter in each of the five years previous to the period 1 November 1987 to 31 October 1988.

Mr. Donald Thompson: The information requested is most readily available on a calendar year basis. The amounts of butter sold out of EC intervention stores in calendar years 1982-1987 were as follows:

Year	*Tonnes (to nearest 100 tonnes)*
1982	49,600
1983	57,100
1984	357,200
1985	336,200
1986	367,300
1987	811,400

Source: EC Commission.

Food and Wine Sales

Mr. Teddy Taylor: To ask the Minister of Agriculture, Fisheries and Food if he will publish a table showing the sale prices, in pence per pound, of the sales of food and wine agreed by the management committee since he last reported on these to the House.

Mr. MacGregor: At any one time CAP arrangements provide for a number of sales schemes from intervention and from the open market. These tend to follow established patterns, but the following sales to non-EC countries, agreed since I last replied to my hon. Friend on this subject on 8 November at column 155, have distinguishing features;

Date and Commodity	*Quantity (t)*	*Destination*	*Price (p/lb)*
December 1988			
Beef	46,000	Eastern Europe	15·3[1]
Wheat	2,232,000	USSR/Other destinations[3]	3·3[2]
Barley	1,665,000	USSR/Other destinations[3]	3·0—3·1[2]
Wheat	1,350,000	China	3·2[2]

[1] The price is the sale price that would have been obtained if the beef had been exported from the United Kingdom, which it was not.
[2] Price is calculated from the dollar equivalent of the price actually paid by the puchaser (including mcas) converted into sterling at spot rates at time of sale.
[3] It is not possible to identify quantities destined for the USSR, which benefited from an additional subsidy of 0·13p per lb.

Food Surpluses

Mr. Teddy Taylor: To ask the Minister of Agriculture, Fisheries and Food what has been the total amount spent on the disposal of food surpluses by Government funds in the most recent annual period for which figures are available; and what were the comparable figures in each of the previous five years.

Mr. Donald Thompson: Public expenditure in the United Kingdom on exports and subsidised disposals of commodities in surplus in this country (cereals, beef and milk products) is as follows:

	£ million
1982-83	547·3
1983-84	533·2
1984-85	491·5
1985-86	449·1
1986-87	340·5
1987-88	545·5

Set-Aside Scheme

Mr. Teddy Taylor: To ask the Minister of Agriculture, Fisheries and Food what estimate he has made of the acreage of land which will be affected by the set-aside scheme in 1989; what reductions in the production of wheat will stem from the scheme; and what is his estimate of the sums to be expended by the United Kingdom Government and by the European Economic Council; respectively.

Mr. Ryder: We have received applications to set aside about 60,000 hectares of arable land in the United Kingdom in the current crop year, at an estimated cost of over £11 million in 1989-90. About 42 per cent. of this expenditure would be eligible for reimbursement from Community funds. It is too early to judge what the impact of set-aside will be on wheat or other arable crop production in this country.

Butter Imports

Mr. Nicholas Bennett: To ask the Minister of Agriculture, Fisheries and Food if he will list by country of origin the percentage of imports of packet butter consumed by United Kingdom households in each year since 1973.

Mr. Donald Thompson: The percentage share of total butter imports into the United Kingdom by country of origin since 1973 is given in the following table.

	1973	*1974*	*1975*	*1976*	*1977*	*1978*	*1979*	*1980*	*1981*	*1982*	*1983*	*1984*	*1985*	*1986*	*1987*	*[2]1988*
France	1·1	7·1	7·8	5·0	4·5	2·0	0·8	0·9	0·6	0·6	0·5	0·8	0·9	0·8	0·9	1·0
Belgium/Luxembourg	1·3	2·9	2·4	1·2	1·3	1·4	1·0	1·3	1·0	1·6	1·8	0·6	0·6	2·3	2·2	2·5
Netherlands	18·2	22·3	22·9	21·6	17·8	13·2	10·9	6·6	10·4	6·2	13·8	7·9	9·7	6·3	3·6	4·9
Germany	0·0	10·3	13·2	11·0	9·0	4·8	3·9	5·8	4·5	3·5	0·5	0·4	0·8	0·2	0·2	0·2
Ireland	11·5	8·0	11·1	12·4	9·7	16·9	17·5	15·3	14·7	15·9	11·5	14·1	10·0	14·5	10·4	12·3
Denmark	22·0	20·6	17·0	17·9	19·4	20·2	18·0	19·9	20·5	21·5	21·7	21·7	22·7	21·1	22·7	27·5
New Zealand	39·0	28·8	25·3	30·8	38·2	41·4	47·9	50·2	48·3	50·7	50·2	54·5	55·3	54·8	60·0	51·5
Other	[1]6·9	0·0	0·3	0·1	0·1	0·1	0·0	0·0	0·0	0·0	0·0	0·0	0·0	0·0	0·0	0·1
TOTAL	100·0	100·0	100·0	100·0	100·0	100·0	100·0	100·0	100·0	100·0	100·0	100·0	100·0	100·0	100·0	100·0

[1] Mainly Australia, South Africa and Poland.
[2] January to October.
Source: Eurostat.

Veterinary Medicine (Research)

Mr. Madel: To ask the Minister of Agriculture, Fisheries and Food what is the total amount of money that his Department is providing in the current financial year on the funding of research into veterinary medicine; to what organisations this money is given; and what sum of money is planned for the financial year 1989-90.

Mr. Ryder: My Department is planning to spend £10·7 million on veterinary research in 1988-89 and £10·9 million in 1989-90. These figures do not include certain costs for Ministry staff, such as superannuation which is not borne on my Department's Vote.

SCOTLAND

Ayrshire and Arran (Hospital Sales)

Mr. Foulkes: To ask the Secretary of State for Scotland what agreement he has reached with Ayrshire and Arran health board regarding the responsibility for spending and concerning the application of funds received from the sale of Heathfield, Ayr County and Seafield hospitals, or any part of the three, following the opening of the South Ayrshire hospital.

Mr. Michael Forsyth: None. The allocation of receipts will be made in accordance with the rules in force when the properties are sold.

Ayrshire and Arran Health Board

Mr. Foulkes: To ask the Secretary of State for Scotland what the waiting list and waiting times for orphopaedic operations within the Ayrshire and Arran health board area has been each month from January 1985 to the most recent available date.

Mr. Michael Forsyth: Information on waiting lists is collected centrally twice in each year. Data on waiting lists for orthopaedic operations are not held; but the number of people waiting for admission as in-patients to orthopaedic units in Ayrshire and Arran health board hospitals at 31 March and 30 September for the years requested is set out in table 1.

The mean waiting times for those admitted from the waiting lists for operations in orthopaedic units in Ayrshire and Arran health board hospitals during each month for the years requested, is set out in table 2.

Table 1
Orthopaedic in-patient waiting list

Date	*Number*
1985	
31 March	1,220
30 September	1,255
1986	
31 March	1,369
30 September	1,563
1987	
31 March	1,593
30 September	1,454
1988[1]	
31 March	984

[1] This figures relates to the "in-patient true waiting list" and is based on a new system of data collection. It is therefore not fully comparable with those previously collected.

Table 2
Mean length of wait in days for cases admitted from the orthopaedic waiting lists for operations

Month	*Mean wait*
1985	
January	128·5
February	96·5
March	104·2
April	106·7
May	97·7
June	94·1
July	163·9
August	115·5
September	134·3
October	109·0
November	102·8
December	105·4
1986	
January	108·4
February	115·1
March	120·3
April	118·9
May	105·8
June	103·0
July	100·8
August	150·7
September	143·2
October	135·4
November	132·3
December	139·3
1987	
January	150·6
February	152·2
March	152·2
April	135·0
May	113·2
June	159·2
July	138·2
August	261·5
September	248·3
October	204·4
November	182·9
December	170·8
1988[1]	
January	109·1
February	121·4
March	119·9

[1] These figures are provisional and are based on incomplete interim data.

Electricity Boards

Mr. Rhodri Morgan: To ask the Secretary of State for Scotland (1) what percentage of total sales of the two Scottish electricity boards is accounted for by customers in each of the following categories of supply: *(a)* 10 MW-50MW, *(b)* 50 MW-100MW, *(c)* 100 MW-200 MW and *(d)* over 200 MW;

(2) how many customers each of the two electricity boards currently have in each of the following categories of supply: *(a)* 10 MW-50 MW, *(b)* 50 MW-100 MW, *(c)* 100 MW-200 MW and *(d)* over 200 MW.

Mr. Lang: This is a matter for the South of Scotland Electricity Board and the North of Scotland Hydro-Electric Board and I am asking the chairman to write to the hon. Member.

Ministerial Advisers

Mr. Cryer: To ask the Secretary of State for Scotland if he will list the ministerial advisers appointed in his

Department for each year since 1979, the salary each person received, whether paid directly or to another employer, and the duties undertaken, whether solely in his Department or in conjunction with other Departments; and if he will make a statement.

Mr. Rifkind: The first and only special adviser in the Scottish Office, whose appointment was made in August 1987 is Mr. Graeme Carter. It is not our practice to reveal the salaries of individual advisers as they are individually negotiated in relation to previous outside earnings and are therefore confidential.

Mr. Carter is paid directly by my Department. His duties are undertaken solely in my Department. Primarily he assists me as Secretary of State; he contributes to the preparation of speeches and supports my ministerial colleagues in the Scottish Office as far as time permits.

Health Boards (Chairmen)

Mr. Doran: To ask the Secretary of State for Scotland which of the chairmen of the Scottish health boards are participants in the performance related pay scheme.

Mr. Michael Forsyth: None.

Nursery Education

Mr. McLeish: To ask the Secretary of State for Scotland how many and what percentage of children aged three and four years were in receipt of nursery education in each local education authority area for Scotland in each of the years 1978-79 to the latest date for which information is available.

Mr. Michael Forsyth: The figures for nursery schools and departments at each September for which information is available are set out in the tables:

Three and four year olds in education authority nursery schools

	1978	*1979*	*1980*	*1981*	*1982*	*1983*	*1984*	*1987*	*1987*	
									three years old	*four years old*
Number										
Borders	299	313	301	363	387	394	359	390	68	322
Central	1,399	1,512	1,681	1,858	1,960	2,166	2,210	2,492	593	1,899
Dumfries and Galloway	253	257	266	247	271	287	316	428	80	348
Fife	3,192	3,235	3,280	3,142	3,439	3,805	3,993	4,193	805	3,388
Grampian	2,233	2,196	2,222	2,244	2,235	2,425	2,433	2,678	610	2,068
Highland	331	455	484	519	567	580	618	617	109	508
Lothian	6,718	6,529	6,795	6,799	7,045	7,477	7,966	7,965	2,991	4,974
Strathclyde	14,501	14,768	14,841	15,406	16,071	16,793	17,376	17,551	5,185	12,366
Tayside	1,841	1,933	2,007	2,014	2,097	2,112	2,136	2,344	757	1,587
Orkney	78	96	93	74	85	89	92	83	25	58
Shetland	32	86	99	91	85	82	102	110	52	58
Western Isles	160	11	162	156	169	146	0	0	0	0
Scotland Total	31,037	31,531	32,231	32,913	34,411	36,356	37,601	38,851	11,275	27,576
Percentage of children in population										
Borders	12·2	12·8	13·7	17·1	17·5	16·6	15·2	16·6	5·9	27·0
Central	19·3	21·4	25·2	28·8	29·3	31·2	31·2	37·8	18·4	56·4
Dumfries and Galloway	7·0	7·4	8·4	8·0	8·1	7·9	8·7	12·7	4·8	20·6
Fife	35·4	36·3	38·3	39·3	40·8	42·2	42·8	48·5	18·7	78·0
Grampian	18·2	18·0	18·7	19·4	18·3	18·6	18·6	21·2	9·7	32·6
Highland	6·3	8·5	9·1	10·2	10·7	10·3	10·5	11·6	4·1	19·0
Lothian	36·0	36·6	40·4	43·0	43·3	43·8	45·3	47·8	36·4	59·0
Strathclyde	22·2	23·2	24·7	27·7	27·8	27·7	27·6	29·6	17·7	41·2
Tayside	18·5	20·4	22·1	23·2	23·5	23·0	22·6	25·1	16·1	34·3
Orkney	16·8	19·4	19·3	14·9	16·5	17·9	18·3	18·3	11·3	24·9
Shetland	4·5	11·7	13·2	12·1	22·1	11·1	13·6	17·7	17·0	18·4
Western Isles	19·2	16·8	18·4	19·3	19·7	16·2	0·0	0·0	0·0	0·0
Scotland Total	22·9	23·8	25·6	27·8	27·9	28·0	28·2	30·8	18·1	43·3

Local Authorities (Capital Expenditure)

Mr. McLeish: To ask the Secretary of State for Scotland what was the total amount of capital expenditure requested by local education authorities in each of the years from 1979-80 to the latest date for which information is available, in cash and real terms.

Mr. Michael Forsyth: The following table gives the total value of capital expenditure provision requested by local authorities in Scotland for educational building of all kinds in each of the years from 1982-83 to 1989-90. Requests by authorities for capital expenditure provision in earlier years were not aggregated nationally.

Provision requested by local authorities for capital expenditure on educational building

Year	*At outturn prices*	*At 1987-88 prices (£m)*
1982-83	56·863	71·618
1983-84	57·758	69·576
1984-85	52·748	69·576
1985-86	60·900	66·252
1986-87	71·721	75·505
1987-88	66·010	66·010
1988-89	89·512	84·247
1989-90	90·089	80·752

Note:—The outturn figures have been converted to 1987-88 prices using the GDP deflator.

Assisted Places Scheme

Mr. McLeish: To ask the Secretary of State for Scotland what was the total number of children placed for

the assisted places scheme in non-maintained and independent schools as a percentage of the total number of children in each year since the scheme's introduction.

Mr. Michael Forsyth: The information is as follows:

School Year	*Number[1] of Assisted Pupils as a Percentage of Total Pupils in Independent and Grant Aided Schools[2] (per cent.)*
1981-82	2·43
1982-83	4·6
1983-84	5·86
1984-85	6·92
1985-86	8·21
1986-87	8·15
1987-88[1]	8·21

[1] Provisional figure
[2] Grant-aided Schools included in years 1981-82 to 1984-85 only

Mr. McLeish: To ask the Secretary of State for Scotland if he will give an estimate of expenditure on assisted places scheme and of the number of children likely to benefit from the scheme in each of the years 1988-89, 1989-90 and 1990-91.

Mr. Michael Forsyth: The estimate for expenditure on the scheme in the school year 1988-89 is £5·9 million covering about 2,670 pupils. It is planned that spending on the scheme will rise to £6·8 million and to £7·7 million in the respective school years 1989-90 and 1990-91 and that the number of children benefiting should rise to over 3,000 by the school year 1991-92.

Mr. McLeish: To ask the Secretary of State for Scotland (1) what was the total amount of expenditure given under the assisted places scheme in each year since its introduction;

(2) what was the total number of children in non-maintained independent schools financed by the assisted places scheme in each year since its introduction.

Mr. Michael Forsyth: The information is as follows:

School year	*Total expenditure £'000s*	*Number of assisted pupils*
1981-82	799	790
1982-83	1,718	1,450
1983-84	2,454	1,900
1984-85	3,299	2,270
1985-86	4,217	2,620
1986-87	4,861	2,626
1987-88[1]	5,360	2,672

[1] Provisional figures.

Non-maintained Independent Schools

Mr. McLeish: To ask the Secretary of State for Scotland if he will provide a complete list of the non-maintained schools in Scotland for each of the years 1978-79 to 1987-88.

Mr. Michael Forsyth: The information is as follows:

INDEPENDENT SCHOOLS 1978-79

Borders
Garvald School
St. Mary's School

Central
Beaconhurst Grange School
Camphill (Blairdrummond) School
Kindergarten School
Queen Victoria School
Struan House School

Dumfries and Galloway
Crowfordton House School
Kilquanity House School
Merton Hall
Orchardton House School
Rickerby House School
St. Kiaran's School
St. Ninian' School
The Monken Hadley School
Warriston School

Fife
Craigflower School
Inchkeith Private School
New Park School
St. Leonards and St. Katherines School
Seaview Private School

Highland
East Sutherland
Christian School
Fort Augustus Abbey School
Raddery School

Lothian
Algrade School
Belhaven Hill School
Cargilfield School
Cliftonhall School
Columcille School
Compass School
St. Denis and Cranley School
Edinburgh Academy
Fettes College
Gillsland Park School
Hillside School
Holt School
Lereto School
Merchiston Castle School
Murrayfield School for Spastics
Murrayfield Kindergarten
Oxenfoord Castle School
St. Georges School for Girls
St. Hilary's School
St. Margaret's Convent School
St. Margaret's School for Girls
St. Serfs School
The American School of Edinburgh
The Rudolf Steiner School

Grampian
Aberdeen Waldorf School
Aberlour House
Blairmore School
Blairs College
Camphill Rudolph Steiner School
Garden House
Gordonstoun School
Lathallan School
Linn Moor
Rosebrae School
St. Marie's Convent School
Templehill Community School
The American School of Aberdeen
Total Oil Marine's French School

Strathclyde
Atholl Preparatory School
Barrowfield Community School
Belmont House School
Calderwood Lodge Jewish Primary
Dairsie House School
Dardenne School
Deanhouse School
Drumley House School
Fernhill School
Franciscan Convent School

Glasgow Academy
Keil School
Lomond School
Our Lady and St. Ita's School
Park Lodge School
Regina Mundi Preparatory School
St. Columba's College
St. Francis Xavier College
St. Francis Primary School
St. Kevin's School
St. Ronan's Preparatory School
Springbank School
Southannan School
The High School of Glasgow
Wellington School

Tayside
Ardvreck School
Butterstone House School
Centre 535
Convent of the Sacred Heart (now known as Kilgraston School)
Craigclowan School
Croftinloan School
Ochil Tower
Rannoch School
Strathallan School
Trinity College (now known as Glenalmond)

Changes since 1978-79

Schools Opened	*Schools Closed*
1979-80	
Strathclyde	*Highland*
Muslim Mission School	East Sutherland
St. Francis Primary	Christian School
	Strathclyde
	Barrowfield Community School
	Franciscan Convent School
	Tayside
	Centre 535
1980-81	
Lothian	*Central*
Hillside School Co-operative	Camphill (Blairdrummond)
	Kindergarten School
	Fife
	Craigflower
	Lothian
	Gillsland Park School
	Holt School
1981-82	
Dumfries and Galloway	*Dumfries and Galloway*
Abercree House School	Orchardton House School
Lothian	St. Kiaran's School
Dunedin School Co-operative	St. Ninian's School
	Lothian
	Hillside School Co-operative
1982-83	
Fife	*Grampian*
Starley Hall School	Templehill Community School
Strathclyde	*Strathclyde*
Gask House School	Calderwood Lodge
Glasgow Christian	Regina Mundi Preparatory School
1983-84	
Lothian	*Lothian*
Hillside School	St. Hilary's School
Westerlea School for Spastics (Formerly Murrayfield)	

Schools Opened	*Schools Closed*
	Strathclyde
	Dardene School
	Dean House School
	Glasgow Christian Academy
	St. Columba's College
1984-85	
Dumfries and Galloway	*Dumfries and Galloway*
Woodlands School	Monken Haldey School
	Warriston School
Fife	*Strathclyde*
Hillside School	Our Lady and St. Ita's School
Lothian	
St. Mary's Music School[1]	
Stathclyde	
Hamilton College	
Red Brae Residential School	
1985-86	
Central	*Dumfries and Galloway*
Dollar Adademy	Abercree School
	Rickerby House School
Dumfries and Galloway	
Lamachan School (formerly Abercree)	*Grampian*
Eskdalemuir Childrens Workshop	Garden House School
	Lothian
Grampian	Algrade School
Albyn School[1]	Columcille School
Glenmillan School	*Strathclyde*
Robert Gordon's College[1]	St. Francis Xavier School
St. Margaret's Aberdeen[1]	
Lothian	
Mary Erskine School[1]	
Daniel Stewart's and Melville College[1]	
George Watson's College[1]	
George Heriot's School[1]	
Strathclyde	
Craigholme School for Girls[1]	
Hutchesons' Grammar School[1]	
Kelvinside Academy[1]	
Laurel Bank School[1]	
Living Waters Christian School	
Park School[1]	
St. Aloysius College[1]	
St. Columba's School[1]	
Wesbourne School for Girls[1]	
Tayside	
High School of Dundee[1]	
Morrison's Academy[1]	
Parkview School	
Trinity School	
1986-87	
Central	*Grampian*
Snowdon House	Glen Millan School
	St. Marie's Convent School
Grampian	
Glen Morven Preparatory School	
Dutch School	
Causewayhead	
	Lothian
Moray Steiner School	St. Margaret's Convent School
Oakbank School	

Schools Opened	Schools Closed
Lothian	*Strathclyde*
St. Joseph's School	St. Kevin's School
Wellington School	
Penicuik	
Strathclyde	
Loaningdale School	
Torass Emess Jewish Day School	
Balnacraig School	
1987-88	
Central	*Dumfries and Galloway*
Lendrick Muir	Lamachan School
	Eskdalemuir Children's[1] Workshop
Fife	
Kingdom Christian School	
	Grampian
	Blair's College
Grampian	
The Hamilton	
	Strathclyde
	Muslim Mission School
Highland	
Scoraig School	
Lothian	
Regius School	
Mannafield Christian School	
Newtown Preparatory School	
Strathclyde	
Ballikinrain School	
Giesland School	
Glasgow Steiner School	
Goodshepherd Centre	
Kibble School	
St. Philip's School	
Springboig St. John's Wee Friends Primary School	
Tayside	
Redgorton School	

[1] Former grant-aided secondary schools.

Mr. Henry McLeish: To ask the Secretary of State for Scotland if he will give *(a)* the number of children attending non-maintained independent schools and *(b)* that number as a percentage of the total number of children attending all schools for each of the local education authority areas.

Mr. Michael Forsyth: Information related to the areas of schools attended at September 1987 is given in the table:

	Pupils in independent schools	*Pupils in independent schools as a percentage of all pupils*
Borders	140	0·9
Central	1,500	3·2
Dumfries and Galloway	190	0·8
Fife	750	1·3
Grampian	3,690	4·5
Highland	120	0·3
Lothian	11,350	9·7
Strathclyde	10,870	2·8
Tayside	3,910	6·3
Orkney, Shetland and Western Isles	—	—
Scotland	32,510	3·9

Books and Equipment (Expenditure)

Mr. McLeish: To ask the Secretary of State for Scotland what was the expenditure per pupil on books and on equipment in *(a)* primary schools and *(b)* secondary schools at the end of each year since 1978-79 in cash terms and real terms using 1987-88 prices and using an index of 100 for 1978-79.

Mr. Michael Forsyth: The information available is given in the following tables which have been compiled from local authority financial returns. Expenditure on equipment was not separately identified in these returns until 1982-83. There have been some variations from year to year in the recording of expenditure under these two headings. In particular some of the figures for expenditure on library books may include some expenditure on items of equipment.

Table 1: Expenditure per pupil on text and library books and on educational tools, equipment and materials at outturn prices

(£)

	Books		*Educational tools, equipment and materials*	
Year	*Primary*	*Secondary*	*Primary*	*Secondary*
1978-79	4·54	8·31	n/a	n/a
1979-80	5·49	9·61	n/a	n/a
1980-81	5·84	9·29	n/a	n/a
1981-82	6·54	9·77	n/a	n/a
1982-83	7·03	10·03	8·18	27·33
1983-84	8·99	13·35	7·28	25·36
1984-85	9·55	13·83	8·91	30·09
1985-86	8·91	13·47	8·33	30·26
1986-87	10·93	16·67	8·92	33·85
1987-88	11·68	18·26	11·40	42·39

Table 2: Expenditure per pupil on text and library books and on educational tools, equipment and materials adjusted to 1987-88 prices using the GDP deflator

(£)

	Books		*Educational tools, equipment and materials*	
Year	*Primary*	*Secondary*	*Primary*	*Secondary*
1978-79	9·32	17·05	n/a	n/a
1979-80	9·64	16·87	n/a	n/a
1980-81	8·66	13·77	n/a	n/a

Year	Books		Educational tools, equipment and materials	
	Primary	Secondary	Primary	Secondary
1981-82	8·83	13·20	n/a	n/a
1982-83	8·85	12·63	10·30	34·42
1983-84	10·83	16·08	8·77	30·55
1984-85	10·95	15·86	10·22	34·50
1985-86	9·69	14·65	9·06	32·92
1986-87	11·51	17·55	9·39	35·64
1987-88	11·68	18·26	11·40	42·39

Table 3: Expenditure per pupil on text and library books at outturn prices expressed as an index with 1978-79 = 100

Year	Primary	Secondary
1978-79	100	100
1979-80	120·9	115·6
1980-81	128·6	111·8
1981-82	144·1	117·6
1982-83	154·8	120·7
1983-84	198·0	160·6
1984-85	210·4	166·4
1985-86	196·3	162·1
1986-87	240·7	200·6
1987-88	257·3	219·7

Table 4: Expenditure per pupil on text and library books adjusted to 1987-88 prices using the GDP deflator, expressed as an index with 1978-79 = 100

Year	Primary	Secondary
1978-79	100	100
1979-80	103·4	98·9
1980-81	92·9	80·8
1981-82	94·7	77·4
1982-83	95·0	79·9
1983-84	116·2	94·3
1984-85	117·5	93·0
1985-86	104·0	85·9
1986-87	123·5	102·9
1987-88	125·3	107·1

Education (Capital Expenditure)

Mr. McLeish: To ask the Secretary of State for Scotland what was the total capital expenditure for *(a)* primary, *(b)* secondary and *(c)* further education in each of the years from 1979 to the latest date for which information is available, in cash and real terms.

Mr. Michael Forsyth: The information available is given in the following table, which has been compiled from local authority capital payment returns. Expenditure on primary and secondary schools is not separately identified in these returns. The reduction in expenditure in real terms during the period reflects a substantial and progressive decline in pupil numbers.

Capital expenditure by local authorities

£ million

Year	Primary and secondary schools		Further education	
	At outturn prices	At 1987-88 prices	At outturn prices	At 1987-88 prices
1979-80	44·958	78·936	5·328	9·355
1980-81	49·637	73·580	3·408	5·052
1981-82	55·165	74·443	3·865	5·216
1982-83	49·728	62·631	5·497	6·923
1983-84	43·359	52·230	6·687	8·055
1984-85	43·431	49·798	5·683	6·516
1985-86	48·368	52·618	4·384	4·769
1986-87	43·011	45·280	4·339	4·568
1987-88	44·340	44·340	9·388	9·388

Note:
The outturn figures have been converted to 1987-88 prices using the GDP deflator.

Museums and Galleries (Attendances)

Mr. Faulds: To ask the Secretary of State for Scotland whether he will publish in the *Official Report* the attendance figures for 1988 reported by the national museums and galleries in Scotland, broken down into the individual institutions but including their outstations, with figures in each case of the percentage increase or decrease on the attendance figures for 1987.

Mr. Michael Forsyth: The information is as follows:

	1988	Percentage change since 1987
National Galleries of Scotland	510,547	−2·6
National Museums of Scotland	688,187	+25·7

The national galleries of Scotland comprise the national gallery of Scotland, the Scottish national gallery of modern art and the Scottish national portrait gallery. The national museums of Scotland comprise the Royal museum of Scotland buildings at Chambers street and Queen street, Edinburgh, the Scottish agricultural museum, the Scottish united services museum, the Museum of flight and the Shambellie museum of costume.

Ex-Members (Appointments)

Mr. Home Robertson: To ask the Secretary of State for Scotland if he will list the appointments to public bodies which he has made in respect of *(a)* the Earl of Ancram, *(b)* Mr. Michael Hirst, *(c)* Sir Alex Fletcher, *(d)* Mrs. Anna McCurley, *(e)* Mr. John McKay, *(f)* Mr. Alex Pollock, *(g)* Mr. Barry Henderson, *(h)* Mr. John Corrie, *(i)* Mr. Albert McQuarrie and *(j)* Mr. Gerry Malone since June 1987.

Mr. Rifkind *[holding answer 19 December 1988]:* I have made the following appointments:

Michael Ancram:
Member, Board of Scottish Homes
Member, Board of Governors, Napier Polytechnic of Edinburgh

Michael Hirst:
Member of the Board of Governors, the Queens College, Glasgow

Sir Alex Fletcher:
Member, Scottish Development Agency
I have not appointed any of the other persons named to any public body.

THE ARTS

Public Building Contracts

101. **Mr. Gregory:** To ask the Minister for the Arts if consideration has been given to a scheme whereby a proportion of the value of public building contracts would be awarded to the arts.

108. **Mr. Knapman:** To ask the Minister for the Arts what is his policy towards Per Cent for the Arts; and if he will make a statement.

Mr. Luce: I see the great potential of the Per Cent. for Art scheme on a voluntary basis. I welcome the Arts Council's appointment of a steering group to actively promote the scheme and await progress with interest.

Travelling Exhibitions

102. **Mr. Devlin:** To ask the Minister for the Arts what are the objectives of the travelling exhibition unit of the Museums and Galleries Commission.

Mr. Luce: I attach great importance to the lending of works of art and I am promoting this through my funding of the travelling exhibitions unit and through the Government indemnity scheme. I had the pleasure last week of visiting the unit to see its work of encouraging exhibition touring at first hand.

I am glad to announce that I have agreed additional funding of £42,000 for the travelling exhibitions unit in 1988-89, to facilitate a touring exhibition drawing on material from the national collections, and to enable the MGC to appoint an adviser on environmental standards and controls.

Victoria and Albert Museum

103. **Mr. Sedgemore:** To ask the Minister for the Arts whether he has met the board of trustees of the Victoria and Albert museum since March, to discuss the report of the National Audit Office.

Mr. Luce: I met Lord Armstrong, chairman of the Victoria and Albert museum trustees, and Mrs. Elizabeth Esteve-Coll, director of the museum in October last year. A number of important issues were discussed including points raised in the National Audit Office report.

The Government are considering the report of the Public Accounts Committee on the management of collections of the English national museums and galleries, and will respond as soon as possible.

Museums and Galleries

105. **Mr. Tony Banks:** To ask the Minister for the Arts what additional funds have been made available to English national museums and galleries, since March, in response to the report of the National Audit Office on the management of the collections of the English national museums and galleries.

Mr. Luce: Last November I announced the grant-in-aid allocations to the national museums and galleries, which I sponsor, to the year 1991-92, rolling forward the three-year funding settlement introduced in 1987. The allocations were intended to help the national institutions in tackling their priority concerns in the management of their collections, including conservation, storage, documentation and building maintenance. An additional £13 million is allocated in 1991-92 for these purposes.

The Government are considering the report of the Public Accounts Committee on the management of collections of the English national museums and galleries, and will respond as soon as possible.

111. **Mr. Haynes:** To ask the Minister for the Arts whether he plans to increase the level of staffing in English national museums and galleries.

116. **Mr. Wareing:** To ask the Minister for the Arts whether he plans to increase the staffing levels in English national museums and galleries.

117. **Mr. Campbell-Savours:** To ask the Minister for the Arts what plans he has to increase the level of staffing in national museums.

Mr. Luce: On 3 November I announced increased funding for the National Museums and Galleries as part of the rolling forward of the arts settlement into a new third year, 1991-92. An additional £13 million has been allocated in 1991-92 to help institutions deal with their priority areas of concern. The allocation of these extra resources by institutions is, however, a matter for individual boards of trustees.

114. **Mr. Andrew Smith:** To ask the Minister for the Arts how many posts are currently vacant in English national museums and galleries.

Mr. Luce: The information is not available in the precise form requested. It is for the director and trustees of individual institutions to consider how the planned number of staff in post should compare with an institution's theoretical staffing complement.

115. **Mrs. Beckett:** To ask the Minister for the Arts what action he has taken since March 1988 in response to the National Audit Office report "on the management of the collections of the English national museums and galleries".

Mr. Luce: On 3 November I announced increased funding for the national museums and galleries for the new three-year settlement period. An additional £13 million has been allocated in 1991-92 to help institutions deal with their priority areas of concern, including conservation, storage and building maintenance.

The Government are considering the report of the Public Accounts Committee on the management of the collections of the English national museums and galleries and will make their response as soon as possible.

118. **Mr. Harry Greenway:** To ask the Minister for the Arts when he expects to respond to the first report of the Public Accounts Committee on the management of the collections of the English national museums and galleries HC 28; and if he will make a statement.

Mr. Luce: The Government are considering the report's recommendations and will respond as soon as possible.

Museums (Conservation)

106. **Dr. Marek:** To ask the Minister for the Arts whether he plans to increase the funds available for conservation in national museums.

Mr. Luce: In the new three-year allocations announced in November I responded to the priorities indicated in the institutions' own corporate plans and increased their provisions by £13 million in 1991-92 for the important work of conservation, storage, documentation, and building and maintenance.

Museum of the Moving Image

107. **Mr. Gerald Bowden:** To ask the Minister for the Arts what figures he has for attendances at the museum of the moving image.

Mr. Luce: Over 150,000 people have visited the museum of moving image since it opened in mid-September 1988. This is an excellent start and well above the orginal target figure.

Dance Companies

109. **Mr. Robert G. Hughes:** To ask the Minister for the Arts what is his estimate of the number of professional dance companies in Great Britain at the end of 1988, 1983 and 1978.

Mr. Luce: A total of 34 professional dance companies are funded by the Arts Council and regional arts associations. There are a number of companies existing solely on private funds. Figures requested for earlier years are not available.

London Museums (Attendance)

110. **Mr. Bowis:** To ask the Minister for the Arts if he will give the latest figures for museum attendance in London.

Mr. Luce: I understand that the estimated number of visitors to museums and galleries in London during 1987 was over 23 million. This is based on the English Tourist Board's sight-seeing survey. The figures for 1988 are not yet available.

Regional Arts Associations

112. **Mr. Maclennan:** To ask the Minister for the Arts whether he has any plans to alter the present autonomy of regional arts associations.

Mr. Luce: I refer the hon. Member to my recent announcement of a review of the structure and organisation for support of the arts in England at column *255* of 8 December.

Arts (Devon)

113. **Mr. Speller:** To ask the Minister for the Arts what specific proposals he has for assistance to the arts in Devon for 1989.

Mr. Luce: Provision for the arts in Devon is a matter for the local authority and the south-west regional arts association. The latter invested £453,000 in the county in 1987-88. South-West Arts, together with Devon county council and eight district councils, have also commissioned a strategy review for the arts in Devon which should be concluded by March 1989.

British Museum

119. **Mr. Chris Smith:** To ask the Minister for the Arts whether he has met the chairman of the trustees of the British museum since 22 March to discuss the state of his museum's collection.

Mr. Luce: I have met the chairman and director of the museum on a number of occasions in recent months, and my Department is in frequent touch on a wide range of matters with the British museum and with the other institutions which I sponsor. The management of the collections of the British museum is a matter for the trustees and the director.

Arts Bodies (Secondments)

120. **Mr. Jack:** To ask the Minister for the Arts whether he is aware of any secondments to arts bodies by companies in the United Kingdom of employees possessing managerial or marketing skills.

Mr. Luce: There have been many valuable secondments and attachments to arts bodies over the years. Business in the Arts—an organisation set up by the business community expressly to provide this kind of support for the arts—aims to expand these. In addition, many business men and women sit on the boards of arts bodies and give freely of their time and skills in this way.

National Film and Television School

121. **Mr. Greg Knight:** To ask the Minister for the Arts whether he will make a statement as to the future of the national film and television school.

Mr. Luce: The school continues to play an important role in providing training for directors, camera staff and other specialists for the audio-visual industry. It is currently developing longer term plans which I shall be looking at with interest. Funding for the school will rise from £1·6 million in 1988-89 to £1·8 million in 1991-92.

Arts (Funding)

122. **Mr. John Greenway:** To ask the Minister for the Arts what increases in private and corporate funds for the arts he expects to be generated following his recent arts settlement.

Mr. Luce: I am confident that the substantial and continuing provision of Government support for the arts, and the introduction of schemes of incentive funding, will generate growth in private and corporate funding for the arts activities which I sponsor. I welcome the Arts Council's initiative in its recently published five-year plan, to set targets for the private sector support which it seeks to encourage.

123. **Mr. Jessel:** to ask the Minister of the Arts if he will make a statement on Government support for the arts.

Mr. Luce: I refer my hon. Friend to the reply given to my hon. Friend for Warrington, South (Mr. Butler) on 3 November at column *705*.

Art Treasures (Preservation)

Mr. Redmond: To ask the Minister for the Arts what action he is taking to protect Britain's art treasures from deterioration because of poor storage conditions and the backlog of conservation work; what assistance he will be giving to museums so that an up-to-date stock record of treasures is made; and if he will make a statement.

Mr. Luce: Last November I announced the grant-in-aid allocations to the national museums and galleries which I sponsor, to the year 1991-92, rolling forward the three-year funding settlement introduced in 1987. I have made increases specifically to help the national institutions in tackling their priority concerns in the management of their collections, including their conservation, storage, and documentation, and building maintenance.

NATIONAL FINANCE

Civil Service (Recruitment)

135. **Mr. Teddy Taylor:** To ask the Chancellor of the Exchequer what is the policy of Her Majesty's Government on the re-employment in the Civil Service of persons retired on grounds of invalidity by the European Economic Community Commission.

Mr. Brooke: The Community terms of service common to all its institutions do not recognise any form of secondment from national Civil Services for permanent staff; officers must therefore resign from the United Kingdom Civil Service on taking up a permanent appointment with the Communities. Departments have discretion to offer their staffs undertakings about re-instatement. An officer who has been absent for more than five years and is aged 55 or over has no right of return. The normal pre-appointment inquiries carried out by a Department before a reinstated candidate takes up appointment include a check on health.

Civil Service (Dispersal)

136. **Mr. Beith:** To ask the Chancellor of the Exchequer whether he will make a statement on progress towards the dispersal of more Civil Service posts from the London area to other regions.

Mr. Brooke: The centrally directed dispersal programme affecting 5,900 posts announced in 1979 is virtually complete, and over 6,000 further posts have been relocated from the south-east at departmental initiative.

Departments are now observing Treasury guidelines to review their work locations, with a view to relocating at sites offering easier labour markets and increased cost-effectiveness. With regard to this phase of the Government's relocation policy, I refer the hon. Member to the answer I gave on 2 December 1988, at column *414*, to my hon. Friend, the Member for Bolton, North-East (Mr. Thurnham).

National Insurance and Income Tax

Mr. Redwood: To ask the Chancellor of the Exchequer if he will list all of the points on the income scale for a single man with the standard allowance at which the combined national insurance and income tax marginal rates alter; and if he will list those rates.

Mr. Norman Lamont: Information for 1989-90 is given in the table. The calculations use the national insurance contribution rates for 1989-90 announced in chapter 3 of the Autumn Statement 1988 and assume indexed allowances and thresholds for income tax for 1989-90, shown in table 4.1 of the Autumn Statement.

Levels of income at which the marginal rate of income tax and national insurance contributions[1] of a single person[2] changes, 1989-90

Weekly income £	*Per cent.*
43·00	5
53·37	30
75·00	32
115·00	34
325·00	25
449·52	40

[1] Class 1 national insurance contributions for an employee contracted-in to the state earnings-related pension scheme (SERPS).
[2] Assumed to be non-aged with no reliefs or allowances other than the single person's allowance.

Single and Married Person's Allowance

Mr. Redwood: To ask the Chancellor of the Exchequer by how much the single and married person's allowance against income tax can be raised for the loss of £2,000 million of revenue in a full year.

Mr. Norman Lamont: It is estimated that all personal allowances could be increased by just over 9 per cent. for a full year income tax cost of £2,000 million at 1989-90 levels of income. The estimate is based on a projection of the 1986-87 survey of personal incomes and is provisional. It has been assumed that the indexed allowances and thresholds in table 4.1 of the Autumn Statement 1988 apply in 1989-90.

Income Tax

Mr. Redwood: To ask the Chancellor of the Exchequer (1) what size of band at 10 per cent. tax could be introduced before reaching the 25 per cent. income tax rate for the loss of £2,000 million of revenue in a full year;

(2) what levels of income could be taxed at 15 per cent. instead of 25 per cent. for the loss of £2,000 million in a full year, if the 15 per cent. rate only applied to those with total incomes below the maximum qualifying level for the tax band at 15 per cent.

Mr. Norman Lamont: It is estimated that a reduced rate band of 10 per cent. on the first £550 of taxable income would have an income tax cost of just under £2,000 million in a full year at 1989-90 levels of income.

For the same cost all single people and married couples with taxable incomes of less than £4,750 per annum could be taxed at 15 per cent. instead of 25 per cent.

Estimates are based on a projection on the 1986-87 survey of personal incomes and are provisional. It has been assumed that the indexed allowances and thresholds in table 4.1 of the Autumn Statement 1988 apply in 1989-90.

Building Land

Mr. Redmond: To ask the Chancellor of the Exchequer if he will make it his policy to abolish the exemption from

capital gains tax on a person who owns a house with one acre and part of that acre is sold for building land, and replace it with a tax to be levied on the gain resulting from planning permission being obtained; and if he will make a statement.

Mr. Norman Lamont: I have noted the hon. Member's suggestion but cannot, of course, anticipate the Budget judgment.

Ministers (Salary Arrangements)

Mr. Allen: To ask the Chancellor of the Exchequer what financial arrangements for further salary payments ensue when a Minister resigns or is sacked.

Mr. Brooke: Subject to the provisions of section 13 of the Parliamentary Pensions etc. Act 1984, Ministers and paid office holders in the House of Lords are currently eligible to receive a severance payment of three months' final salary on ceasing to be a Minister. There is currently no similar scheme in place for Commons Ministers; they revert to receiving the full parliamentary salary providing they remain Members of Parliament. I would, however, refer the hon. Member to the 26th TSRB Report (Cm. 362), and the statement of my right hon. Friend the Lord President on 24 May 1988 at column 103 in response to the right hon. Member for Wythenshawe (Mr. Morris).

Employee Share Schemes

Mr. Gould: To ask the Chancellor of the Exchequer if the tax regime applicable in the case of share subscriptions is generally applied in the case of all employee share schemes, whereby income tax is payable on the difference between the discounted and market prices.

Mr. Norman Lamont: Subject to certain qualifying conditions, employees acquiring shares through employee share schemes approved by the Inland Revenue (under legislation originally contained in the Finance Acts of 1978, 1980 and 1984) are exempt from the income tax liability which normally arises where shares are acquired below market value by reason of employment.

Health Boards (VAT)

Mr. Galbraith: To ask the Chancellor of the Exchequer under what statutory authority value added tax payments and refunds are made in relation to contracts between health boards and contractors for contracted-out services.

Mr. Lilley: Section 27(2A) of the VAT Act 1983.

VAT

Mr. Heddle: To ask the Chancellor of the Exchequer when he proposes to publish the Finance Bill 1989 draft clauses on value added tax changes resulting from the decision of the European Court of Justice of 21 June 1988 regarding the European Community sixth value added tax directive.

Mr. Lilley: Soon.

Housing (Homeless Persons) Act 1977

Mr. Heddle: To ask the Chancellor of the Exchequer if he will investigate the reasons why Her Majesty's Stationery Office has no stocks of the Housing (Homeless Persons) Act 1977; and, in view of the current review on the matter of homelessness, if he will ensure that adequate stocks are maintained.

Mr. Lilley: HMSO no longer maintains stocks of the Housing (Homeless Persons) Act 1977 because it was repealed for England and Wales by the Housing (Consequential Provisions) Act 1985 (c. 71) s. 3, Sch. 1 Part I, and for Scotland by the Housing (Scotland) Act 1987 (c. 26), s. 339, Sch. 24. Its main provisions are covered, on consolidation, for England and Wales in the Housing Act 1980 (c. 51) and for Scotland in the Housing (Scotland) Act 1987 (c. 26), and HMSO holds adequate stocks of these Acts in both the Queen's Printer's and the Statutes in Force versions.

Taxation (Families)

Mr. Dobson: To ask the Chancellor of the Exchequer how many families with children are estimated to have taxable incomes below the income tax threshold; and what proportion this represents of all families with children.

Mr. Norman Lamont: In 1988-89 it is estimated that some 1·6 million families, about 24 per cent. of the total number of families with children in the United Kingdom, have taxable incomes below the income tax threshold.

Independent Schools (Scotland)

Mr. McLeish: To ask the Chancellor of the Exchequer if he will give an estimate of the value of tax concessions granted to non-maintained independent schools in Scotland in each of the years 1978-79 to 1987-88.

Mr. Norman Lamont: I regret that information on the cost of tax relief available to schools with charitable status is not available.

Revenue

Mr. Spearing: To ask the Chancellor of the Exchequer if he will tabulate in the *Official Report* the revenues, actual or estimated, that have been received by Her Majesty's Government, or are expected to be received, for each year from 1979-80 to 1988-89 in millions of pounds at 1987-88 prices derived from *(a)* revenue from North sea oil, *(b)* revenue from asset sales of privatisations and *(c)* other sales of land or property of central or local government or their agencies, showing the respective annual totals and the aggregate total for the period.

Mr. Major *[holding answer 13 January 1989]:* The figures requested are given in the table.

£ million at 1987-88 prices

	1979-80 outturn	1980-81 outturn	1981-82 outturn	1982-83 outturn	1983-84 outturn	1984-85 outturn	1985-86 outturn	1986-87 outturn	1987-88 outturn	1988-89 estimated outturn	Total
Revenue from North sea oil[1]	4,061	5,548	8,761	9,852	10,598	13,791	12,340	5,052	5,305	[3]3,100	78,408
Privatisation proceeds[2]	662	600	665	615	1,372	2,489	2,945	4,695	5,161	[3]5,600	24,804
Receipts from sales of land and building[4]	1,543	1,951	2,823	3,547	2,934	2,774	2,733	3,215	3,989	n/a	n/a
Total	6,266	8,100	12,249	14,013	14,905	19,054	18,017	12,963	14,455	n/a	n/a

[1] Calculated from rounded figures published in the 1988 Autumn Statement.
[2] Oil royalties, petroleum revenue tax, supplementary petroleum duty and corporation tax before ACT set off attributable to United Kingdom oil and gas production.
[3] Consistent with 1988 Autumn Statement.
[4] Figures include sales by local authorities and new towns as well as central Government, and are consistent with the 1988 public expenditure White Paper.

Tobacco Sales

Mr. Sims: To ask the Chancellor of the Exchequer if he will list in the *Official Report* figures showing sales to the consumer of *(a)* cigarettes, *(b)* hand-rolling tobacco, *(c)* cigars and *(d)* pipe tobacco for the most recent 12-month period for which figures are available, and for the preceding 12-month period.

Mr. Lilley *[holding answer 13 January 1989]:* The latest estimates of consumers' expenditure on tobacco products for the 12 month period to September 1988 and for the preceding 12 months are as follows:

Current prices, seasonally adjusted

	Cigarettes	Cigars	Other tobacco[1]	Total
	£ million	£ million	£ million	£ million
October 1987 to September 1988	6,924	398	545	7,867
October 1986 to September 1987	6,704	379	545	7,628

[1] Estimates of expenditure on hand rolling tobacco and on pipe tobacco are not separately available.

Cigarettes

Mr. Sims: To ask the Chancellor of the Exchequer what was the number of cigarettes sold to consumers in the United Kingdom during the most recent 12-month period for which figures are available; what estimate is available to him of what that figure would have been had tobacco duty been increased in each of the 1987 and 1988 Budgets by 10p more than the amount needed to adjust for the effects of inflation; and if he will make a statement.

Mr. Lilley *[holding answer 13 January 1989]:* No direct estimate is available of the number of cigarettes sold to consumers. Information is, however, available on the quantity of cigarettes cleared from bond duty paid. During the 12 month period to October 1988 a total of 96,635·3 million cigarettes were cleared. It is estimated that had tobacco duty been increased in each of the 1987 and 1988 Budgets by 10p more than the amount needed to adjust for the effects of inflation the total above might have been around 6 per cent. lower.

Stamps

Rev. Martin Smyth: To ask the Chancellor of the Exchequer what consideration he has given to the implications for philatelists of the reorganisation of value added tax system in the European Community after 1992; whether he has considered a lower rate of value added tax for second-hand stamps and stamps purchased by collectors; and if he will make a statement.

Mr. Lilley *[holding answer 13 January 1989]:* Discussions on the shape of the VAT system post-1992 are at an early stage but the Government have already made it clear that they consider the European Commission's proposals for the approximation of VAT rates to be unnecessary for the completion of the single market. If the hon. Member sees particular difficulties ahead for philatelists perhaps he would write to me.

TRANSPORT

M1

13. **Mr. Ilsley:** To ask the Secretary of State for Transport what plans he has to improve traffic flow on the M1 motorway.

Mr. Peter Bottomley: We are planning improvements to junction 1, a climbing lane at junction 9 and widening between junctions 23a and 24.

Opening the M40 extension from Oxford to Birmingham will relieve the M1.

Tees and Hartlepool Ports

14. **Mr. Devlin:** To ask the Secretary of State for Transport when he next intends to visit the ports of Tees and Hartlepool.

Mr. Portillo: I visited Teesport on 26 October 1988. My noble Friend the Minister for Aviation and Shipping hopes to be able to take up later this year an invitation from the chairman of the Tees and Hartlepool port authority.

Buses (Vandalism)

16. **Mr. Pike:** To ask the Secretary of State for Transport what recent assessment he has made of the implications for the level of vandalism and violence on buses of the increase in the proportion of one-person operated buses.

Mr. Portillo: While there is probably no simple correlation between vandalism and violence and the type of vehicle operated, recent research on assaults on bus crews indicates that there is less risk of violence on one-person operated buses.

London Assessment Studies

18. **Mr. Bernie Grant:** To ask the Secretary of State for Transport what is his policy on whether boroughs should include references to options contained in the London assessment studies when responding to solicitors' inquiries on land searches.

Mr. Peter Bottomley: Land search inquiries are a matter for the local authorities concerned. We understand that it is not their general practice to refer to possibilities being considered in their preliminary transport studies or ours.

27. **Mr. Corbyn:** To ask the Secretary of State for Transport when he expects to make an announcement concerning the road assessment studies for London.

Mr. Channon: I expect to receive the consultants' reports on the options in the summer and will make an announcement as soon as possible after that.

Signposting

19. **Mr. Amos:** To ask the Secretary of State for Transport if he will give more discretion to his regional directors of transport regarding the erection of signs in rural areas.

Mr. Peter Bottomley: Traffic signs must be based on clear principles applied consistently throughout the country.

We are currently consulting on changes to the regulations which will widen the choice of standard signs.

Channel Tunnel

15. **Mr. Loyden:** To ask the Secretary of State for Transport what assessment he has made of the likely impact on the port of Liverpool of the Channel tunnel.

Mr. Portillo: I understand that the Merseyside chamber of commerce and industry and some other agencies in the north-west have agreed to co-operate in a study of the transport implications for that region of the single European market and the Channel tunnel. Government Departments are ready to assist with information and advice.

I hope that other bodies in the region, especially in the private sector, will join in this initiative.

20. **Mr. Hind:** To ask the Secretary of State for Transport if he has any plans to meet the chairman of British Rail to discuss rail links to the Channel tunnel; and if he will make a statement.

Mr. Portillo: This topic is discussed from time to time in Ministers' regular meetings with the chairman.

21. **Mr. Parry:** To ask the Secretary of State for Transport if he will commission a study of the impact of the Channel tunnel on the port of Liverpool.

Mr. Portillo: I see no need to commission a study as I understand that the Merseyside chamber of commerce and industry and some other agencies in the north-west have agreed to co-operate in a study of the transport implications for that region of the single European market and the Channel tunnel.

I hope that other bodies in the region, especially in the private sector, will join in this initiative, and Government Departments are also ready to assist with information and advice.

23. **Mr. Sumberg:** To ask the Secretary of State for Transport what representations he has received on the need to provide a direct rail link between the Channel tunnel and the north-west of England.

Mr. Portillo: Direct rail links already exist between the site of the United Kingdom entrance to the Channel tunnel and the north-west, but we do receive representations from time to time arguing that additional infrastructure should be provided.

24. **Mrs. Fyfe:** To ask the Secretary of State for Transport if he will commission a study of the regional impact of the Channel tunnel.

72. **Mr. McAvoy:** To ask the Secretary of State for Transport if he will commission a study on the regional impact of the Channel tunnel.

Mr. Portillo: No. The Government concluded at an early stage that such a study would not be a useful exercise. Of more practical benefit to the regions is the plan, which British Rail is required to publish by the end of 1989, for the dispersal of international passenger and freight trains throughout Britain. They are currently consulting widely and assessing demand.

55. **Mr. Evennett:** To ask the Secretary of State for Transport what representations he has received from residents of the London borough of Bexley concerning the proposed routes for the Channel tunnel rail link.

Mr. Portillo: We have received a number of representations from Bexley residents on this subject. It is British Rail's responsibility to decide on a preferred route and to justify its choice.

57. **Mr. McAllion:** To ask the Secretary of State for Transport if he will make a statement on progress on the Channel tunnel.

83. **Mr. Nigel Griffiths:** To ask the Secretary of State for Transport if he will make a statement on progress in the Channel tunnel.

Mr. Portillo: Construction progress is a matter for Eurotunnel. I understand that, following some early delays, better progress is being maintained.

63. **Mr. Hardy:** To ask the Secretary of State for Transport what initiatives he has taken to ensure that Yorkshire and other northern areas of England will have adequate connection with the Channel tunnel.

Mr. Portillo: I expect British Rail to address these questions in the plan which they will be publishing later this year in compliance with section 40 of the Channel Tunnel Act.

65. **Mr. Michael J. Martin:** To ask the Secretary of State for Transport if he will make a statement on the progress of the Channel tunnel.

Mr. Portillo: Construction progress is a matter for Eurotunnel. I understand that, following some early delays, better progress is being maintained.

66. **Mr. Clelland:** To ask the Secretary of State for Transport what plans he has to increase the carrying capacity of the motorway system in the light of the Channel tunnel.

Mr. Peter Bottomley: The Government announced in the White Paper "The Channel Fixed Link" (Cmnd. 9735) that the 23km gap between Maidstone and Ashford on the M20 would be filled with dual three lane motorway, and that the 10·8km Maidstone bypass section would be widened from two lanes to three to give good access to the tunnel terminal.

In general, the impact of the Channel tunnel is one of many factors taken into account in planning the forward road programme and in the design of motorway and trunk road schemes.

94. **Mr. Litherland:** To ask the Secretary of State for Transport what action he is taking to encourage the development of freight handling facilities in the north of England and Scotland to take advantage of the Channel tunnel.

Mr. Portillo: I expect British Rail to address these questions in the plan which it will be publishing later this year in compliance with section 40 of the Channel Tunnel Act.

Track Signalling Equipment

22. **Mr. Dykes:** To ask the Secretary of State for Transport if he has held recent discussions with British Rail and London Regional Transport representatives on procedures and problems affecting safety and other checks on track signalling equipment.

Mr. Channon: The railways inspectorate meets British Railways Board officials twice a year to discuss various operational and safety issues, including signalling. It also meets officials from London Underground Ltd. whenever necessary to discuss signalling.

Air Congestion

25. **Mr. Colvin:** To ask the Secretary of State for Transport when he will next meet the chairman of the Air Transport Users' Committee to discuss air congestion in the south-east.

Mr. Channon: I have no plans to meet the chairman of the Air Transport Users' Committee again in the near future. We attended the conference held recently at Lancaster house to consider air traffic control congestion problems.

Network SouthEast

26. **Mr. Madel:** To ask the Secretary of State for Transport when he next expects to meet the chairman of British Rail to discuss further improvements in Network SouthEast; and if he will make a statement.

Mr. Channon: I regularly meet the chairman of British Rail and the director of Network SouthEast to discuss a wide range of issues.

88. **Mr. Key:** To ask the Secretary of State for Transport when he last met the senior management of British Rail's Network SouthEast to discuss the efficiency of their services.

Mr. Portillo: My right hon. Friend and I meet the senior management of Network SouthEast very frequently and often discuss efficiency, amongst other topics.

British Rail (Chairman)

28. **Mrs. Margaret Ewing:** To ask the Secretary of State for Transport when he next expects to meet the chairman of British Rail; and what matters he proposes to discuss.

Mr. Portillo: I shall be meeting the chairman of British Rail on 23 January to discuss a variety of rail matters.

56. **Mr. Skinner:** To ask the Secretary of State for Transport what recent discussions he has had with British Rail; and what subjects were discussed

Mr. Portillo: I have regular discussions with the chairman of British Rail about a wide variety of railway matters.

62. **Mr. Patchett:** To ask the Secretary of State for Transport when he will next meet the chairman of British Rail; and what matters he expects to discuss.

89. **Dr. Reid:** To ask the Secretary of State for Transport when he next plans to meet the chairman of British Rail; and what matters he expects to discuss.

Mr. Portillo: I shall be meeting the chairman of British Rail on 23 January to discuss a variety of rail matters.

Aviation Liberalisation

29. **Mrs. Roe:** To ask the Secretary of State for Transport when European Community Ministers will be reviewing the aviation liberalisation package agreed in December 1987.

Mr. Peter Bottomley: The package of measures agreed in December 1987 contains a commitment that the Council will take a second, more radical, step in June 1990, on the basis of commission proposals to be submitted by 1 November this year.

United Kingdom airlines and their passengers have benefited significantly from the December 1987 measures and we shall be seeking substantial further liberalisation in the next round.

British Rail (Inter-city Services)

30. **Mr. Cran:** To ask the Secretary of State for Transport what is the estimated change in the number of passengers using British Rail inter-city services between London and the north-east at peak times over the past five years; and what has been the passenger-seats ratio on those trains over the same period.

Mr. Portillo: My Department does not maintain this information: my hon. Friend should approach British Rail.

Heathrow-Paddington Rail Link

31. **Mr. Wilshire:** To ask the Secretary of State for Transport when he expects the proposed Heathrow-Paddington rail link to be in operation.

Mr. Portillo: In 1993, subject to parliamentary approval for the construction works needed.

Motorways (North-West)

32. **Mr. Butler:** To ask the Secretary of State for Transport what plans he has to extend the motorway network in he north-west.

Mr. Peter Bottomley: Construction of the five mile M63-M66 extension from Portwood to Denton is approaching completion. There are three new motorway stretches in the current forward programme:

	Miles
M66 Denton to Middleton (completing the Manchester outer ring road)	11
A6(M) Stockport North/South bypass	5½
M65 extension to M6 (Blackburn southern bypass)	12

We are considering the case for further schemes as part of the current review of the programme nationally.

Motorways

33. **Mr. Wood:** To ask the Secretary of State for Transport what measures he is taking to build new motorways to a higher standard.

Mr. Peter Bottomley: Standards for the construction of all truck roads are kept under continual review. Improvements are introduced wherever justified on grounds of safety or value for money.

The new requirements for the structural design of road pavements published in December 1987 and several of the measures announced on 7 April 1988, following the motorway safety review, will improve the standard of new motorways.

41. **Mr. Allen McKay:** To ask the Secretary of State for Transport if he will make a statement on his plans to improve traffic movements on the motorway system.

Mr. Peter Bottomley: We are continuing to improve and develop the motorway and trunk road network. Our road programme includes 36 improvement schemes designed to improve the flow of traffic on motorways. The majority of these are junction improvements and widening schemes on existing motorways.

Motorway schemes in programme: at 1 December 1988

Under construction:

NWRO
M62 Eastbound, climbing lane, junctions 21-22
M63 Stretford-Eccles, stages 1 and 2 (Barton Bridge opened 20 December 1988)
M63 Stretford-Eccles, stage 4
M63/66 Poortwood-Denton

SERO
M25 Widening junctions 11-13

WMRO
M5 Lobshill-Lydiate Arch and M42 north turn
M40 Bonsbury BP
M40 Warwick section

YHRO
M62 Westbound climbing lane, west of junction 25

In preparation:

ERO
M1 Climbing lane, junction 5
M11 North facing slip road, junction 5
M40 Widening junctions 4-5

LRO
M4 Junction 4 improvement and M1 junction 1

NWRO
M6 Widening junctions 20-21a
M6 Widening junctions 30-31
M6 Improvement junctions 31-32
M62 Widening junctions 12-18
M66 Denton-Middleton
M65-M6 Blackburn Southern BP
A74 Carlisle-Scottish Border
A6(M) Stockport N/S By-pass

SERO
M2 Widening junctions 1-3
M3 Bar End-Compton
M3 Compton-Bassett widening
M3 Widening junctions 2-3
M4 Widening junctions 8/9—M25
M4 Free flow links at junctions 8/9
M20 Maidstone-Ashford
M20 Maidstone BP widening
M40 Waterstock-Wendlebury

WMRO
M5 Widening junctions 6-8
M40 Gaydon section
A446(M) Birmingham northern relief road

YHRO
M1 Junction 34 Roundabout improvement
M18 Junction with B6094 Cockhill Lane

Air Traffic Control

34. **Mr. Kirkwood:** To ask the Secretary of State for Transport when he now expects the new air traffic control systems to be operating in the south-east sector in the United Kingdom.

Mr. Peter Bottomley: The Civil Aviation Authority has advised that the major reorganisation of the airspace over south-east England—known as the central control function—will be implemented in stages by the national air traffic services between 1990 and 1995, with some gains in capacity beginning to accrue from 1992.

Trains (Overcrowding)

35. **Mr. Matthew Taylor:** To ask the Secretary of State for Transport what representations he has received concerning overcrowding on British Rail and London Underground.

93. **Mr. Michael:** To ask the Secretary of State for Transport what representations he has received about overcrowding on British Rail; and if he will make a statement.

Mr. Portillo: In the last three months I have received 30 representations from Members of Parliament about British Rail and four representations about London Underground, together with 173 letters from members of the public which make some reference to overcrowding.

Autoguide Systems

36. **Ms. Abbott:** To ask the Secretary of State for Transport what involvement he expects local highway authorities will have in selecting road networks for use by autoguide systems.

Mr. Peter Bottomley: We are discussing with police representatives and the local authority associations how the police and highway authorities might be involved in the proposed pilot autoguide system in London.

Traffic Congestion

37. **Mr. Dunn:** To ask the Secretary of State for Transport what new technology is being introduced to alleviate traffic congestion.

Mr. Peter Bottomley: A wide variety of new technology is improving road safety and alleviating congestion.

Motorway signalling, junction control techniques, variable message signs and traffic signal co-ordination systems for urban areas are available and incorporate the latest developments in micro-electronics and information technology.

The Road Traffic (Driver Licensing and Information) Bill will facilitate the introduction of new driver information systems.

Train Accidents

38. **Mr. Tom Clarke:** To ask the Secretary of State for Transport how many significant train accidents per million train miles there were in 1986 and 1987; and if he will make a statement.

Mr. Portillo: A significant train accident is one that is actually or potentially most dangerous to passengers.

In 1986 the significant accident rate was 0·69 per million train miles and in 1987 it was 0·71 per million train miles.

Roads (London)

39. **Mr. Livingstone:** To ask the Secretary of State for Transport what assessment he has made of the capacity of the London road system to carry increased numbers of road vehicles.

Mr. Peter Bottomley: Many main roads in London are already at or near capacity. Many minor roads are used as rat runs. Forecasts suggest that to the year 2001 road traffic could increase by the order of 1 per cent. to 2 per cent. per annum in outer and inner London, and by less than 1 per cent. per annum in the central area.

The approach to accommodating this growth is based on improving trunk roads to take traffic around London, supporting borough road schemes, promoting new technology to improve traffic management, encouraging better parking controls and promoting efficient and attractive public transport.

These steps are being supplemented by a series of major studies including the London assessment studies, which are looking at four areas with particularly severe transport problems.

The alterations associated with low cost, high return casualty reduction measures affect capacity on roads and at junctions. Over 170 such sites have been identified trunk roads in London, including ex. GLC roads.

West Coast Main Line

40. **Mr. Andrew F. Bennett:** To ask the Secretary of State for Transport what assessment he has made of the need for investment on the west coast main line by British Rail.

Mr. Portillo: It is for British Rail, which manages the railway, to assess what investment is needed and put forward proposals. Deliveries are already under way of new class 90 locomotives and driving van trailers which will help to improve the reliability of services on the west coast main line.

Rail Safety

43. **Dr. Godman:** To ask the Secretary of State for Transport when he will next meet the chief inspecting officer of railways to discuss safety on British Rail.

Mr. Portillo: The Secretary of State meets the chief inspecting officer of railways regularly to discuss railway safety.

Ports (Congestion)

44. **Mr. Rooker:** To ask the Secretary of State for Transport if he will make a statement regarding congestion at the ports.

Mr. Portillo: I refer the hon. Member to the answer which my right hon. Friend the Secretary of State gave to his question on 28 November 1988, *Official Report*, columns *154-55*.

Road Deaths

45. **Mr. David Evans:** To ask the Secretary of State for Transport how many road deaths there were in 1987.

Mr. Peter Bottomley: There were 5,125 people killed in road accidents in Great Britain during 1987. While welcoming the fact that this is a fall of 5 per cent. on the 1986 figures, it still represents too many road deaths during the year.

Accidents

46. **Mr. David Marshall:** To ask the Secretary of State for Transport how many people have been *(a)* killed and *(b)* injured in major transport disasters in (i) 1986, (ii) 1987, and (iii) 1988.

Mr. Peter Bottomley: There is no clear definition of what constitutes a major transport disaster. To attempt to classify a transport accident as a disaster by the number of deaths involved is an invidious exercise: each fatality is a disaster in its own right. The following accidents are those which have either occurred within Great Britain, or have happened to United Kingdom registered aircraft or United Kingdom registered ships. They are accidents which have attracted particular attention by their severity.

1986

9 killed, 35 injured in a rail crash on a level crossing at Lockington.

45 killed when Chinook helicopter went down in the north sea.

1 killed, 15 injured in crash of twin Otter aircraft in Scotland.

1987

189 killed, 340 injured when the roll-on roll-off ferry 'Herald of Free Enterprise' overturned off Zeebrugge.

4 killed when a train ran off the rails after a bridge was washed away at Glanrhyd in Wales.

31 killed, 29 injured in a fire at King's Cross underground station.

1988

34 killed in a railway accident at Clapham junction.

270 killed in Pan-Am air crash at Lockerbie. Of these, 244 were passengers, 15 were crew, and 11 were on the ground.

Road accidents occur much more frequently, though they do not usually lead to such major loss of life in a single accident.

In 1986, there were 248,000 accidents on public roads in Great Britain, leading to 5,382 deaths and 316,069 injuries. There were 18 accidents in each of which four or more people were killed.

In 1987, 239,000 accidents led to 5,125 deaths and 306,350 injuries. In 17 of these accidents four or more people were killed. Complete figures for 1988 will not be available before the middle of 1989.

Railway Closures

47. **Mr. Nicholas Bennett:** To ask the Secretary of State for Transport how many proposals to close railway lines have been submitted to him since 1979 by British Rail; how many have been accepted; and how many stations and lines have been opened or reopened in the same period.

Mr. Portillo: Since 1979 British Rail has submitted 42 proposals to close railways lines. A total of 31 of these proposals have been accepted; one proposal has been withdrawn by British Rail; one proposal was unopposed and so did not require ministerial consent; nine proposals are still under consideration (apart from the Settle to Carlisle proposal, none of these concerns a major route or service).

A total of 132 stations and 14 lines have been opened or reopened in the same period.

Drink-Driving Campaigns

48. **Mr. Boyes:** To ask the Secretary of State for Transport if he will make a statement on the outcome of the Christmas drink-driving campaign.

Mr. Peter Bottomley: The coverage of this year's campaign in the media was impressive and helpful.

We greatly welcome the contribution of the private sector to the campaign, especially the publicans, brewers, soft drink producers, clubs, supermarkets and off-licences.

It is clear that more people are becoming aware of the dangers and that there is a long-term downward trend in the amount of drinking and driving. The test is whether fewer people are being killed and injured. It is too early for a full assessment. We shall publish figures when they are available.

Preliminary police figures suggest that a substantial increase in their enforcement effort during the full holiday period resulted in 4 per cent. more drivers failing the road-side screening test.

It has been reported that 53,000 drivers were tested during this period compared with 37,000 for the same period in 1987—an increase of 43 per cent.

Within the higher numbers of drivers tested, the proportion of those found over the limit was only one in 10 compared with one in four over the year as a whole.

A1 (Northumberland)

49. **Mr. Beith:** To ask the Secretary of State for Transport whether the design standards applied to the A1 in Northumberland include provision for safety.

Mr. Peter Bottomley: Safety aspects are included in all the design standards adopted by the Department for all roads in the region.

British Rail (Investment)

50. **Mr. Simon Hughes:** To ask the Secretary of State for Transport what percentage of the planned investment in British Rail will be used to replace out-of-date rolling stock and equipment; and how much will be used to raise capacity.

Mr. Portillo: The figures for planned British Rail investment cannot be split between investment to replace existing capacity and investment to raise capacity since most projects will include elements of both, However, about half of British Rail's planned investment in Network SouthEast over the next five years will be spent on buying new rolling stock and refurbishing some of the existing fleet. These investments are being planned to provide sufficient additional capacity to meet the load factor standards on all routes and to cope with forecast increases in peak hour demand.

Clapham Junction

51. **Mr. Bowis:** To ask the Secretary of State for Transport how many trains, and how many passengers, travel through Clapham Junction *(a)* per day, and *(b)* per peak hour.

Mr. Portillo: The latest available data indicate that during a 24-hour period approximately 1,900 loaded passenger trains carrying 340,000 passengers pass through Clapham junction. During the peak hour (between 8 and 9 in the morning) approximately 94 London-bound loaded passenger trains carrying 62,000 passengers pass through Clapham junction. Data on trains and passengers from London passing through Clapham junction during the morning peak hour are not available.

Buses (Deregulation)

52. **Mr. Ken Hargreaves:** To ask the Secretary of State for Transport by how much bus mileage has changed since deregulation.

Mr. Portillo: Local bus mileage in Great Britain (outside London) rose by 14 per cent. between 1985-86 and 1987-88.

82. **Mr. Brandon-Bravo:** To ask the Secretary of State for Transport what change there has been in the number of bus operators since deregulation.

Mr. Portillo: By 1 May 1988 there had been a net increase of 465 operators running local bus services since deregulation.

Traffic (London)

53. **Mr. Harry Greenway:** To ask the Secretary of State for Transport when he expects to receive the final report on the inquiry into traffic in London; and if he will make a statement.

Mr. Peter Bottomley: We have not commissioned a report or inquiry on traffic for London as a whole.

Assessment studies are being carried out in four areas of the capital where conditions for movement are particularly severe. We expect to receive reports on options to improve conditions in the summer.

Road Traffic (Delays)

54. **Mr. McCartney:** To ask the Secretary of State for Transport what assessment he has made of the cost to industry of road traffic delays.

Mr. Peter Bottomley: The Department estimates savings in delay when individual road improvements are considered. The Department has not made an assessment of the total cost of delays on all roads.

Cycling

58. **Mr. Fishburn:** To ask the Secretary of State for Transport what measures his Department is taking to encourage cycling.

Mr. Peter Bottomley: Our concern is with encouraging safer cycling, primarily by reducing the scope for conflict with other road users.

We are continuing our programme of research and application studies. Publications giving technical advice and engineering standards are available and more are planned. I shall arrange for a set to be sent to my hon. Friend.

We are currently consulting local authorities and other organisations on a further local transport note on planning, design and legal aspects of providing for cyclists. This will give up-to-date guidance based on the results of our recent studies.

Towing Vehicles (Accidents)

59. **Mr. Holt:** To ask the Secretary of State for Transport how many accidents involving vehicles towing caravans, horse boxes, and so on, have been recorded in each of the past 10 years.

Mr. Peter Bottomley: The following is the information:

Accidents involving vehicles towing caravans, trailers, etc. 1979-87

Number of accidents

Vehicle type	*1979*	*1980*	*1981*	*1982*	*1983*	*1984*	*1985*	*1986*	*1987*
Cars/Minibuses	1,065	1,153	1,138	1,319	1,231	1,237	1,152	1,198	1,130
LGV	246	218	233	329	216	252	292	317	281
HGV	319	243	254	313	281	292	365	359	319
Other motor vehicles[1]	567	580	560	562	564	533	527	531	475
Total	2,197	2,194	2,185	2,523	2,292	2,314	2,336	2,405	2,205

Note:
Data prior to 1979 is not readily available.
[1] Includes agricultural, service, and industrial vehicles but not 2/3 wheeled vehicles or PSVs.

Dartford-Thurrock Crossing

60. **Mrs. Gorman:** To ask the Secretary of State for Transport when the financing arrangements for the Dartford-Thurrock crossing will be agreed.

Mr. Peter Bottomley: The agreements between Dartford River Crossing Ltd. and the relevant banks and financial institutions were made on 8 April 1987. The concession agreement between Dartford River Crossing Ltd. and my right hon. Friend the Secretary of State for Transport was signed on 9 April 1987.

Parking

61. **Mr. Tony Banks:** To ask the Secretary of State for Transport when he expects to receive the report of the working party on parking enforcement.

Mr. Peter Bottomley: Shortly.

Motorways (Accidents)

64. **Mr. Irvine:** To ask the Secretary of State for Transport what percentage of road accidents occur on motorways.

Mr. Peter Bottomley: In Great Britain during 1987, 2 per cent. of all road accidents and 5 per cent. of fatal accidents, occurred on motorways. For comparison, motorways carried 15 per cent. of all traffic in 1987.

Roads (Congestion)

67. **Ms. Ruddock:** To ask the Secretary of State for Transport what estimate his Department has made of the level of congestion on roads in London and south-east England over the next 10 years; and if he will make a statement.

Mr. Peter Bottomley: I refer the hon. Member to my reply to the hon. Member for Brent, East (Mr. Livingstone) on road conditions in London. Forecasts suggest that road traffic in the south-east outside London could increase by the order of 3 per cent. per annum to the year 2001.

Priority is being given in the national trunk road programme to schemes aimed primarily at relieving congestion, providing environmental relief and reducing casualties. Since April 1986 10 major schemes costing approximately £235 million have been completed in London and the south-east. Another 94 schemes costing approximately £2 billion are in the forward national programme at various stages of preparation. A number of smaller schemes are included in my Department's regional programme and we are supporting the Local highway authorities' road building programmes through the transport supplementary grant. A review of the national road programme will be published in the spring.

Disabled People

69. **Mr. Robert G. Hughes:** To ask the Secretary of State for Transport what progress his Department has made in assisting the disabled in their transport needs this year; and what progress he expects to make next year.

Mr. Peter Bottomley: Measures in 1988 included the following:

Announcement that from early 1989 all new London taxis must be wheelchair accessible;

Widespread introduction of design features to help elderly and disabled passengers use buses more easily, following guidelines drawn up by the Department and the disabled persons transport advisory committee;
Tours of adapted demonstration bus lent by the Department to 36 operators around the country;
Advice and information to nearly 6,000 disabled people by the Department's mobility advice and vehicle information service (MAVIS);
Practical assessment and advice at the centre for some 400 disabled people on driving and car choice.

The Department will continue to seek further improvements to help people with disabilities in the coming year. Particular priority will be given to encouraging further improvements in bus and coach design. The Department will be organising another mobility roadshow in June 1989.

Motorways (Congestion)

70. **Mr. Corbett:** To ask the Secretary of State for Transport what steps he is taking to relieve traffic congestion in the motorway system; and if he will make a statement.

Mr. Peter Bottomley: By carrying out the road improvements detailed in the roads White Paper "Policy for Roads in England: 1987" as quickly as possible and by aiming to minimise the delays at maintenance sites by careful programming, improved traffic management and by the use of lane rental contracts which give an incentive for early completion.

Barnstaple-Exeter Railway

71. **Mr. Speller:** To ask the Secretary of State for Transport if he will make funds available to British Rail to enable the Barnstaple to Exeter line to remain open.

Mr. Portillo: The public service obligation grant payable to British Rail is a block grant, not related to any individual line or service, and I have no powers to earmark funds.

London Rail Study

73. **Mr. Cox:** To ask the Secretary of State for Transport when he will publish the findings of the central London rail study.

Mr. Portillo: We expect to publish the findings of the central London rail study shortly.

Trunk Roads

74. **Mr. Patrick Thompson:** To ask the Secretary of State for Transport when he will carry out his next review of national trunk roads.

Mr. Peter Bottomley: A review of the trunk road programme is currently in progress. We expect to make an announcement in the spring.

Roads (North-East)

68. **Mr. Jack Thompson:** To ask the Secretary of State for Transport if he has any plans to improve the road system in the north-east region.

Mr. Peter Bottomley: The northern region has 18 schemes in the national roads programme at a current projected cost of £170 million. Spending on all schemes, national regional and maintenance, in the current year is estimated at over £50 million. The Department is also contributing in this financial year over £12 million in transport supplementary grant to assist local authorities in the region of constructing roads of more than local importance.

75. **Ms. Armstrong:** To ask the Secretary of State for Transport if he will give details of his plans to improve the road system in north-east England.

Mr. Peter Bottomley: The Department's plans for developing the road infrastructure in the northern region are concentrated on the provision of a new north-south bypass to the west of Newcastle; the systematic improvement of the A1 north of Morpeth and the two main east-west routes—the A66 and A69; and the improvement of the main national routes into the area from the south. Other important schemes planned to start during the next few years include a western bypass of Durham City on the A167 and a bypass of Kenton Bank Foot and Woolsington on the A696.

Urban Traffic

76. **Mr. Jim Marshall:** To ask the Secretary of State for Transport what information he has about the likely increase of traffic in urban areas.

Mr. Peter Bottomley: The Department prepares forecasts for national traffic growth. Where a trunk road scheme is being assessed, local forecasts are made, reflecting local growth in population and economic activity.

Factors such as availability of public transport, congestion and parking are also taken into consideration for urban schemes. The Department does not produce traffic forecasts for urban areas in general.

London Transport (Safety)

77. **Mr. Spearing:** To ask the Secretary of State for Transport when he next expects to meet the chairman of London Regional Transport to discuss standards of safety on London Buses and Underground services.

Mr. Portillo: My right hon. Friend, the Secretary of State, has asked London Regional Transport to make regular reports to him on their progress in implementing the Fennell report. He and I will meet the chairman as necessary to discuss these matters.

Bypasses

78. **Mr. Andrew Mitchell:** To ask the Secretary of State for Transport how many bypasses have been built since 1979.

Mr. Peter Bottomley: A total of 95 bypasses and relief roads have been built since 1979, representing 40 per cent. of new national road mileage.

Health and Safety Executive

79. **Mr. Janner:** To ask the Secretary of State for Transport how many inquiries into accidents which came within his responsibility have been carried out by the Health and Safety Executive in the past 10 years for which records are available.

Mr. Peter Bottomley: None, although I understand that the Health and Safety Executive has provided assistance to my Department on at least 10 occasions when railway accidents were involved.

Roadbuilding

80. **Mr. David Davis:** To ask the Secretary of State for Transport what measures he is taking to cut the time it takes to build roads.

Mr. Peter Bottomley: We have set targets for reducing the average time taken to progress a scheme from entering the road programme to opening for traffic by the order of a quarter. In introducing the changes we have taken care to ensure that the rights of interested parties will not be affected.

Wildlife

81. **Mr. Nicholas Baker:** To ask the Secretary of State for Transport what account he takes of the protection of wildlife when building new roads.

Mr. Peter Bottomley: Protecting wildlife is carefully considered in our planning. We consult both national wildlife bodies such as the Nature Conservancy Council and local wildlife groups throughout the process.

The effects of new roads are minimised by careful design. Special measures are taken to protect wildlife including deer runs and badger tunnels to provide for safe crossing, fencing and reflectors to discourage animals from straying onto roads.

Tree and shrub planting, which is a major landscape activity of the Department, creates invaluable wildlife habitat. The Department's publication "Transport and the Environment", which is in the Library, gives further details of some of these measures.

Pavements (Damage)

84. **Mr. Fearn:** to ask the Secretary of State for Transport what are the figures for the last five years of the cost of pavement damage, caused by heavy goods vehicles.

Mr. Peter Bottomley: National data on the cost of pavement damage are not available. The total road track costs in the United Kingdom and the amounts allocated to heavy goods vehicles are as follows:

£ million

Year	*Total road costs*	*Road costs allocated to heavy goods vehicles*
1984-85	3,496	950
1985-86	3,656	1,035
1986-87	3,863	1,060
1987-88	4,058	1,095
1988-89	4,218	1,165

M42 (Extension)

85. **Mr. Anthony Coombs:** To ask the Secretary of State for Transport when he anticipates announcing the preferred option for the western orbital route extension to the M42 to the west of the west midlands conurbation.

Mr. Peter Bottomley: The work of evaluating the large response to the public consultation is progressing well. We hope to achieve the spring 1989 target for an announcement.

Clapham Train Accident

86. **Mr. Hunter:** To ask the Secretary of State for Transport if he will make a statement on the provision of compensation for the families of those who died, and for those who were seriously injured, in the Clapham train disaster.

Mr. Portillo: Compensation is a matter for the British Railways Board, whose policy is that all claims will be considered sympathetically and as quickly as possible. The Board has made immediate payments of £2,000 to next of kin who indicated that they required help, and has announced that it will pay £10,000 for a bereavement under section 1a of the Fatal Accidents Act 1976 rather than the sum of £3,500 which the Act requires.

87. **Mr. Ron Davies:** To ask the Secretary of State for Transport what steps he has taken to enhance road safety for children and young people in urban areas.

Mr. Peter Bottomley: Cutting child casualties is one of our top priorities. Local authorities, schools and parents all have key parts to play. Initiatives include co-operation with local authorities to foster low-cost engineering measures that have been shown particularly to benefit child cyclists and pedestrians; experiments in two local authority areas to develop effective methods of safety education in schools and the "Lessons for Life" campaign launched in September aimed at helping parents play a full role in enhancing their children's road safety. For older children we have worked with the road safety officers to produce a special highway code and teenagers will particularly benefit from our motorcycle training and testing proposals.

We shall continue to pay particular attention to developing measures to reduce child casualties on the roads.

90. **Ms. Mowlam:** To ask the Secretary of State for Transport what plans he has to improve road safety.

Mr. Peter Bottomley: I refer the hon. Member to the reply that I gave to the hon. Member for Glanford and Scunthorpe (Mr. Morley) earlier today.

92. **Mr. Henderson:** To ask the Secretary of State for Transport if he will make a statement on the effectiveness of local authority actions to improve urban road safety.

Mr. Peter Bottomley: We welcome the considerable enthusiasm and activity of many local authorities in carrying out their responsibilities for improving safety on their roads. Our aim is to encourage and assist all local authorities to follow the example of the best.

Local authority initiatives are crucial to urban safety. We agreed last summer with local authority leaders a high priority and joint approach for tackling road casualties.

We work closely with road safety officers and others on publicity campaigns and child safety measures. In co-operation with the institution of Highways and Transportation we plan to publish guidelines for local highway authorities on the application of area-wide urban safety techniques.

Railway Inspectorate

91. **Mr. Vaz:** To ask the Secretary of State for Transport if he will initiate a review of the role of the railway inspectorate.

Mr. Portillo: A review of the railway inspectorate's role was commissioned by the Secretary of State in 1986. Its terms of reference included examination of the inspectorate's present role, and the formulation of recommendations as to how improvements could be made to ensure the most efficient and effective way of administering Government railway safety responsibilities in the longer term. A report was presented in 1987 which included numerous recommendations, many of which have already been implemented. A copy of the report is in the Library of the House.

Air Services (Manchester)

95. **Mr. Favell:** To ask the Secretary of State for Transport if he will make a statement on the progress of negotiations for increased air services between Manchester and New York.

Mr. Peter Bottomley: At the most recent negotiations on greater access for United States carriers to serve Manchester airport, held in London between 4 and 6 January 1989, the two sides could not reach a mutually acceptable conclusion.

The Government recognise the importance of these additional services into Manchester airport and are therefore seeking further discussions.

Manchester Air Disaster

96. **Mr. Callaghan:** To ask the Secretary of State for Transport when he expects to publish the inquiry report into the Manchester air disaster in 1985.

Mr. Peter Bottomley: A copy of the report was submitted to the Secretary of State on 15 December. Copies have also been sent to the persons whose reputation might be adversely affected by the report, in accordance with the Civil Aviation (Investigation of Accidents) Regulations 1983.

A period of 28 days is being allowed for affected persons to request a review board. Provided no review is requested, the report should be published in March.

Bus Lanes

97. **Mr. Roger King:** To ask the Secretary of State for Transport if he has any proposals to issue guidelines on the introduction of bus lanes in urban areas.

Mr. Peter Bottomley: We published a traffic advisory leaflet in March 1988 giving technical guidelines on the use of with-flow bus lanes. I shall send a copy to my hon. Friend. Further guidance is in course of preparation covering other kinds of bus priority measures.

Braking Lights

Mr. Gareth Wardell: To ask the Secretary of State for Transport (1) if his Department is aware of any evidence linking the dazzle of rear braking lights fitted on the rear windows of motor vehicles and serious injuries and deaths on British roads;

(2) if his Department has any information on the fitting as standard by manufacturers of rear braking lights in the rear windows of motor vehicles;

(3) if he has any plans to introduce legislation to prohibit the installation of rear braking lights in the rear windows of motor vehicles.

Mr. Peter Bottomley: We are not aware of any serious injuries or deaths on British roads due to dazzle from brake lights fitted in the rear windows of cars.

Volvo fit a centre brake light in the rear window of their cars as standard.

We have issued for consultation revised vehicle lighting regulations which will prohibit the fitting of brake lights in the rear windows of new cars in future unless they are half as bright as normal brake lights. Such a lamp should provide the benefit which the centre brake light can bring without the dangers of unwanted dazzle to which the hon. Member refers.

Crash Helmets

Mr. Harry Greenway: To ask the Secretary of State for Transport if he has any plans to encourage the wearing of hard hats by cyclists; and if he will make a statement.

Mr. Peter Bottomley: The Department strongly encourages the voluntary use of pedal cycle helmets and will continue to do so.

Over half of all pedal cycle casualties involve head injuries. It is sensible for cyclists to wear a good quality helmet made to the British Standard BS6863. Such helmets are now available nationwide.

Concorde (West Cornwall)

Mr. Mudd: To ask the Secretary of State for Transport how many complaints he has received concerning Concorde's sonic boom from persons living in west Cornwall for each of the years 1985, 1986, 1987 and 1988.

Mr. Peter Bottomley: The booms are normally heard during the winter. The figures for the whole of Cornwall for each winter season (November-April) are as follows:

	Number
1984-85	29
1985-86	12
1986-87	14
1987-88	14

Ministerial Advisers

Mr. Cryer: To ask the Secretary of State for Transport if he will list the ministerial advisers appointed in his Department for each year since 1979, the salary each person received, whether paid directly or to another employer, and the duties undertaken, whether solely in his Department or in conjunction with other Departments; and if he will make a statement.

Mr. Peter Bottomley: The following special advisers have been employed in the Department since 1979:

I. Heggie—Special Adviser to the Minister of Transport on transport issues from 1 November 1979 to 31 January 1981. Paid directly.

Sir John Hoskyns—Special Adviser to the Secretary of State for Transport on transport issues from 12 July 1982 to 21 June 1986. Paid directly.

Mrs. K. C. Ramsay—Special (political) Adviser to the Secretary of State for Transport from 1 September 1983 to 21 May 1986. Paid directly.

Miss E. Buchanan—Special (political) Adviser to the Secretary of State for Transport from 1 September 1987 to date. Paid directly.

It is not the practice to reveal the salaries of individual advisers as they are individually negotiated in relation to previous outside earnings and are therefore confidential. The salary spine covers rates from points 1 to 28, £13,975 to £40,520.

Channel Tunnel (London Terminal)

Mr. Tony Banks: To ask the Secretary of State for Transport what degree of private sector involvement he anticipates will be involved in the construction of *(a)* the second London terminal for the Channel tunnel and *(b)* the fast rail link between the tunnel and terminal through Kent.

Mr. Portillo: This remains to be seen. But I would like to see a significant degree of such involvement in both projects.

Mr. Tony Banks: To ask the Secretary of State for Transport what is his policy with regard to British Rail having sole determination of the location of the second London terminal for the Channel tunnel; and if he will make a statement.

Mr. Portillo: Government subsidy to British Rail in connection with its Channel tunnel services is prohibited by section 42 of the Channel Tunnel Act 1987. British Rail cannot be expected to choose a location for its second London terminal which it does not consider to be in its best commercial interests based on passenger needs. British Rail's proposal will of course need my approval and that of Parliament.

Mr. Tony Banks: To ask the Secretary of State for Transport (1) what representations have been made to his Department against the possible location of the second London terminal for the Channel tunnel at King's Cross;

(2) what representations he has received in favour of *(a)* Stratford and *(b)* King's Cross for the location of the second London terminal for the Channel tunnel.

Mr. Portillo: In addition to representations from the hon. Member, I have received a number of representations from local authorities and other interested bodies in favour of Stratford, and again King's Cross, as the site for a second London terminal. Equally, I have received a number of representations from hon. Members and others in the north of England who favour King's Cross as against Stratford on the ground that it will make possible better links to the north. I have explained to all those who have made representations that the choice is British Rail's responsibility.

Mr. Tony Banks: To ask the Secretary of State for Transport when the consultants were appointed to consider the feasibility of Stratford as a location for the second London terminal for the Channel tunnel; and when they are due to present their report.

Mr. Portillo: I am aware that British Rail has carried out such an assessment, but I do not yet have details.

Mr. Tony Banks: To ask the Secretary of State for Transport what information he has regarding the estimated cost of construction of a second London terminal for the Channel tunnel at *(a)* Stratford and *(b)* King's Cross.

Mr. Portillo: I understand that it is British Rail's view that a terminal at King's Cross would cost more than one at Stratford, but would be more commercially viable because of its more central location.

Mr. Tony Banks: To ask the Secretary of State for Transport when he expects the second London terminal for the Channel tunnel to be operational; and if he will make a statement.

Mr. Portillo: It is too early to say.

Mr. Tony Banks: To ask the Secretary of State for Transport what contribution has been made by his Department to the selection process for the site of the second London terminal for the Channel tunnel; and if he will make a statement.

Mr. Portillo: None, but the investment will need Government approval and Parliament will consider the necessary Bill.

Channel Tunnel (Kent Link)

Mr. Tony Banks: To ask the Secretary of State for Transport when he expects to receive British Rail's decision in respect of the Channel tunnel preferred link through Kent.

Mr. Portillo: I understand that British Rail hopes to announce its preferred route corridor in the next few weeks.

Carlisle-Settle Railway Line

Mr. Martlew: To ask the Secretary of State for Transport if he will make a further statement on the future of the Carlisle to Settle railway line.

Mr. Portillo: I am not yet in a position to do so.

Underground Stations (Radio)

Mr. Leighton: To ask the Secretary of State for Transport what percentage of London Underground stations use radio underground.

Mr. Portillo: Train radio is in operation throughout the underground network. London Underground Limited is implementing a programme for the introduction of police and staff radio at 42 deep-level stations representing a third of sub-surface stations. Police radio is now in use at 26 of these stations and staff radio at eight. London Underground Limited intends that police radio will be in use at all 42 stations by the end of February and staff radio by the end of April, and is preparing proposals to extend both facilities to all sub-surface stations.

London Underground (Staff Training)

Mr. Leighton: To ask the Secretary of State for Transport how many days safety training per year staff on London Underground receive.

Mr. Portillo: This is a matter for which London Underground Limited is responsible but I understand that all station and train staff will now receive one and a half days training in fire and emergency procedures a year.

Rail Link (Manchester International Airport)

Mr. Tony Lloyd: To ask the Secretary of State for Transport if he will make a statement on current progress on the rail link to Manchester International airport.

Mr. Portillo: I am awaiting a joint submission from the Greater Manchester PTE and British Rail on the financing of this link.

Rail Services (Gloucester-London)

Mr. French: To ask the Secretary of State for Transport if he will discuss the need to improve the frequency of direct trains between Gloucester and London when he next meets the chairman of British Rail.

Mr. Portillo: This is a matter for the British Railways Board.

Air Services (Manchester-Singapore)

Mr. Tony Lloyd: To ask the Secretary of State for Transport what progress he has made in negotiations to increase the number of air services between Manchester and Singapore; and if he will make a statement.

Mr. Peter Bottomley: Discussions were held in London this week between United Kingdom and Singapore civil aviation officials on arrangements for the provision of air services between the United Kingdom and Singapore. The discussions made useful progress and they are expected to continue in Singapore within the next two months.

Fennell Report (Implementation)

Mr. Leighton: To ask the Secretary of State for Transport how much extra funding has been provided so far to implement the findings of the Fennell report.

Mr. Portillo: The external financing limit for London Regional Transport for the current financial year has been increased to allow for £28 million of additional safety-related expenditure following the fire at King's Cross. The Government's public expenditure plans for 1989-90 to 1991-92 make provision in full for the proposals put forward by LRT for spending on Underground safety totalling £266 million.

London Underground (Fires)

Mr. Leighton: To ask the Secretary of State for Transport how many call-outs the London fire brigade received in each of the last five years for fires on the London Underground.

Mr. Portillo: London Underground Ltd. do not have information available in the form requested for the period specified. I understand that the numbers of fire and smoke incidents recorded by London Underground for the past five years are as follows:

	Number
1984	520
1985	335
1986	505
1987	844
1988	1,248

Changes in reporting arrangements within London Underground during the period mean that one year is not strictly comparable with another. These changes include the ones made after the King's Cross fire, as I indicated in the answer that I gave to the hon. Member for Newham, North-West (Mr. Banks) on 10 January.

Written Answers to Questions

Tuesday 17 January 1989

TRADE AND INDUSTRY

Exposure Draft 42

Mr. Heddle: To ask the Chancellor of the Duchy of Lancaster when he proposes to make a statement on Exposure draft 42, "Accounting For Special Purposes Transactions".

Mr. Atkins: My Department commented on Exposure draft 42 last summer. My hon. Friend the Parliamentary Under-Secretary of State for Corporate Affairs subsequently made an announcement in August on related matters: changes to the definition of a subsidiary, which are now included in the Companies Bill; and the circumstances in which it may be necessary, in order for group accounts to show the required true and fair view, to treat a body which is not legally a subsidiary as though it were one. I have no plans to make any further statement in connection with Exposure draft 42.

Single Market

Mr. Redmond: To ask the Chancellor of the Duchy of Lancaster why, in the single European market literature that has so far been published by Her Majesty's Government, there is no mention of the common agricultural policy for 1992 and onwards.

Mr. Atkins: The Department of Trade and Industry's single market pack describes the available details of the European Community's single market programme. Common policies in the agricultural area are of long standing and the implications of completing the single market for them are generally limited to the agrimonetary system on which the Commission is due to report shortly.

Companies (Wrongful Trading)

Mr. Chris Smith: To ask the Chancellor of the Duchy of Lancaster how many prosecutions have been brought against companies for wrongful trading under the Insolvency Act 1986; if he will list the companies concerned; and how many of these prosecutions have *(a)* been completed and *(b)* resulted in conviction.

Mr. Atkins: Wrongful trading is not a criminal offence under the Insolvency Act 1986. It is a civil remedy available to the liquidator of a company in insolvent liquidation. My Department does not maintain records of wrongful trading actions.

Post Office

Mr. Bowis: To ask the Chancellor of the Duchy of Lancaster when he intends to bring forward legislation to remove the monopoly for postal items under £1; and if he will make a statement.

Mr. Forth: I refer my hon. Friend to the answer that I gave to him on 16 January 1989, *Official Report*, column *16*.

Mr. Bowis: To ask the Chancellor of the Duchy of Lancaster what discussions he has or proposes to have with the chairman of the Post Office, following the disruption of the post in the London south-west postal districts over the Christmas period; and if he will make a statement.

Mr. Forth: My right hon. Friend and I meet the chairman of the Post Office at regular intervals to discuss a range of matters of current interest.

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Export Licences

Mr. Teddy Taylor: To ask the Chancellor of the Duchy of Lancaster what products exported from the United Kingdom require export licences; and what is the average period of time taken for the issue of such licences.

Mr. Alan Clark: Products requiring export licences are listed in the Export of Goods (Control) Order 1987 (S.I. 1987 No. 2070), as amended. Applications for licences are considered on their merits. The time taken to process these is dependent upon the nature of the product, its destination and possible end use. It is not possible to state an average period of time for the processing of such licences, but for non-sensitive applications my Department would normally expect to issue a licence within three weeks.

Century Newspapers Ltd., Belfast

Mr. Tony Lloyd: To ask the Chancellor of the Duchy of Lancaster if he will make a statement on his reasons for not immediately referring the takeover bid for Century Press by Thomson Regional Newspapers to the Monopolies and Mergers Commission.

Mr. Atkins *[holding answer 16 January 1989]:* The application by Thomson Regional Newspapers has been made under the financial urgency provisions in section 58(3)(a) of the Fair Trading Act 1973. This legislation allows the Secretary of State one month in which to consent to the transfer or refer it to the Monopolies and Mergers Commission for inquiry. No decision on the application will be taken until all relevant factors have been taken into account, including representations by third parties.

EC (Structural Funds)

Mr. Harry Barnes: To ask the Chancellor of the Duchy of Lancaster if he will list the areas of Derbyshire which he has submitted for consideration to the European Commission under its review of the European Economic Community's structural funds; and if he will make a statement.

Mr. Atkins *[holding answer 16 January 1989]:* The European Commission is to draw up a list of areas to receive support from the Community structural funds, including the European regional development fund, under the funds' new objective 2 (conversion of industrial regions). We believe that the following parts of Derbyshire satisfy criteria in Council regulation (EEC) No. 20522/88 qualifying them for consideration for selection, and have

asked the Commission to include them in the list:

Chesterfield Travel-to-Work Area (TTWA)
The Derbyshire parts of: Mansfield TTWA
Sheffield TTWA
Worksop TTWA
Derby City Urban Programme Area.

The Commission's decision is expected during

EC (Takeover and Merger Policy)

Mr. Teddy Taylor: To ask the Chancellor of the Duchy of Lancaster if he will make a statement setting out the respective powers and responsibilities of his Department, the Monopolies and Mergers Commission and the European Economic Community Commission in relation to the takeover of United Kingdom companies; what will be the impact on these responsibilities of the proposals being considered by the European Economic Community on takeover and merger policy; and if he will make a statement on the implications of these supervisory and control powers for the anticipated bids for GEC.

Mr. Atkins *[holding answer 16 January 1989]:* The powers and responsibilities of my Department and the Monopolies and Mergers Commission are contained in the Fair Trading Act 1973. Under that Act the Director General of Fair Trading has a duty to advise the Secretary of State for Trade and Industry on whether a merger or merger proposal should be referred to the MMC for further investigation and report. The EC Commission has power to enforce the competition rules in articles 85 and 86 of the treaty of Rome, which may apply to certain mergers. Regulation of the market conduct of takeovers in the United Kingdom is carried out by the panel on takeovers and mergers. There is currently no provision in EC law in respect of such regulation. Discussions are currently in train on a Commission proposal for an EC merger control regulation, and proposals for an EC takeover directive are due to be published soon. Issues of principle and detail are outstanding. It is too early to assess the implications. Were a bid to be made for GEC, it would be considered under existing procedures, in so far as they may be applicable.

Dish Aerial Receiver Units

Mr. Dykes: To ask the Chancellor of the Duchy of Lancaster if he will abolish without delay the currently applicable £10 licence charge payable to his Department at the moment of purchase of satellite television dish aerial receiver units, in view of enhanced consumer demand for such units.

Mr. Atkins *[holding answer 16 January 1989]:* I have nothing to add at this stage to my reply of 20 December 1988 to my hon. Friend at column *154*. My right hon. and noble Friend the Secretary of State for Trade and Industry will, however, make a statement as soon as possible.

Net Book Agreement

Mr. Fisher: To ask the Chancellor of the Duchy of Lancaster what evidence he has about the implications of the net book agreement for the number of independent and chartered booksellers, and their financial viability.

Mr. Atkins *[holding answer 13 January 1989]:* The implications of the net book agreement for independent and chartered booksellers were among the matters taken into account by the restrictive practices court in 1962 when it considered the agreement under the Restrictive Trade Practices Act 1956. The court then judged that the restrictions in the agreement did not operate against the public interest. Under present legislation, it is open to the Director General of Fair Trading to apply to the court for a review of its decision if he considers that there has been a material change in the circumstances on which the original judgment was based. My Department has no role in this process and does not therefore collect the kind of evidence to which the hon. Member refers.

Mr. Fisher: To ask the Chancellor of the Duchy of Lancaster when he intends to publish his Department's review of the net book agreement.

Mr. Atkins *[holding answer 13 January 1989]:* My Department is not engaged in such a review. Under the Restrictive Trade Practices Act 1976 and the Resale Prices Act 1976, the review of voluntary agreements such as the net book agreement is a matter for the restrictive practices court, on application by the Director General of Fair Trading.

EC (Research Council)

Mr. Gerald Bowden: To ask the Chancellor of the Duchy of Lancaster what progress was made at the meeting of the Research Council of European Community Ministers on 15 December; and if he will make a statement.

Mr. Newton: I represented Her Majesty's Government at the meeting of the Community's Council of Ministers (Research) in Brussels on 15 December.

The Council adopted a common position on Joule, a Community programme of research in the field of non-nuclear energy and efficient use of energy supplies with Community funding of 122 million ecu (£79 million) over 39 months. The programme will cover rational use of energy including energy efficiency, conservation and storage, renewable energy sources including solar, wind and geothermal, and research into hydrocarbons and the better use of solid fuels.

The Council also adopted a common position on a new Brite/Euram research programme combining research previously carried out under separate programmes in the fields of industrial technologies and advanced materials. The programme will provide Community funding of 499·5 million ecu (£324 million) over four years with the aim of helping to improve the competitive position of the Community's manufacturing industries. A total of 35 million ecu (£23 million) of the total will be devoted to aeronautical research.

Export Services

Mr. Knapman: To ask the Chancellor of the Duchy of Lancaster if he will make a statement about the Government's review of export services.

Mr. Alan Clark: Following the export services review foreshadowed in the White Paper "DTI—the department for Enterprise" (Cm. 278), DTI export services have been strengthened to meet exporters' needs more effectively, and simplified in their presentation so that businesses, particularly small and medium-sized enterprises new to exporting, will find them easier to use. As the export initiative, the services form part of the DTI enterprise

initiative, a comprehensive package designed to help business improve its competitiveness both at home and overseas.

The main improvements to the export services are as follows:

(a) Introduction of new export advisory service to be administered in co-operation with the Association of British Chambers of Commerce (ABCC), leading regional chambers, and in some cases export enterprise centres. The Government will provide up to £2·25 million of funding on a tapering basis over a maximum of three years. The scheme involves the appointment of 31 export development advisors nationwide who have considerable private sector exporting expertise. They will take a positive role in identifying potential exporters and offering practical assistance tailored to the specific requirements of individual firms.

(b) Greater involvement of the private sector in delivering export services and advice to potential exporters. This includes:

(i) contracting out the administration of the export marketing research scheme to the ABCC for three years from 1 December 1988;

(ii) enabling private sector contractors to compete with the Department for the provision of stand design and installation at overseas trade fairs which the Government support; with effect from the 1989-90 financial year;

(iii) faster delivery of export intelligence information by contracting out to a private sector firm the marketing, sale, and delivery in the United Kingdom of overseas market information provided by diplomatic service posts (and other sources);

(iv) setting up a three-year pilot study in conjunction with The Netherlands-British chamber of commerce to provide new export counselling services to British companies which will complement the work of our diplomatic service posts; if successful, similar schemes could follow elsewhere in Europe.

(c) Improvements to the quality of management of the export services and to staff training. We have introduced a system under which an industrial market research company will monitor standards of export service delivery worldwide, enabling us to ensure that export services remain relevant to customers' needs. A major new training programme for DTI export staff has been implemented. This will be augmented with the support of the CBI, ABCC, and Institute of Export by a new programme of short-term attachments for DTI export staff to gain first-hand experience in exporting companies.

(d) Better marketing of the Government's export services. We are issuing in 17 January 1989 a new introductory guide to exporting designed to help firms new to exporting understand the exporting process, and how the Government can help. It is accompanied by a new promotional video. This will be supported by a sustained campaign in newspapers and technical journals advertising our services.

(e) Rationalisation from 1 April 1989 of the charges made for Government export services. We will extend charges to cover advice and information on overseas markets provided by diplomatic service posts abroad in response to specific requests from British companies. This will enable us to offer a more professional and cost-effective service, and to concentrate resources on the services of most value to exporters. We will introduce at the same time a simplified payments system, based on the use of a servicecard specifically for export services. This will be accepted by all diplomatic service posts overseas and relevant Government offices in the United Kingdom. It will be operated for us by a private sector company.

(f) The introduction from 1 April 1989 of a scheme in which my Department and companies will jointly provide funding for training people from overseas who have, or may in future hold, important procurement responsibilities. The aim will be to give the individuals concerned the opportunity to acquire experience in British companies and of British business and manufacturing methods. This will strengthen ties between our exporting companies and their overseas customers.

Other improvements to the services include closer integration of the export initiative with other elements of the enterprise initiative, particularly the consultancy in export strategy available under the marketing initiative; the development of an export market information centre in the DTI; and restyled Government export publications and trade literature.

The new and improved services will help to ensure that smaller companies and those new to exporting receive better Government support. The strengthened export initiative should also benefit larger and more experienced companies, who make a major contribution to British exports. They play a vital role in retaining a British presence in overseas markets by winning large export contracts which provide considerable numbers of sub-contracts of benefit to smaller and medium-sized firms. To succeed in these highly competitive areas, and to secure the deals which provide such striking advertisements for British technology, consultancy and management skills, our companies must be able to compete on equal terms with their foreign counterparts. The Government offer a wide range of project services to enable them to do so, and have a continuing commitment to winning major projects overseas. These services include the aid and trade provision, which is Government-to-Government aid, within which is the global soft loan facility introduced in November 1985. The Overseas Projects Board will continue to give its valued guidance to us in these activities.

The British Overseas Trade Board will continue to be closely involved in the planning and operation of the export services, in promoting greater awareness of overseas markets and best practices in exporting, and in promoting British business overseas. In addition, it will in future be responsible for helping to develop a corporate plan, ensuring that our export promotion strategy and priorities reflect market developments and businesses' needs.

HEALTH

Salmonella

Sir Richard Body: To ask the Secretary of State for Health whether he will publish a summary of the evidence in the possession of his Department at the time when the Protein Processing Orders 1981 were drafted about the proportion of poultry affected by salmonella.

Mr. Kenneth Clarke: Agriculture Ministers carried out a process of consultation on proposals for the control of protein processing in 1978 and again in 1980 before the making of the Diseases of Animals (Protein Processing) Order 1981 and the Importation of Processed Animal Protein Order 1981. The central public health laboratory carried out two surveys of frozen whole chickens the results of which were as follows:

Year	Number of samples	Salmonella from	
		Number	Per cent.
1970-73	495	168	33·9
1979-80	100	79	79·0

Consultations took place against the background of growing concern about the increasing incidence of salmonella in livestock.

Since the making of the orders the public health laboratory service has carried out a further survey of frozen whole chickens, the results of which were as follows:

Year	Number of samples	Salmonella from	
		Number	Per cent.
1987	101	65	64·4

Mr. Martyn Jones: To ask the Secretary of State for Health if he will give the figures for reported cases of human salmonellosis for December 1988 as soon as they are available; and what were the figures for each of the previous 12 months.

Mr. Freeman: Laboratory reports on identifications of salmonella infections in man are collated weekly. The following table gives provisional four-weekly totals, to week 52, of laboratory reports of salmonellosis submitted to the public health laboratory service in 1988.

1988 (provisional) four-weekly period

Weeks	Reports
1-4	1,072
5-6	779
9-12	788
13-16	776
17-20	1,221
21-24	1,579
25-28	2,143
29-32	2,803
33-36	[1]2,033
37-40	3,585
41-44	3,348
45-48	2,636
49-52	1,360
Total reports	24,123

[1] Postal strike.

NHS Staff (Grading)

Mr. Allen: To ask the Secretary of State for Health how many nursing, midwifery and health visiting staff from each of the old grades have been assimilated to each of the new grades in the current clinical grading structure in Nottingham district health authority.

Mr. Mellor: The information requested is given in the table.

The new clinical grading structure for nursing, midwifery and health visitor staff—numbers of old clinical grades assimilated to each of the new clinical grades on the basis of duties and responsibilities on 1st April 1988: Nottingham DHA

Previous grade	Staff in post[1]	A	B	C	D	E	F	G[2]	H	I
Nursing Auxiliary	1,263·58	1,147·18	114·40	2·00	—	—	—	—	—	—
Staff Nursery Nurse	34·50	—	32·00	2·50	—	—	—	—	—	—
Enrolled Nurse[3]	799·75	—	—	131·96	652·83	14·96	—	—	—	—
Enrolled District Nurse[3]	27·30	—	—	—	26·30	1·00	—	—	—	—
Senior Enrolled Nurse[3]	103·45	—	—	1·40	83·55	18·00	0·50	—	—	—
Staff Nurse[3]	1,045·30	—	—	—	215·53	788·18	41·59	—	—	—
Staff Midwife[3]	120·82	—	—	—	23·00	97·82	—	—	—	—
Deputy Sister[3]	50·13	—	—	—	—	2·00	48·13	—	—	—
Nursing Sister II[3]	590·90	—	—	—	—	—	260·86	328·04	2·00	—
Midwifery Sister II[3]	153·10	—	—	—	—	—	23·13	129·97	—	—
District Nurse (Sister II)[3]	112·04	—	—	—	—	—	—	112·04	—	—
Nursing Sister I	6·00	—	—	—	—	—	—	6·00	—	—
Midwifery Sister I	—	—	—	—	—	—	—	—	—	—
Health Visitor	124·45	—	—	—	—	—	—	123·45	1·00	—
Senior Nurse 8	71·60	—	—	—	—	—	2·00	39·60	27·00	3·00
Senior Nurse 8 Midwife	7·00	—	—	—	—	—	—	7·00	—	—
Senior Nurse 7	45·00	—	—	—	—	—	—	5·00	8·00	32·00
Senior Nurse 7 (Midwife)	10·93	—	—	—	—	—	—	—	9·00	1·93
Clinical Teacher	26·16	—	—	—	—	—	—	—	26·16	—
Fieldwork Teacher	14·00	—	—	—	—	—	—	—	14·00	—
Practical Work Teacher	24·00	—	—	—	—	—	—	—	24·00	—
Tutor	38·03	—	—	—	—	—	—	—	—	38·03
Tutor Midwife	8·00	—	—	—	—	—	—	—	—	8·00
Post Basic Students										
Enrolled	35·00	—	—	35·00	—	—	—	—	—	—
Staff Nurse	183·00	—	—	—	183·00	—	—	—	—	—
Deputy Sister	—	—	—	—	—	—	—	—	—	—
Sister II	—	—	—	—	—	—	—	—	—	—
Others	2·00	—	—	—	—	—	—	—	—	2·00
TOTALS	4,896·04	1,147·18	146·40	172·86	1,184·21	921·96	376·21	751·10	111·16	84·96

[1] Whole-time equivalents.
[2] Excludes some additional "G" posts which health authorities have indicated they intend to create in future on existing two-aister wards.
[3] Excludes Post Basic Students.

Abortion

Mr. Nicholas Bennett: To ask the Secretary of State for Health what steps are taken by his Department to ensure the implementation of his requirement that centres where late abortions are preformed have immediate access to resuscitation equipment in the event that the child is born alive.

Mr. Freeman: Places in the private sector approved to carry out abortions after the 20th week of gestation are required to give additional assurances as to the availability of resuscitation equipment, including suction apparatus, incubator and oxygen supply. These facilities are monitored by the Department's medical/nursing officers during the course of routine unannounced visits.

General Practitioners (Pay)

Mr. Robert G. Hughes: To ask the Secretary of State for Health whether he proposes to review the funding arrangements for general practitioners so that they are paid according to the number of patients they attract, and the quality of services they provide.

Mr. Mellor: The White Paper "Promoting Better Health" (Cm. 249) announced a range of changes to the general practitioner's contract with the National Health Service which includes raising the proportion of income which is related to the number of patients on a GP's list and linking pay more directly than at present to service and performance. The Government are currently consulting the GPs' representatives on the arrangements necessary to introduce these changes.

Health and Local Authorities (Co-operation)

Mr. Cohen: To ask the Secretary of State for Health if he will give details of plans currently being considered within his Department to improve liaison and co-operation between local authorities and district health authorities.

Mr. Mellor: Our current examination of community care policy following Sir Roy Griffiths report includes consideration of the need for any changes to be made to the current arrangements for joint planning between health and local authorities. We continue strongly to encourage authorities to work and plan together within existing systems to develop a co-ordinated range of services.

Ethnic Monitoring

Ms. Abbott: To ask the Secretary of State for Health if he will make a statement on ethnic monitoring in mental hospitals.

Mr. Freeman: Information on the ethnic origins of detained mental patients in special hospitals has been recorded for some years. We are now exploring the feasibility of collecting data on the ethnicity of patients in NHS hospitals, including mental hospitals. If feasible, implementation would take some time because of the need to adapt health authorities' current data collection systems and in order to link with any question of ethnicity in the 1991 census.

Hospital Building Programme

Mr. Hind: To ask the Secretary of State for Health if he will make a statement on the progress of the Government's hospital building programme.

Mr. Freeman: Information held centrally shows there are currently 528 health building schemes, each costing over £1 million, at various stages of planning, design and construction with an estimated total value of £4·1 billion. In the next financial year capital expenditure of £1·2 billion is planned, an increase in real terms of 43 per cent. since 1979.

Health Authority Managers

Mr. Redmond: To ask the Secretary of State for Health what is the number of bonus payments made to health authority managers since their introduction; if he will list them to date; and if he will make a statement.

Mr. Mellor: Health authority general managers have been eligible for performance-related increases in salary since 1 September 1987 and senior (second-in-line) managers since 1 September 1988. The numbers of awards notified to the Department to date are as follows:

	1987	*1988*
General Managers	690	668
Senior Managers	—	601

Individual awards cannot be listed because they are based on confidential assessments of individual performance.

The performance-related pay scheme is working well and we shall shortly be extending it to a wider group of managers at region, district and unit level.

Health Services (Duplication)

Mr. Bowis: To ask the Secretary of State for Health if he will list the steps he is taking to reduce the duplication of functions between local government social services departments and family practitioner committees and district health authorities.

Mr. Mellor: Health authorities, local authorities and family practitioners committees are required to co-operate in the planning and delivery of their services. We strongly encourage them to plan and work jointly, and with voluntary organisations, in order to minimise the possibility of any gaps or duplications in their activities and to promote the development of a co-ordinated range of services.

Hospitals (Opting Out)

Mr. Fatchett: To ask the Secretary of State for Health whether he will issue guidelines about the involvement of regional, district and unit general managers in discussion about the possibility of individual hospitals opting out; and if he will make a statement.

Mr. Mellor: The Government's proposals for the future management and structure of the Health Service will be published shortly in a White Paper.

Privatisation

Mr. Fatchett: To ask the Secretary of State for Health whether he will publish any guidelines issued by his own

Department to regional health authorities on the privatisation of their services; and if he will make a statement.

Mr. Freeman: Health authorities were asked in September 1983 to put their domestic, catering and laundry services out to tender. Detailed guidance has been issued by the Department to authorities on how the process should be carried out. Copies of the most recent guidance (November 1987) which updated and refined earlier guidance have been placed in the library. We encourage health authorities to consider the possibility of competitive tendering in any area of their services where this is seen to offer scope for increased effectiveness and value for money. Progress has been made by authorities in extending the range of services subjected to tendering.

Politically Sensitive Issues

Mr. Fatchett: To ask the Secretary of State for Health whether he will publish any guidelines issued by his Department to regional and district health authorities in the involvement of their employees in public discussion on politically sensitive issues; and if he will make a statement.

Mr. Mellor: No. All NHS employees are expected to conduct themselves in a manner appropriate to their position. Their conduct is, however, a matter for their employing health authorities and there are no centrally issued guidelines.

Listeria

Mr. Hinchliffe: To ask the Secretary of State for Health, pursuant to the answer to the hon. Member for Wakefield, *Official Report*, 8 December, column *339*, what procedures exist which would effect the withdrawal of cooked food in sealed packages which contain listeria monocytogenes.

Mr. Freeman: The procedures for dealing with cooked ready-to-eat food contaminated with a pathogenic micro-organism depend upon the circumstances of each case. A locally distributed food can be dealt with by local authorities using powers under the Food Act 1984. More widely distributed food may require rapid communication by the Department to inform and advise all local authorities on the extent and type of local action.

Cook-Chill Catering

Mr. Hinchliffe: To ask the Secretary of State for Health, pursuant to the answer to the hon. Member for Wakefield, *Official Report*, 1 December, column *384*, on what date Mr. Arthur Pinegar of the Leeds public health laboratory ceased his involvement in private research concerning cook-chill catering.

Mr. Freeman: I refer the hon. Member to the reply to him by my predecessor on 1 December 1988, at column *384*.

The public health laboratory service has no further details of when Mr. Pinegar ceased those activities to which the hon. Member refers.

Mr. Hinchliffe: To ask the Secretary of State for Health if he will make it his policy to ensure that hospital patients in health authorities which introduce cook-chill catering also have the opportunity to consume food produced by conventional methods as an alternative.

Mr. Freeman: Health authorities are responsible for determining the delivery of catering services and take into account the needs of the hospital patients.

Mr. Hinchliffe: To ask the Secretary of State for Health if it is possible for cook-chill food from commercial catering companies to be supplied at hospitals with central production units within the requirements of his Department's 1980 guidelines on pre-cooked food in catering.

Mr. Freeman: Yes. Health authorities should satisfy themselves that any cook-chill food from outside sources meets the recommendations in the 1980 guidelines.

Medical Physicists

Mr. Latham: To ask the Secretary of State for Health what steps his Department intends to take to improve morale and pay prospects for medical physicists working in the National Health Service; and what recent representations he has received from the Institute of Physical Sciences in Medicine in that regard.

Mr. Mellor: The management side of the Scientific and Professional Staffs Council has set up a working party to investigate the scale of reported problems of recruitment and retention of medical physicists and other scientists. I have received no recent representations from the Institute of Physical Sciences in Medicine about these matters.

Mr. Hinchliffe: To ask the Secretary of State for Health if the Yorkshire regional health authority has sought the opinion of district health authorities within the region regarding the implementation of cook-chill catering.

Mr. Freeman: Yes. It consulted on a strategy document between 25 March and 30 June last year.

Radiation (Exeter)

Sir Michael McNair-Wilson: To ask the Secretary of State for Health who will provide the finance required by the Exeter health authority to provide compensation for its patients given excess doses of radiation;

(2) what additional funds his Department will provide to enable Exeter health authority to pay substantial compensation to patients given excess doses of radiation.

Mr. Mellor: I refer my hon. Friend to my reply to my hon. Friend the Member for Devon, North (Mr. Speller) on 20 Decembr 1988, at column *251*.

Medical Defence Bodies

Sir Michael McNair-Wilson: To ask the Secretary of State for Health what sum in the current wage settlement for junior doctors has been earmarked to cover their premiums to medical defence bodies.

Mr. Mellor: No specific sum was identified in respect of junior doctors as a group. In 1988-89, £31 million was made available to health authorities in the United Kingdom to meet the estimated full cost of reimbursement of two thirds of the cost of Medical Defence Society subscriptions payable by doctors employed by them.

Cancer (Children)

Mr. Teddy Taylor: To ask the Secretary of State for Health how many cases of cancer affecting children were

reported in the most recent year for which figures are available; and what was the comparable figure 30 years previously.

Mr. Freeman: National registrations of newly diagnosed cases of cancer are not available over a period of 30 years. However, the table shows the number of registrations, and the registration rate per 100,000 population for persons aged under 15 years of age for 1962, 1974 and 1984 (the latest year available) for England and Wales. The statistics should be interpreted with care as the ascertainment of cases has improved over the whole of this period.

Number of registrations of newly diagnosed cases of malignant neoplasms, and rates per 100,000 estimated population, persons aged 0-14 years. 1962, 1974 and 1984. England and Wales.

Year	Number	Rate
1962	966	9·1
1974	1,164	10·1
1984	1,085	11·3

Mr. Teddy Taylor: To ask the Secretary of State for Health what factors have been responsible for the alterations in the incidence of cancer in children.

Mr. Freeman: Very little is known generally about the causes of childhood cancer. A great deal of research into this subject is continuing by various groups in this country, including the Childhood Cancer Research Group, which is supported by the Department.

SOCIAL SECURITY

Expenditure

Mr. David Shaw: To ask the Secretary of State for Social Security by how much expenditure on social security has increased since 1978-79; and what increase in spending is planned for 1989-90.

Mr. Scott: Total spending on the social security programme increased from £16·4 billion in 1978-79 to an estimated £47·6 billion in 1988-89. This represents a 33 per cent. real increase in spending of almost £12 billion over the period.

Social security spending is planned to rise to £51·1 billion in 1989-90. This is £3·5 billion higher than in 1988-89.

Social Fund

Mr. Robin Cook: To ask the Secretary of State for Social Security whether he will make it his policy to ensure that the social fund budgets allocated to social security offices in Scotland for 1989-90 are not less in total than for 1988-89.

Mr. Peter Lloyd: We are currently considering the allocation of the 1989-90 social fund budgets to local offices and will make an announcement as soon as possible.

Community Care Grants and Loans

Mr. Redmond: To ask the Secretary of State for Social Security if he will launch a publicity campaign informing potential claimants of the availability of community care grants and loans, to ensure that the budgets are fully spent by the end of this financial year; and if he will make a statement.

Mr. Peter Lloyd: Take-up of community care grants has increased significantly over recent months and expenditure is currently running at 77 per cent. of monthly profiled expenditure. However, we are taking action further to improve awareness of the help that can be provided.

Local office managers have been asked to improve and maintain their liaison with local statutory and voluntary organisations since these are often best placed to identify people who may be eligible for help. We are also considering what additional measures might be taken to improve national information material on the scheme. In addition social fund officers have been reminded of the need to be flexible in applying guidance to individual cases and we are currently revising existing guidance in the social fund manual to make this clear.

Expenditure on loans has now reached national monthly profiled levels and we do not consider that further action is required in this area.

Medical Appeals Tribunals (Deafness)

Mr. Harry Barnes: To ask the Secretary of State for Social Security if he has plans to ensure that evoked response audiometry machines will automatically be available at medical appeals tribunals when cases of industrial deafness are under consideration.

Mr. Scott: This is a matter for the president of social security and medical appeal tribunals and the hon. Member may care to contact him direct.

Service Homes

Mr. Bowis: To ask the Secretary of State for Social Security what discussions he has had with Servite Houses on the funding of its homes for the frail elderly; and if he will make a statement.

Mr. Peter Lloyd: My hon. Friend the Minister for Social Security met representatives of Servite Houses Ltd. on 26 May 1988, and there was a useful discussion of issues of mutual concern. The information provided by Servite Houses Ltd. was taken into account along with evidence provided by other organisations, in the most recent review of the income support limits.

The Government's decisions were announced in October 1988 as part of the general uprating of benefits. From April 1989 additional help will be provided to nearly nine out of 10 income support claimants in homes.

Disablement Income Group

Mr. Alfred Morris: To ask the Secretary of State for Social Security what representations he has had from Mr. Peter Large of the Disablement Income Group in regard to the report entitled, "Being Disabled Costs More Than They Said", a copy of which was sent to him on 3 January; what reply he is sending; if there is any action he will be taking; and if he will make a statement.

Mr. Scott: I have received a letter from Peter Large enclosing a copy of the Disablement Income Group's

"Being Disabled Costs More Than They Said". Mr. Large's letter summarised the main points of the report and asked the Government to take note of them. In my reply I have made it clear that we will consider carefully the points raised in the report.

Mobility Allowance

Mr. Rowlands: To ask the Secretary of State for Social Security how many mobility allowances were granted in 1988; how many were refused; how many went to appeal; and how many of those appeals were successful.

Mr. Scott: The available information is as follows. It relates to decisions given on claims (including renewal claims) during the year, not to claims made during the year.

	Numbers
Claims decided	
Awards	127,560
Disallowances	77,305
Appeals and references decided by medical boards	
Number decided	20,980
Decisions in favour of claimant	6,122
Appeals decided by medical appeal tribunals	
Number decided	6,547
Decisions in favour of claimant	1,846

Departmental Offices

Mr. Tony Lloyd: To ask the Secretary of State for Social Security if he will give details of proposed changes in staff levels at social security offices in the north-west region; and if he will make a statement.

Mr. Peter Lloyd: The staffing reductions from the implementation of operational strategy in local offices in the north-west region are currently expected to be 1,575 posts between 1 April 1989 and 31 March 1993. Changes in staffing levels may also be required from time to time to reflect changes in local office workloads.

Heating Costs

Mr. Nigel Griffiths: To ask the Secretary of State for Social Security if, pursuant to the statement of 10 January, *Official Report*, column 814, he will identify the sums incorporated in income support to cover the cost of heating.

Mr. Peter Lloyd: The income support rates are intended to provide for all normal day-to-day living expenses, including heating costs. There is no separately identifiable sum included for heating costs. It is for individuals to decide how best to spend their benefit in the light of their own needs and preferences.

TRANSPORT

Public Service Obligation

42. **Mr. Prescott:** To ask the Secretary of State for Transport what amounts of financial resources have been paid to British Rail under public service obligation grants for each year since 1983; and what proportion is given to the south-eastern region of British Rail.

Mr. Channon: The figures for Government support for the British Railways Board taken from the final claims for grant in compensation for the public service obligation under EEC regulation 1191/69 and section 3 of the Railways Act 1974 are given below. 1984-85 is a 15-month period reflecting a change in the board's financial year. The figures for 1986-87, 1987-88 and 1988-89 remain provisional; final claims have not yet been agreed. All figures are cash.

	£ million
1983	853·6
1984-85	1,065·9
1985-86	820·0
1986-87	713·9
1987-88	800·6
1988-89	572·5

Grant is paid to the board in respect of subsidised passenger services as a whole; it is not hypothecated to business sectors. From 1983 to 1987-88 approximately 30 per cent. of the grant was allocated to Network SouthEast (and its predecessor London and South East). It is not yet possible to provide a figure for 1988-89.

Motorways (Private Vehicular Access)

Mr. Gareth Wardell: To ask the Secretary of State for Transport if he will place in the Library a list of all sites of private vehicular access to each motorway not being motorway junctions; and if he will provide a map to make such sites easily identifiable.

Mr. Peter Bottomley: Yes. It will take a little time to prepare the material.

M1-A1 Network

Mr. Redmond: To ask the Secretary of State for Transport what action he intends to take to ensure that motorists using the M1/A1 networks can travel reasonably quickly and freely; if he envisages increasing the number of carriageways; if he will be implementing charged tolls on sections of these roads; and if he will make a statement.

Mr. Peter Bottomley: There are a number of schemes in the programme to reduce congestion on both the M1 and the A1. The extension of the M40 to Birmingham will provide relief to the M1.

We are currently reviewing the road programme. We expect to make an announcement in the spring.

There are no plans to charge tolls on the M1 or A1.

Irish Sea Ferries

Mr. Nicholas Bennett: To ask the Secretary of State for Transport what are the maximum loadings allowed on each ferry between Ireland and Great Britain; and what action is taken to ensure that these figures are not exceeded.

Mr. Portillo: The maximum loading allowed on ferries corresponds to immersion of the hull up to the clearly visible load-line mark. The maximum number of passengers allowed is stipulated on the passenger ship safety certificate which every passenger ship including ferries must carry. It is the statutory duty of the master to ensure before his ship proceeds on any voyage that the load-line mark is not submerged and that the maximum number of passengers permitted is not exceeded.

Road Transport Cabotage

Mr. Redmond: To ask the Secretary of State for Transport what measures will be taken in the context of the single European market to ensure that road transport cabotage will not infringe the European Community's treaty on the environment.

Mr. Peter Bottomley: All vehicles, whether undertaking cabotage or international journeys, will have to comply with both Community law and the national laws of the countries they are visiting.

NATO (ACTICE Study)

Mr. Redmond: To ask the Secretary of State for Transport what were the posts, ranks and responsibilities of those attending the North Atlantic Treaty Organisation ACTICE study held at the civil defence college in April 1988.

Mr. Portillo: The Department hosted a training session for the North Atlantic Treaty Organisation agency for the co-ordination of inland surface transport in central Europe (ACTICE) at the civil defence college between 25 and 29 April 1988. The proceedings and details of attendees are classified.

NATO (Transport Planning Conference)

Mr. Redmond: To ask the Secretary of State for Transport which organisations, departments or individuals have been invited to attend the North Atlantic Treaty Organisation transport planning conference, to be held at the civil defence college in spring 1989.

Mr. Portillo: The department will host a routine meeting of the northern Europe sub-committee of the planning board for European inland surface transport (PBEIST) at the civil defence college in spring 1989. The meeting will be attended by representatives from Norway, Denmark, Germany, Canada, United States of America and the United Kingdom.

Chiltern Line

Mr. Dykes: To ask the Secretary of State for Transport if he is yet in a position to announce his response to British Rail's request for additional signalling equipment and rolling stock on the Chiltern line services.

Mr. Portillo: British Rail have only just submitted their proposals to me for renewing the Chiltern line rolling stock. I hope to be able to announce a decision very shortly. Work on modernising the signalling is already making good progress and is expected to be completed in 1990.

West London Line

Mr. Bowis: To ask the Secretary of State for Transport if he will request the chairman of British Rail to publish figures of how many passenger and freight trains, respectively, cross the Thames on the west London line each day; how many passengers are carried; and how many trains use this route between 11 pm and 7 am.

Mr. Portillo: On weekdays there are 12 passenger trains in each direction, on Saturdays 3 in each direction and on Sundays one in each direction. Up to 25 freight trains use the line daily, but separate figures for the 11 pm to 7 am period are not kept. Approximately 1,100 passengers use the line on weekdays, and considerably fewer at weekends.

River Thames (River Buses)

Mr. Bowis: To ask the Secretary of State for Transport if he will give the number of public river buses operating on the Thames and the number of passengers carried, for each of the last 10 years.

Mr. Portillo: Thamesline plc began a regular public service in June last year which at the end of the year was using seven vessels and carried about 5,000 passengers a week. Statistics of riverbus services are not available on an annual basis for the last 10 years.

River Thames (Tunnels)

Mr. Bowis: To ask the Secretary of State for Transport if he will list the tunnels under the Thames, between Kingston and the estuary, giving in each case the present and past use and the width of each.

Mr. Peter Bottomley: The information requested is as follows:

Thames tunnels between Kingston and the estuary

	width in metres
(i) Road tunnels	
Rotherhithe	4·9
Blackwall, Old	6·1
Blackwall, New	6·1
Dartford, West	6·4
Dartford, East	7·3
(ii) Railway tunnels	
Victoria Line at Vauxhall	3·8
Northern Line at Charing Cross	3·6
Bakerloo Line at Charing Cross	3·7
Waterloo and City at Blackfriars	3·7
Northern Line at London Bridge	3·6
East London Line at Wapping	3·4
(iii) Pedestrian tunnels	
Greenwich	1·6-2·8

The use of these tunnels has remained unchanged since they were built.

In addition there are various service tunnels used for purposes other than transport.

EC (Railways)

Mr. Adley: To ask the Secretary of State for Transport if he will list for each European Economic Community country the mileage of newly constructed railway opened for public service in each of the last five years.

Mr. Michael Portillo: I regret that my Department does not have this information.

Rail Services

Mr. Adley: To ask the Secretary of State for Transport if he will list for each year since the passing of the Transport Act 1968 the number of rail services which have been withdrawn and for which a substitute bus service has been provided; whether the bus service is still in existence in each case; and, if not, why it was terminated.

Mr. Portillo: I regret that this information is not available. Unlike substitute bus services provided under the Transport Act 1985, earlier replacement bus services did not require ministerial consent before they were withdrawn. No substitute bus services have yet been provided under the new provisions of the 1985 Act.

Fishing Vessel New Dawn

Mr. Foulkes: To ask the Secretary of State for Transport what information he has about the collision between the fishing vessel New Dawn and the USS Will Rogers on Tuesday 3 January; what investigation or inquiry he proposes into the incident; and if he will make a statement.

Mr. Portillo: The collision took place at about 0730 on 3 January, some 5 miles south of the Isle of Arran in the Firth of Clyde. Neither vessel was seriously damaged and there were no injuries.

An investigation was ordered on 3 January and is being carried out by one of the Department's marine surveyors.

Motor Vehicles (Clocking)

Mr. Flynn: To ask the Secretary of State for Transport if he has considered the proposals of the motor trade working group, chaired by the Director General of Fair Trading, to introduce mileage recordings at the driver and vehicle licensing centre, in order to combat the practice of clocking of motor vehicles.

Mr. Peter Bottomley: The implications of the proposal, which involves a DVLC-based mileage recording scheme, are still being considered. An announcement will be made shortly.

Horne Report

Mr. Ron Davies: To ask the Secretary of State for Transport whether the joint working party established to consider the Horne report's recommendations on diversionary works has completed its deliberations; and when he intends to introduce legislation putting into effect the Horne report's conclusions.

Mr. Peter Bottomley: The diversionary works working party, which includes representatives of the utilities, local authority associations and British Railways Board, has recently completed a draft code of practice dealing with the procedures to be followed when highway or bridge works affect utility apparatus, including cost sharing. The code will shortly be referred to the relevant organisations for endorsement. Legislation to implement the recommendations of the Horne Committee will be introduced when a suitable opportunity can be found.

Burley-on-Wharfedale (Relief Road)

Mr. Tony Lloyd: To ask the Secretary of State for Transport if he will make a statement on his plans to allow the building of a relief road around Burley-on-Wharfedale.

Mr. Peter Bottomley: Good progress is being made on this scheme which appears in the last roads White Paper for a start of construction in the period April 1989 to March 1991. The decision was announced in December last to proceed with the making of the line and side roads orders. The draft compulsory purchase order is due to be published this spring.

British Airways/British Caledonian Airways (Merger)

Mr. Colvin: To ask the Secretary of State for Transport whether the merger between British Airways and British Caledonian Airways has been implemented consistently with the revised proposals put to the Monopolies and Mergers Commission by British Airways.

Mr. Channon: On 5 January 1988 my noble Friend the Minister for Aviation and Shipping wrote to the chairman of the Civil Aviation Authority asking him to establish monitoring arrangements to ensure that the BA/B-Cal merger proceeded on the basis proposed by British Airways to the Monopolies and Mergers Commission.

The chairman of the CAA has now submitted a full report to me and from the information contained in this report I am satisfied that British Airways has fulfilled its commitments to the MMC during the year under review. I have placed a copy of the CAA's report to me in the Library of the House together with a copy of my reply. The CAA will also be publishing its report in its weekly proceedings.

East Midlands Air Crash (Fund)

Mr. Ashby: To ask the Secretary of State for Transport if he will give further details of the Government's contribution to the disaster fund set up by the North West Leicestershire district council for the victims of the east midlands air crash and their families.

Mr. Paul Channon: I have announced that the Government will be making a contribution of £250,000 to the east midlands air crash disaster fund. I very much hope that the Government's example will encourage others to join in helping the bereaved and those who suffered as a result of the accident. Neither the fund nor the Government's donation to it will affect claims for compensation.

The Secretary of State for Northern Ireland will donate £100,000 from resources available to him, and £150,000 will be contributed by my Department. Parliamentary approval for these payments will be sought in Supplementary Supply Estimates. Pending that approval, both donations will be met by repayable advances from the respective contingencies funds. As savings are sufficient to meet these sums, there will be no increase in the public expenditure planning total.

United Kingdom-Singapore (Air Services)

Mr. Snape: To ask the Secretary of State for Transport if he will make a statement on the progress of talks between Her Majesty's Government and the Republic of Singapore on increasing air services between the two countries.

Mr. Peter Bottomley *[holding answer 12 January 1989]:* Discussions were held in London this week between United Kingdom and Singapore civil aviation officials on arrangements for the provision of air services between the United Kingdom and Singapore. The discussions made useful progress and they are expected to continue in Singapore within the next two months.

Airport Security

Mr. Bermingham: To ask the Secretary of State for Transport (1) what research his Department has

commissioned into the use of neutron beam detector systems in relation to airport security; what level of funding is being allocated to this work; and if he will make a statement;

(2) how many companies have been invited to tender for the supply of neutron beam detectors for airport security use; when such tenders were invited; and if he will make a statement.

Mr. Peter Bottomley *[holding answer, 13 January 1989]:* Development work on using the thermal neutron activation analysis technique for detecting explosives is taking place both in the United States of America and this country (at Harwell). The technique employs large neutron sources, and this raises considerable radiation protection problems. In both countries the results of tests carried out under laboratory conditions were encouraging, and prototypes are now being tested to establish reliablility and suitability for searching baggage under operational conditions. The United States prototypes have been more extensively tested. They have been on trial at San Francisco airport and the FAA has recently ordered five production models. We and the United States authorities maintain close liaison on such matters.

OVERSEAS DEVELOPMENT

Child Starvation

Mr. Wigley: To ask the Secretary of State for Foreign and Commonwealth Affairs how much overseas aid this year is being specifically directed towards ending child starvation and hunger in the Third world; what were the corresponding figures for each of the past three years; and if he will increase this figure for the next financial year.

Mr. Chris Patten: It is not practicable to separate expenditure directed towards ending child starvation and hunger from that designed to benefit the poor of the Third world generally. The object of the British aid programe is to promote sustainable economic development and to alleviate poverty. In 1987 over 80 per cent. of the bilateral aid programme went to the poorer countries—those with annual incomes per head of less than $800—where the incidence of hunger and malnutrition is greatest.

Her Majesty's Government's contributions to key organisations with a specific remit for children and with programmes concerned with child nutrition include the following:

£ million

	1985-86	*1986-87*	*1987-88*	*1988-89 (to date)*	*1989-90 (planned)*
UNICEF, General Resources	6·3	6·5	7·0	7·5	8·0
UNICEF, Supplementary funded projects	1·338	6·570	8·223	1·880	[1]—
Save the Children Fund, Joint Funding Scheme	0·675	0·905	1·045	1·925	[1]—
Save the Children Fund, Supplementary grants	7·958	1·718	4·787	n/a	[1]—

[1] To be decided.

PRIME MINISTER

GATT

Q27. **Mr. Teddy Taylor:** To ask the Prime Minister if the European Council will be considering its policy on the future subsidising of agriculture before the next meeting of the general agreement on tariffs and trade.

The Prime Minister: The European Council will next meet on 26-27 June 1989. Negotiations on agriculture in the current GATT round are continuing and the Community will participate in them on the basis of positions agreed in the Agriculture and Foreign Affairs Councils.

European Commissioners

Q96. **Mr. Tam Dalyell:** To ask the Prime Minister if she will meet Señor Felipe Gonzales, chairman of the Council of Ministers, to discuss the criteria for the appointment of European Commissioners.

The Prime Minister: No.

Technology Assessment Unit

Sir Ian Lloyd: To ask the Prime Minister (1) whether she will publish a list of the technology assessments which have been carried out by the technology assessment unit established in the Cabinet Office in 1988;

(2) whether it is her intention to publish any of the technology assessment reports carried out by the technology assessment unit of the Cabinet Office;

(3) whether the technology assessment unit of the Cabinet Office has been asked to undertake an assessment of the scientific validity of the Commission of the European Community's decision to ban the import of beef produced from cattle which have been fed with hormones.

The Prime Minister: The Cabinet Office's science and technology assessment office does not itself undertake assessments of this kind. As explained in the Government response to the first report of the House of Lords Select Committee on Science and Technology, 1986-87 Session (Cm. 185), its role is to encourage the adoption of sound assessment systems by Government Departments and other bodies concerned with publicly funded research and development.

Department of Food and Health

Sir Richard Body: To ask the Prime Minister whether she will now reconsider the proposal to establish a single Department of Food and Health, thereby closing down the Ministry of Agriculture, Fisheries and Food; and whether she will publish an estimate of the effect on public funds of such a proposal.

The Prime Minister: I have no plans to establish a single Department of Food and Health.

Greenhouse Effect

Mr. Dalyell: To ask the Prime Minister if she will make a statement on her initiatives to co-ordinate inter-departmental action on the greenhouse effect.

The Prime Minister: I refer the hon. Member to the reply I gave to the hon. Member for South Shields (Dr. Clark) on 16 January 1989, at column *1*.

Engagements

Mr. Cran: To ask the Prime Minister if she will list her official engagements for Tuesday 17 January.

Mr. Ian Taylor: To ask the Prime Minister if she will list her official engagements for Tuesday 17 January.

Mr. Tony Banks: To ask the Prime Minister if she will list her official engagements for Tuesday 17 January.

Mr. Sumberg: To ask the Prime Minister if she will list her official engagements for Tuesday 17 January.

Mr. Dunnachie: To ask the Prime Minister if she will list her official engagements for Tuesday 17 January.

Mr. Harry Greenway: To ask the Prime Minister if she will list her official engagements for Tuesday 17 January.

Mr. Pike: To ask the Prime Minister if she will list her official engagements for Tuesday 17 January.

Mr. Ron Davies: To ask the Prime Minister if she will list her official engagements for Tuesday 17 January.

Mr. Barry Field: To ask the Prime Minister if she will list her official engagements for Tuesday 17 January.

Mr. Gill: To ask the Prime Minister if she will list her official engagements for Tuesday 17 January.

The Prime Minister: This morning I had meetings with ministerial colleagues and others. In addition to my duties in the House I shall be having further meetings later today.

HOUSE OF COMMONS

Fax Machines

Mr. Allen: To ask the Lord President of the Council how many fax machines were purchased by hon. Members for their use in the House; and at what cost.

Mr. Wakeham: The information requested by the hon. Member is not available centrally since the purchase of such equipment is an individual matter for right hon. and hon. Members.

Library Papers

Mr. Steinberg: To ask the Lord President of the Council if he will ensure that a copy of every Library deposited paper is supplied to the branch library in Norman Shaw North; and if he will monitor the situation in the future.

Mr. Wakeham: About 80 per cent. of papers deposited in the Members' Library are also available in the branch library. Some papers because of their size, format or restricted contents, cannot easily be duplicated. However, I have made arrangements to remind Government Departments of the desirability of sending a second copy to the branch library whenever possible. The Library keeps deposited paper arrangements under constant review.

NATIONAL FINANCE

National Savings

Mr. Andrew Bowden: To ask the Chancellor of the Exchequer what is the total current number of national savings ordinary accounts.

Mr. Lilley: There are approximately 56·2 million ordinary accounts of which only 7·7 million are active, that is, which received a deposit during the last five years.

Drugs

Mr. Mudd: To ask the Chancellor of the Exchequer if he will list, according to substance, weight, street value and point of location or interception, major quantities of dangerous drugs seized by Her Majesty's Customs in each of the years 1985, 1986, 1987 and 1988.

Mr. Lilley *[holding answer 16 January 1989]:* I regret that this information is not readily available in the form requested.

FOREIGN AND COMMONWEALTH AFFAIRS

Israel (Palestinian Detainees)

Mr. Bowis: To ask the Secretary of State for Foreign and Commonwealth Affairs what his latest estimate is for Palestinians detained without trial in Israel; how many of these come from the occupied territories; and if he will make a statement.

Mr. Waldegrave: We understand that there are just over 900 Palestinian administrative detainees currently held by the Israeli authorities. These are among a total of between 4,000 and 5,000 Palestinians detained so far without trial in Israel and the occupied territories. In addition to the administrative detainees, there are those awaiting trial, under investigation, sentenced for short periods or of as yet undefined status. We have made clear repeatedly to the Israelis our strong opposition to the practice of administrative detention.

Citizenship (European Community)

Mr. Foulkes: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had with the Government of Portugal or within the Council of Ministers regarding harmonisation of the citizenship and nationality arrangements for people in dependent territories of each member country of the European Community; and if he will make a statement.

Mrs. Chalker: None.

DEFENCE

Nuclear Weapons

Ms. Ruddock: To ask the Secretary of State for Defence if he will make it his policy not to agree to North Atlantic

Treaty Organisation modernisation of nuclear weapons until the House of Commons has expressed its view thereon.

Mr. Archie Hamilton: The Government's support for modernisation is well known and is reflected in their endorsement of successive NATO communiqués reiterating the Alliance's determination to keep its forces, nuclear and conventional, effective and up to date. The modernisation issue has already been raised in the House on numerous occasions. Moreover, the Government have undertaken to report to the House on nuclear modernisation as it affects British forces when the appropriate moment comes.

BAOR

Mr. Sean Hughes: To ask the Secretary of State for Defence what was the average number of *(a)* British land forces, *(b)* British main battle tanks and *(c)* British armoured personnel carriers stationed on the mainland of Europe in 1987.

Mr. Archie Hamilton: The figures requested by the hon. Member for 1987 were approximately as follows:

	Number
(a) British land forces	[1]60,300
(b) British main battle tanks	[2]650
(c) British armoured personnel carriers	[3]1,900

[1] Includes 3,000 in Berlin.
[2] Does not include reserve stocks.
[3] Includes a number of non-troop carrying vehicles.

These figures include the British Army of the Rhine and forces stationed in Berlin.

Mr. Sean Hughes: To ask the Secretary of State for Defence what is the average number of trained infantrymen in each British Army of the Rhine infantry battalion.

Mr. Archie Hamilton: The establishment of infantry battalions in BAOR varies according to role. The current average establishment is approximately 660 officers and soldiers. This figure is subject to change as the re-equipping of infantry battalions with Warrior and Saxon, and the conversion of 6 Brigade from the airmobile role, continue.

Mr. Sean Hughes: To ask the Secretary of State for Defence what is the average number of main battle tanks in each British Army of the Rhine armoured regiment.

Mr. Archie Hamilton: It is not our practice to give details of the number of tanks in operational units or formations.

Mr. Sean Hughes: To ask the Secretary of State for Defence what is the average number of anti-tank guided missile systems in each British Army of the Rhine infantry battalion.

Mr. Archie Hamilton: It is not our practice to give details of the number of anti-tank guided missiles in operational units or formations.

Mr. Sean Hughes: To ask the Secretary of State for Defence what is the average number of surface-to-air guided missile systems in each British Army of the Rhine air defence regiment.

Mr. Archie Hamilton: It is not our practice to disclose the numbers of surface-to-air guided missile systems in operational units or formations.

Mr. Sean Hughes: To ask the Secretary of State for Defence what was the average amount of time spent by each British Army of the Rhine infantry battalion in *(a)* training and *(b)* exercise in 1987.

Mr. Archie Hamilton: In 1987, BAOR infantry battalions deployed for up to 26 weeks of training, of which approximately 15 weeks was for battalion level training and 11 weeks for company level training. The form in which records are held does not differentiate between training and exercise deployment and the specific information requested by the hon. Member could be provided only at disproportionate cost.

Mr. Sean Hughes: To ask the Secretary of State for Defence what was the average amount of time spent by each British Army of the Rhine armoured regiment in *(a)* training and *(b)* exercise in 1987.

Mr. Archie Hamilton: In 1987, BAOR armoured regiments deployed for up to 23-25 weeks of training, of which approximately 14 weeks was for regimental training and eight weeks for squadron/troop training. The form in which records are held does not differentiate between training and exercise deployment and the specific information requested by the hon. Member could be provided only at disproportionate cost.

Low Flying

Mr. Foulkes: To ask the Secretary of State for Defence if he will list the number of complaints about low-flying aircraft for each training area for each month since January 1980 and give for each month the relative number of sorties involved.

Mr. Neubert: Monthly breakdowns of low-level military training sorties and complaints and inquiries received at the Ministry of Defence about such training are as follows. It should be noted that some of the monthly figures for earlier years were corrected on aggregation and yearly totals calculated by aggregating the monthly figures given may differ slightly from the yearly totals supplied previously to the House.

Monthly sorties in the United Kingdom low-flying system

	1980	*1981*	*1982*	*1983*	*1984*	*1985*	*1986*	*1987*	*1988*
January	10,034	9,271	9,567	9,794	8,954	9,723	11,532	8,222	11,179
February	8,373	10,208	9,456	12,197	9,112	10,436	12,264	12,527	14,279
March	9,884	11,854	14,992	12,265	11,505	12,973	10,145	12,515	15,494
April	11,045	10,105	10,759	11,802	12,972	12,793	14,863	13,006	11,733
May	11,716	11,196	12,116	12,520	12,967	12,534	13,366	14,364	12,990
June	11,602	14,124	11,827	15,010	13,715	13,158	13,413	13,787	14,220
July	12,229	12,830	11,443	15,109	13,678	14,267	17,519	14,071	12,653

	1980	1981	1982	1983	1984	1985	1986	1987	1988
August	7,976	10,005	10,366	10,482	10,532	11,634	10,229	11,959	13,182
September	10,714	11,551	10,950	9,768	9,973	11,338	12,847	12,954	11,459
October	11,156	12,476	10,339	11,585	12,421	12,849	12,950	11,950	11,589
November	9,365	11,431	11,053	10,201	9,929	12,993	12,968	12,892	—
December	8,756	6,790	7,477	8,614	7,761	7,064	9,068	8,814	—

Monthly Complaints in the United Kingdom Low Flying System

	1980	1981	1982	1983	1984	1985	1986	1987	1988
January	222	159	142	246	206	145	238	224	283
February	194	228	257	212	145	190	210	227	311
March	170	209	323	288	150	170	164	236	324
April	276	283	367	405	288	224	308	305	449
May	242	329	235	619	370	406	401	405	668
June	383	540	232	589	885	301	569	515	634
July	372	721	405	727	1,009	487	636	777	643
August	389	483	290	814	925	573	1,062	691	917
September	459	724	418	516	480	591	701	723	497
October	328	329	192	211	401	382	454	691	349
November	160	298	276	294	324	390	294	714	—
December	170	199	168	146	186	274	267	187	—

It is not our practice to publish detailed information relating to specific low-flying training areas.

Royal Yacht (Costs)

Mr. Meacher: To ask the Secretary of State for Defence if he will set out the total running costs of the royal yacht Britannia for the year 1987.

Mr. Archie Hamilton: The overall running costs for HMY Britannia for financial year 1987-88 were approximately £7·3 million.

Shipping Collision

Mr. Foulkes: To ask the Secretary of State for Defence what information he has received from the United States Navy about the collision between the USS Will Rogers and the fishing vessel New Dawn on 3 January; what action he proposes to take; and if he will make a statement.

Mr. Archie Hamilton: The Ministry of Defence was informed on 3 January 1989 that the submarine USS Will Rogers had been involved in a minor collision while on the surface with the 50-ton fishing trawler New Dawn in the Firth of Clyde. The collision occurred at approximately 0730 during USS Will Rogers' passage to Holy Loch. The trawler reported only superficial damage and continued under way. On return to port, an initial hull inspection of USS Will Rogers revealed minor scraping and chipping of paint. The US navy is conducting an investigation regarding the incident.

Trident (Costs)

Mr. John Browne: To ask the Secretary of State for Defence what is the latest estimate of the cost of the Trident programme; and if he will make a statement.

Mr. Younger: I am pleased to announce that for the third year running I am able to report a reduction in the estimated costs of the Trident programme. The revised estimate at average 1988-89 prices is £9,089 million. The estimate is based on the exchange rate of £1 = $1·76 used for the current long-term costing of the defence programme. The forecast proportion of the programme to be undertaken in the United Kingdom has risen to 68 per cent., the highest level so far. After allowing for the effects of inflation and exchange rate variations, the new estimate represents a real reduction of some £104 million compared with last year's estimate and a real reduction of £1,051 million compared with the original 1982 estimate, over and above the savings of some £784 million resulting from the decision to have United Kingdom missiles processed in the United States facility at King's bay, Georgia.

The Select Committee on Defence previously asked that when announcing the annual revised estimate I should report on the state of the project as a whole. I am pleased to say that the project remains on programme to enter service as planned in the mid-1990s. There has been no slippage in the in-service date since the decision to proceed with Trident II was announced in March 1982. I am, as in past years, sending to the Chairmen of the Select Committee on Defence and the Public Accounts Committee a more detailed report covering the progress of the various elements of the Trident programme. I am also placing a copy of the report in the Library of the House.

HMS Resolution

Mr. Hinchliffe: To ask the Secretary of State for Defence what decision has been reached over the refurbishment of HMS Resolution; what is the estimated cost of such refurbishment; and what would be the total defence budget allocation to Polaris for 1988-89 in the event of such refurbishment.

Mr. Sainsbury *[holding answer 15 December 1988]:* I refer the hon. Member to the reply given to the hon. Member for Winchester (Mr. Browne) by my right hon. Friend the Secretary of State for Defence today. In particular, I refer to the more detailed report mentioned in that reply. It has been placed in the House of Commons library, and states that the Ministry of Defence has decided that a fourth refit for the Polaris submarine HMS Resolution is not required.

EDUCATION AND SCIENCE

Teachers

Mr. Thurnham: To ask the Secretary of State for Education and Science how many teachers have joined the profession in state schools over each of the last five years; how many have left; and if he will make a statement.

Mr. Butcher: The numbers of teachers entering and leaving the maintained nursery, primary and secondary schools sector in England in the last five years for which figures are available were:

Year ending 31 March	*Entering*	*Leaving*
1982	22,700	30,800
1983	23,400	29,400
1984	25,600	29,600
1985	24,600	31,100
1986	25,800	30,800

These figures include teachers entering from or leaving to other parts of the maintained sector.

Vandalism

Mr. Thurnham: To ask the Secretary of State for Education and Science how many schools in the Bolton area were damaged by vandalism, in particular arson, during each of the last five years; what was the cost to the education authority of this damage; and if he will make a statement.

Mr. Butcher: Data concerning the number of schools affected by vandalism are not available, but I understand that the majority of schools in the Bolton area have been affected. The cost of damage during each of the last five years is given in the table. Such a level of loss is unacceptable, and I am discussing with the local authority associations a range of measures to improve the security of school premises.

Financial year	*Vandalism £*	*Arson £*	*Number of fires*
1983-84	114,098	18,951	17
1984-85	136,911	85,000	12
1985-86	155,032	85,536	11
1986-87	160,967	14,829	14
1987-88	193,808	153,202	20

Graduates

Dr. Hampson: To ask the Secretary of State for Education and Science what proportion of graduates went into industry in the latest year for which figures are available.

Mr. Robert Jackson: Seventeen per cent. of first degree graduates in Great Britain in 1987 of known destination entered industry.

Records of Achievement

Mr. Fatchett: To ask the Secretary of State for Education and Science whether his Department has any plans to provide additional funds for the development of records of achievement for pupils in secondary education; and if he will make a statement.

Mrs. Rumbold: Specific grant funding will be available in 1989-90, as in 1988-89, to support pilot projects in a number of areas and to support in-service training of teachers in all local education authorities. The final report of the records of achievement national steering committee will be published for consultation shortly. Decisions on future developments will be taken in the light of those consultations.

HOME DEPARTMENT

Fires (Investigation)

Mr. Gareth Wardell: To ask the Secretary of State for the Home Department if he will publish in the *Official Report* for each fire authority in England and Wales for each of the last five years *(a)* the number of domestic fires described as doubtful, where malicious or deliberate ignition is suspected, and *(b)* the number of domestic fires where malicious ignition has been established beyond reasonable doubt.

Mr. John Patten: The readily available information does not separate suspected deliberate fires from those where it is established beyond reasonable doubt that a fire was started deliberately. A total for the number of deliberate and possibly deliberate fires in occupied buildings for each fire brigade area is published annually in "Fire Statistics United Kingdom", (table 64 for 1986, table 63 for 1985, table 60 for 1984, table 58 for 1983 and table 57 for 1982). Comparable data for 1987 are expected to be published in spring 1989. Provisional estimates for 1987 are given in the following table.

Deliberate or possibly deliberate fires, by brigade area, 1987

	Number
England and Wales Total	15,271
England—Non-metropolitan counties:	
Avon	239
Bedfordshire	141
Berkshire	159
Buckinghamshire	130
Cambridgeshire	101
Cheshire	269
Cleveland	236
Cornwall	39
Cumbria	90
Derbyshire	111
Devon	153
Dorset	107
Durham	129
East Sussex	144
Essex	212
Gloucestershire	98
Hampshire	215
Hereford and Worcester	109
Hertfordshire	146
Humberside	314
Isle of Wight	18
Kent	355
Lancashire	365
Leicestershire	207
Lincolnshire	70
Norfolk	130
North Yorkshire	96
Northamptonshire	176
Northumberland	63

	Number
Nottinghamshire	363
Oxfordshire	70
Shropshire	79
Somerset	53
Staffordshire	175
Suffolk	107
Surrey	188
Warwickshire	100
West Sussex	100
Wiltshire	70
England—Metropolitan counties:	
Greater Manchester	1,490
Merseyside	1,238
South Yorkshire	302
Tyne and Wear	713
West Midlands	1,295
West Yorkshire	756
Greater London	2,935
Wales:	
Clwyd	69
Dyfed	28
Gwent	86
Gwynedd	51
Mid Glamorgan	152
Powys	16
South Glamorgan	146
West Glamorgan	67

Mr. Gareth Wardell: To ask the Secretary of State for the Home Department if he will publish in the *Official Report* for each fire authority in England and Wales whether it has a specialist fire investigation team.

Mr. John Patten: Only the London and West Midlands fire and civil defence authorities have full-time specialist fire investigation teams. About half the remaining fire authorities have teams whose members combine their duties with other responsibilities. But all fire authorities now have officers trained in fire investigation techniques and are able to use their services, ad hoc, whether individually or as a team as circumstances demand.

Passport Office, Belfast

Mr. Beggs: To ask the Secretary of State for the Home Department how many *(a)* permanent, *(b)* temporary and *(c)* part-time staff have been employed in the Belfast passport office; how many applications for passports have been handled by that office in each of the last five years; and what proposals he has to increase permanent staffing levels at the Belfast passport office.

Mr. Renton: The information requested in respect of the Belfast passport office is as follows:

Year	Number of passports issued	Permanent staff[1]	Casual staff[2]
1984	33,707	15	6
1985	34,655	15	6
1986	45,472	16	6
1987	51,305	18	5
1988	60,248	18	8

[1] The figures for permanent staff include two part-time staff in 1986 and six part-time staff in 1987 and 1988.

[2] The figures for casual staff are the maximum for the year.

Staffing levels at all the United Kingdom passport offices are closely monitored. There are no current plans to increase the permanent staff complement at Belfast.

Prisons

Mr. Cox: To ask the Secretary of State for the Home Department (1) if he will list the new prison buildings under construction in England and Wales, giving in each case the original date for completion and the present expected completion date:

(2) how many of the prisons now under construction are on target for the scheduled date of completion; and if he will make a statement;

(3) if he will list all current delays in completion of the building of new prisons or the refurbishment of prison wings in England and Wales together with the length of the delays and their reasons.

Mr. Douglas Hogg: The contracts for the construction of prisons, as for comparable schemes, customarily allow for the possibility that there may be delay for reasons such as bad weather. Planning is accordingly taken forward on the basis of the target opening of the new establishment. The original target opening date for the prisons now under construction were as follows; it is still expected that these targets will be met.

Prison	Target opening date
Brinsford	September 1990
Bullington	April 1991
Whitemoor	May 1991
Woolwich	April 1991
Lindholme 2	June 1991
Lancaster Farms	July 1992
Milton Keynes	July 1992

Wings are currently being refurbished at the following establishments. Except where indicated, the contracts are in each case expected to be completed on time.

Prison	Delay
Liverpool	—
Risley	—
Stafford	—
Pentonville	Nine months. Contract extended to include provision of low cost integral sanitation.
Wormwood Scrubs	Six to 12 months. Staffing difficulties.

Lay Visitors

Mr. Cox: To ask the Secretary of State for the Home Department what insurance cover exists for lay visitors visiting magistrates courts or police stations; and if he will make a statement.

Mr. Douglas Hogg: There is no insurance cover as such for lay visitors, but lay visitors within the Metropolitan police district have been informed that sympathetic consideration will be given to paying compensation, on an ex gratia basis, to any lay visitor who suffers injury or loss or damage to personal property while carrying out his or her duties as a lay visitor. Claims will be paid out of the Metropolitan police fund. Lay visitors were advised of the arrangements in a circular letter dated 2 March 1988.

Arrangements outside the Metropolitan police district are a matter for the police authority concerned.

Mobile Homes (Parking)

Mr. Bowis: To ask the Secretary of State for the Home Department what plans he has to tighten the laws on illegal parking and trespass by tinkers and other travellers with mobile homes.

Mr. Douglas Hogg: We have no plans to change the laws on illegal parking or trespass.

Football (Arrests)

Mr. Wareing: To ask the Secretary of State for the Home Department how many arrests in Football League grounds during season 1987-88 led to convictions.

Mr. Douglas Hogg: This information is not recorded centrally.

Football (Identity Cards)

Mr. Wareing: To ask the Secretary of State for the Home Department what representations he has received from the Police Federation in respect of the proposed identity cards scheme for spectators at Football League matches; what was the nature of any such representations; and if he will make a statement.

Mr. Douglas Hogg: The Police Federation has made its representations to my hon. Friend the Minister for Sport.

Blasphemy

Mr. Thurnham: To ask the Secretary of State for the Home Department what consideration he has given to the Law Commission's report on the laws of blasphemy; and if he will make a statement.

Mr. John Patten: I refer my hon. Friend to the answer I gave to the question from the hon. Member for Bolton, South-East (Mr. Young) on 20 December 1988, at column *185*.

Mr. Layman (Cardiff Prison)

Mr. Ron Davies: To ask the Secretary of State for the Home Department when he expects to reply to the hon. Member for Caerphilly's correspondence concerning his constituent Mr. Layman, currently held on remand in Cardiff prison.

Mr. Douglas Hogg: I hope to reply to the hon. Member within the next two weeks.

Badgers

Mr. Ron Davies: To ask the Secretary of State for the Home Department what representations he has received in respect of the publication and distribution of a book entitled "Badger Digging with Terriers"; and if he will make a statement on his proposed response.

Mr. Douglas Hogg: In reply to correspondents who wrote three years ago we explained that if the book openly encouraged people to commit an offence, a charge could be brought of incitement to commit a crime.

Breathalyser Tests

Mr. Tony Lloyd: To ask the Secretary of State for the Home Department if he will publish information available on the number of motorists breathalysed by the Metropolitan police in the month of December and the proportion of those which were negative.

Mr. Douglas Hogg: Provisional figures in respect of the Christmas and new year period (19 to 31 December) indicate that 10,937 motorists were required by the Metropolitan police to provide breath specimens. 980 (8·9 per cent.) of those tests produced positive results.

Full statistics of screening breath tests will be published later this year.

Mr. Tony Lloyd: To ask the Secretary of State for the Home Department if he will request the Commissioner of Police of the Metropolis to have examined the equipment used by police to administer breathalyser tests to motorists leaving the rugby match at Twickenham on 6 December 1988.

Mr. Douglas Hogg: All breath testing instruments used by the Metropolitan police are checked at frequent and regular intervals.

Terrorism

Mr. Fisher: To ask the Secretary of State for the Home Department if he will amend his orders banning the broadcasting of terrorist interviews so as to make clear the precedence of the statutory duty laid on the British Broadcasting Corporation and Independent Broadcasting Authority to exercise due impartiality.

Mr. Renton: My right hon. Friend has no plans to amend the notices in this way. They do not affect the impartiality of the BBC and the IBA, which continue to be able to report events and words uttered.

Mr. Fisher: To ask the Secretary of State for the Home Department if he will amend his orders banning the broadcasting of terrorist interviews so as to permit an elected Sinn Fein councillor to be interviewed on matters to do with *(a)* housing, *(b)* the arts, *(c)* social services, *(d)* health, *(e)* planning and *(f)* local government finance.

Mr. Renton: No. The notices are intended to prevent the broadcasting of direct statements by persons representing those organisations named in the notices.

Mr. Fisher: To ask the Secretary of State for the Home Department whether his ban on broadcasting terrorist interviews permits the words of a person representing or purporting to represent a proscribed organisation being spoken by another person while both persons appear on screen.

Mr. Renton: The directions prevent the broadcasting of direct statements by persons representing, or purporting to represent, supporting or inviting support for, the organisations named in the notices. It is for the BBC and the IBA to decide how the directions should be applied in particular circumstances.

Mr. Fisher: To ask the Secretary of State for the Home Department (1) whether his ban on broadcasting terrorist interviews covers interviews recorded more than 20 years ago;

(2) whether his ban on broadcasting terrorist interviews covers interviews recorded with persons who have since died;

(3) whether his ban on broadcasting terrorist interviews applies to archive material older than 25 years.

Mr. Renton: No time limit has been set on the use of archive material, and the restrictions may apply to the broadcasting of interviews with persons who have since died. But any statement which cannot be broadcast directly under the restrictions can still be reported and drawn upon in the course of a particular programme.

Mr. Fisher: To ask the Secretary of State for the Home Department whether it is his intention that a television play should be regarded as a genuine work of fiction for the purposes of his ban on broadcasting terrorist interviews.

Mr. Renton: Works of fiction are not subject to the restrictions. It is for the BBC and IBA to determine which programmes fall into this category.

Magistrates Courts

Mr. Amess: To ask the Secretary of State for the Home Department what plans he has for a review of the management structures of magistrates courts.

Mr. Hurd: The magistrates courts occupy a central position in the criminal justice system. I greatly value the contribution which locally based lay magistrates and their staff make to the effective operation of the courts and the criminal justice system in general. The present arrangements for the management of magistrates courts date substantially from 1949; since then there has been a considerable increase in the volume and complexity of their work and in the resources used by them. Against this background, I think it timely to examine radically the management and organisational structure of magistrates courts and the arrangements which govern their resources and their use with a view to identifying how these might be improved. I have therefore set in hand a scrutiny of magistrates courts with the following terms of reference:

(i) to review the present arrangements governing the distribution, management and control of resources in magistrates courts;

(ii) with due regard to the advantages of a locally based system of summary justice, to make recommendations to ensure that the mechanisms, at national and local level, for determining resource levels and resource management and control are best suited to the efficient, economic and effective discharge of the responsibilities of the magistrates courts;

(iii) to make proposals for any changes in management structures in the magistrates courts service;

(iv) to identify the potential for further action to reduce unit costs in magistrates courts, shorten delays and improve fine enforcement; and

(v) to ensure that recommendations under paragraphs (i) to (iv) above are consistent with the legitimate interests of defendants, parties to civil proceedings, legal representatives, witnesses and the various criminal justice agencies.

The scrutiny will be carried out by a team of officials led by Mr. Julian Le Vay (grade 5, Home Office) under the ministerial supervision of my hon. Friend the Member for Oxford, West and Abingdon (Mr. Patten). The scrutiny will begin in mid-February and I expect to receive its report in June.

Ms. Mowlam: To ask the Secretary of State for the Home Department how many people have been charged under the prevention of Terrorism (Temporary Provisions) Act 1984 since enactment of the Police and Criminal Evidence Act; and how many of these were charged within 96 hours of arrest.

Mr. Canavan: To ask the Secretary of State for the Home Department whether he will list, for each year since 1975, the number of people who have been detained under the Prevention of Terrorism Act; and if he will give a breakdown of each annual total, specifying the number of people detained for periods of *(a)* one day or less, *(b)* two days, *(c)* three days, *(d)* four days, *(e)* five days, *(f)* six days and *(g)* seven days and the number of people in each category *(a)* to *(g)* who were (i) eventually charged and (ii) found guilty.

Mr. Hurd *[holding answers 13 and 20 December 1988 respectively]*: The available information, which relates to persons detained under the Prevention of Terrorism (Temporary Provisions) Act 1984 during the period 1 January to 30 September 1988 is given in the table. Corresponding information for earlier years could be provided only at disproportionate cost. Information on persons detained is published quarterly in Home Office statistical bulletin, issue 2/87 which gives, in tables 1 and 2, the figures for years up to 1986. Copies of this bulletin are in the Library of the House. I shall write to the hon. Members updating the table to the end of 1988 after the bulletin for the fourth quarter has been published.

Persons detained and charged under the Prevention of Terrorism (Temporary Provisions) Act 1984 by length of detention, legislation under which charged and outcome of charge

Number of persons (Great Britain)

Length of detention	*Total detained*	*Number charged*		*Outcome of charge*		*Awaiting trial*
		Under the Act	*Under other legislation*	*Found guilty*	*Other outcome*	
1986						
Less than 1 day	73	6	2	8	—	—
1 day and less than 2 days	74	5	8	12	—	1
2 days and less than 3 days	9	—	—	—	—	—
3 days and less than 4 days	14	—	3	3	—	—
4 days and less than 5 days	13	1	6	7	—	—
5 days and less than 6 days	8	1	4	5	—	—
6 days and less than 7 days	7	—	—	—	—	—
7 days	4	—	—	—	—	—
Total	202	13	23	35	—	1
1987						
Less than 1 day	66	4	1	5	—	—
1 day and less than 2 days	110	4	4	5	—	3
2 days and less than 3 days	9	—	3	1	2	—

Length of detention	Total detained	Number charged		Outcome of charge		
		Under the Act	Under other legislation	Found guilty	Other outcome	Awaiting trial
3 days and less than 4 days	12	—	1	1	—	—
4 days and less than 5 days	9	—	2	2	—	—
5 days and less than 6 days	7	—	2	2	—	—
6 days and less than 7 days	11	1	[1]5	2	[1]4	—
7 days	1	—	—	—	—	—
Total	225	9	18	18	6	3
1988[2]						
Less than 1 day	53	2	3	1	—	4
1 day and less than 2 days	57	3	4	7	—	—
2 days and less than 3 days	4	—	—	—	—	—
3 days and less than 4 days	6	—	—	—	—	—
4 days and less than 5 days	7	—	—	—	—	—
5 days and less than 6 days	3	—	—	—	—	—
6 days and less than 7 days	—	—	—	—	—	—
7 days	—	—	—	—	—	—
Total	[2]130	5	7	8	—	4

[1] Includes two persons who were subsequently deported or removed.
[2] 1 January to 30 September.

Racial Discrimination

Mr. Bernie Grant: To ask the Secretary of State for the Home Department how many cases of racial discrimination the Commission for Racial Equality has been unable to pursue, through the courts, in each of the last five years, due to lack of funding; and if he will make a statement.

Mr. John Patten *[holding answer 12 January 1989]:* An estimated 25 in 1988. None in the previous four years.

In the light of increased legal costs and an increase in the number of applications, the Commission for Racial Equality had to adopt a more selective approach in 1988 towards people seeking assistance in pursuing complaints of alleged discrimination.

NORTHERN IRELAND

Ordnance Survey

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland why the price of Ordnance Survey sheets has been increased; when it was increased; what is the percentage increase in price; when the previous increase in price was; and by what means the public was advised that the prices of Ordnance Survey sheets were to be increased.

Mr. Needham: The prices of Ordnance Survey of Northern Ireland map sheets are reviewed annually in comparison with those of Ordnance Survey of Great Britain to ensure broad comparability.

The new prices are effective from 1 January 1989, the average percentage increase was 20 per cent. The last increase was on 1 January 1988.

The latest price list was published in January 1989 and is distributed to major users and to the wholesale and retail trade.

Special Education Needs

Mr. Beggs: To ask the Secretary of State for Northern Ireland if he will list the number of pupils recorded with special educational needs in Northern Ireland primary and secondary schools by board area and by controlled/maintained category.

Dr. Mawhinney: Provisional figures at January 1989 are as follows:

Education and Library Board Area	Controlled	Maintained	Voluntary
Belfast			
Primary	8	26	—
Secondary	3	5	3
Western			
Primary	57	81	—
Secondary	27	48	8
North-Eastern			
Primary	81	24	—
Secondary	97	14	20
South-Eastern			
Primary	56	26	—
Secondary	29	10	5
Southern			
Primary	137	60	—
Secondary	86	65	2

Note: Figures for secondary schools include both secondary intermediate and grammar schools.

Teachers

Mr. Beggs: To ask the Secretary of State for Northern Ireland if he will list the total number of teachers at September 1988 employed by grant-aided schools in Northern Ireland, and if he will break down the figures by age band and by sex.

Dr. Mawhinney: The information is as follows:

Age groups	Numbers
Under 35	
Male	1,698
Female	4,331
35 to 49	
Male	3,850
Female	5,938
50 and over	
Male	1,217
Female	1,899

Age groups	Numbers
Total Teachers	
Male	6,765
Female	12,168

Further Education

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland how many students attend the further education colleges in Bangor, Newtownards, Newcastle and Downpatrick; and how many full-time and part-time lecturers are at each of these colleges.

Dr. Mawhinney: Available information is as follows:

Further education colleges	*Students*		*Lecturers*	
	Full-time	*Part-time*	*Full-time*	*Part-time*
North Down	—	—	[1]137	[1]200
Bangor Campus	572	3,522	—	—
Newtownards Campus	198	1,881	—	—
Newcastle[2]	277	993	34	51
Downpatrick[2]	649	2,732	67	125

[1] Appointments are to North Down college of further education, not to an individual campus. These figures include staff who also serve in other centres of the college, that is the Holywood campus and some small outcentres. Figures for students at these centres are not included.

[2] Figures for Newcastle include outcentres and for Downpatrick include also the Ballynahinch campus and outcentres.

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland why part of the Ards peninsula is within the area of Downpatrick college of further education; whether the college of further education in Newtownards is more convenient to that part of the Ards peninsula; if he will reconsider this administrative arrangement; if he will seek the opinion of residents in that part of the Ards peninsula; and if he will make a statement.

Dr. Mawhinney: Enrolment policy in the area is a matter for the South-Eastern education and library board. I understand that further education students usually attend the nearest appropriate college and the board would not attempt to direct students from the southern part of the Ards peninsula to Down college of further education, Downpatrick.

Messrs. Montupet (Factory Site)

Mr. John Taylor: To ask the Secretary of State for Northern Ireland whether he has directed to the attention of Messrs Montupet any sites for a new factory within the constituency of Strangford.

Mr. Viggers: The company is at present considering locations within the Province for the siting of a toolroom factory. I have asked the IDB to encourage the company to examine all areas before it reaches its decision.

Agricultural Land

Mr. William Ross: To ask the Secretary of State for Northern Ireland what has been the average price paid for agricultural land in Northern Ireland in each year since 1977 showing the sums in cash and real terms.

Mr. Viggers: The average price paid for agricultural land in Northern Ireland in each year since 1977 in current prices and in real terms is as follows:

Calendar Year	*At current prices £ per hectare*	*Index in real terms (Base 1985 = 100)*
1977	1,846	121
1978	2,618	158
1979	3,327	177
1980	3,227	146
1981	2,897	117
1982	2,683	100
1983	2,866	102
1984	2,958	100
1985	3,130	100
1986	3,128	97
1987	3,205	95

Farmers

Mr. William Ross: To ask the Secretary of State for Northern Ireland if he will publish in the *Official Report* a table to show information available to him on the sums on loan to farmers in Northern Ireland by the banks in each year or financial year since 1977 showing the sums in cash and real terms and also indicate in those same terms the interest charges due on those sums for each year or financial year if more convenient.

Mr. Viggers: The annual average level of bank advances for farming purposes and the estimated interest charges due on those sums for each year since 1977 in current prices and in real terms are as follows:

Calendar year	*Level of bank advances[1]*		*Estimated interest charges[2]*	
	At current prices £ million (1)	*Index in real terms (1985 = 100) (2)*	*At current prices £ million (3)*	*Index in real terms (1985 = 100) (4)*
1977	57·1	63	6·3	46
1978	75·8	77	8·5	58
1979	106·5	95	16·7	101
1980	134·6	102	24·2	124
1981	143·9	97	22·1	101
1982	148·4	92	21·2	89
1983	158·6	94	19·2	77
1984	172·3	98	21·0	81
1985	186·9	100	27·6	100
1986	205·2	106	27·7	97
1987	209·4	104	25·8	87

[1] Adjusted to exclude farmers' estimated borrowings for non-agricultural purchases and for land purchases.
[2] Interest on bank advances as in column (1). This differs from the interest estimates published in "The Statistical Review of Northern Ireland Agriculture", which also include interest on hire purchase and trade credit agreements.

WALES

Infant Deaths

Mr. Gareth Wardell: To ask the Secretary of State for Wales if his Department is providing financial or other forms of assistance to any private company in the research or development of an early warning temperature monitor for human infants.

Mr. Grist: Financial assistance has been offered by the Department to a private company to help research the market opportunities for an early warning temperature monitor for human infants and the setting up of a manufacturing facility.

Domestic Water Supplies

Mr. Rowlands: To ask the Secretary of State for Wales how many disconnections of domestic water supplies there have been in 1988.

Mr. Grist: The information is not available in the form requested. In 1987-88 the Welsh water authority disconnected 2,067 properties within their area of supply. Of these 1,400 were reconnected after payment of bills.

Mr. Rowlands: To ask the Secretary of State for Wales whether he will meet the chairman of the Welsh water authority to discuss a revised code of practice relating to the disconnection of domestic water supplies.

Mr. Grist: The Secretary of State regularly meets with the chairman of the Welsh water authority to discuss a number of issues.

Football Spectators Bill

Mr. Gwilym Jones: To ask the Secretary of State for Wales if he will make a statement on the application of the Football Spectators Bill *[Lords]* in Wales.

Mr. Peter Walker: The Bill will apply to England and Wales. I will be responsible for licensing grounds and for designating which football matches in Wales will be subject to the national membership scheme. I propose to set up at an early date a working party to advise me in Wales as to whether any particular match should be designated.

ENVIRONMENT

Drinking Water

Mr. Neale: To ask the Secretary of State for the Environment whether his Department was under any obligation to notify the European Commission under the terms of directive 80778 Quality of Water Supplied for Human Consumption (article 10); and if he will make a statement.

Mr. Howard: South-West water authority applied to the Department for an emergency derogation under article 10 of the EC drinking water directive (80/778/EEC) on 3 August 1988 as some water samples in the Camelford area were continuing to exceed the directive standard for aluminium. The Department concluded that a derogation to permit the directive standard to be relaxed would not be appropriate. It wanted drinking water quality to return to compliance with the standard as soon as possible. It was also satisfied, on medical advice, that there was no public health risk. On 24 October 1988, by which time the Camelford supply had been complying with the aluminium standard for some weeks, the SWWA withdrew the application. Under the directive member states are required to inform the Commission when they grant a derogation under article 10. Because no derogation was granted, there was no obligation to notify the Commission.

Construction Industry

115. **Mr. Wall:** To ask the Secretary of State for the Environment what action he intends to take to control lump labour in the construction industry.

116. **Mr. Sedgemore:** To ask the Secretary of State for the Environment what action he intends to take to control lump labour in the construction industry and to reduce the number of fatal accidents among self-employed construction workers.

Mr. Trippier: In construction, the use of self-employed labour is often appropriate because of the industry's fluctuating work loads and the increasing specialisms within it. Contractors and self-employed workers should generally be free to agree on the contractual arrangements that best suit their particular circumstances. Due to the itinerant nature of much of the work force, there have always been special difficulties in collecting the tax properly due from all those engaged in the industry. There is at present a special scheme for collecting tax from self-employed operatives, and this was the subject of an efficiency scrutiny in 1988. Several recommendations have been made for improving the current scheme, and these are now under consideration.

The Government are concerned about the high level of fatalities and serious injuries occurring in the industry. New regulations are being prepared which provide for the management and co-ordination of health and safety on multi-contractor sites, increase the number of safety supervisors in smaller companies and amend the site notification procedure to identify sites where there are high-risk activities. The introduction of regulations to make the wearing of safety helmets compulsory on construction sites is also planned. Inspectors from the Health and Safety Executive will be paying more attention to the quality of site management and its ability to manage health and safety. They will pursue their inquiries and any enforcement action to the highest levels in companies which do not measure up to the standards expected of them. The Government have also provided the Health and Safety Executive with an additional £6·7 million in 1988-89, which will allow an increase in the number of inspectors and raise the number of inspections carried out.

Radiation Monitoring

Mr. Redmond: To ask the Secretary of State for the Environment where the nearest *(a)* permanently and *(b)*

periodically manned radiation incident monitoring network stations are to Doncaster; and if he will also list the sites of *(a)* and *(b)* above along the A1 and A1(M) main road routes.

Mrs. Virginia Bottomley: The nearest Rimnet station to Doncaster is at Finningley. Other sites close to the A1/A1(M) are at Heathrow, Wyton, Leeming, Newcastle and Boulmer. All these stations are permanently manned.

Building Materials (Illegal Tipping)

Mr. Heddle: To ask the Secretary of State for the Environment what discussions he has initiated with local authority associations, representatives of the construction industry and others about the illegal tipping of building materials.

Mrs. Virginia Bottomley: There was very extensive consultation before the Government announcement of 29 June last of their intention to impose on waste producers, including those in the construction industry, a duty to care to ensure the safe and legal disposal of their wastes. The announcement also contained the Government's intention to require the registration of carriers of waste with powers to remove carriers from the register if they are convicted of waste disposal offences, including fly-tipping. Consultation is currently in progress on proposals to make registered keepers of vehicles used in fly-tipping liable to prosecution.

Mr. Heddle: To ask the Secretary of State for the Environment if he will seek powers to impose tougher penalties to curb the illegal tipping of building materials.

Mrs. Virginia Bottomley: Penalties for fly-tipping include fines of up to £2,000 or, on indictment, unlimited fines and up to two years' imprisonment. We have no plans at present to increase these.

Leasehold Reform

Mr. Heddle: To ask the Secretary of State for the Environment, pursuant to his answer to the hon. Member for Mid-Staffordshire of 1 November 1988, *Official Report*, column *564*, if he has now considered the responses to the consultation paper on disputes about valuations under the Leasehold Reform Act 1967.

Mr. Trippier: We are still considering the responses to our consultation paper. I will announce our conclusions as soon as possible.

Derelict Land Grant

Mr. Rooker: To ask the Secretary of State for the Environment how much derelict land grant has been paid in respect of the site of the former Ansells brewery in Birmingham; and on what date payment was made.

Mr. Trippier: The Department's west midlands regional office authorised the approval of derelict land grant of £300,000 in October 1986 in respect of this site.

Payment of grant totalling £300,000 was made to Birmingham city council in two instalments—£170,393 on 28 May 1987 and £129,607 on 21 January 1988.

Rating Reform

Mr. Alexander: To ask the Secretary of State for the Environment when he expects to publish his proposals for the transitional arrangements for the introduction of the national non-domestic rate.

Mr. Gummer: As soon as possible.

Toxic Waste

Mr. Redmond: To ask the Secretary of State for the Environment if he will state by local authority where the 257 toxic waste disposal facilities are in south Yorkshire.

Mrs. Virginia Bottomley: I refer the hon. Member to the reply that I gave him on 19 December 1988 at column *40*. Her Majesty's inspectorate of pollution has a record of 257 waste disposal facilities in south Yorkshire. These are listed by local authority area:

	Number
Barnsley	63
Doncaster	54
Rotherham	59
Sheffield	81

They do not all accept special waste. Details of the type of waste for which each facility is licensed can be obtained from the appropriate waste disposal authority, which is required to keep a public record.

Domestic Property (Compensation Code)

Mr. Heddle: To ask the Secretary of State for the Environment if he will now publish his proposals for dealing with the compensation code for domestic property which, under current legislation, is based either upon gross, net annual or rateable values for implementation on 1 April 1990, under the Local Government Finance Act 1988.

Mr. Chope: The Department and the Welsh Office will shortly be publishing a consultation paper on compensation issues which will refer inter alia to the implications of the abolition of rateable values for home loss payments.

Housing Land Supply

Mr. Heddle: To ask the Secretary of State for the Environment what steps he takes to verify the returns of planning authorities to establish that they maintain a five-year housing land supply in accordance with the requirements of PPG3.

Mr. Chope: We encourage planning authorities to carry out land availability studies jointly with representatives of the local housebuilding industry. Though my Department is not in a position to check the results in detail, we have no reason to doubt that joint studies give a broadly reliable picture of land availability.

Housing Act 1985

Mr. Bernie Grant: To ask the Secretary of State for the Environment when he intends to publish the outcome of his review of part III of the Housing Act 1985, previously the Homeless Persons Act; and if he will make a statement.

Mr. Trippier: I shall make a statement when the review is completed.

Mr. Anthony Coombs: To ask the Secretary of State for the Environment if he has completed the review of the housing subsidy system as it applies to large-scale disposals of local authority dwellings announced by the Parliamentary Under-Secretary of State on 11 February 1988 during the Standing Committee on the Housing Act 1988.

Mr. Trippier: The Department and the Welsh Office are today issuing a consultation paper resulting from the review of the housing subsidy system. The review was needed to deal with anomalies in the present housing subsidy system for some authorities upon complete or partial disposal of their stock, and to achieve a more equitable and rational mechanism for taking account of disposals. Under the present rules, authorities may sometimes continue receiving subsidy on dwellings sold even if they incur no further expenditure, or may not be entitled to subsidy where they are left with residual debt.

The new proposals provide for the payment of residual debt subsidy (RDS) in respect of loan charges on any notional residual debt related to the dwellings sold. RDS would be paid at a rate of 75 per cent. of the loan charges for sales under the tenants' choice provisions of the Housing Act 1988, under right to buy, and in respect of individual sales. For all voluntary sales of stock to other landlords it is proposed that the rate of RDS would be 90 per cent. leaving 10 per cent. to be met from the authority's own resources, except in Wales, where it is proposed that RDS should be 90 per cent. in all cases. This arrangement should give authorities an incentive to obtain a keen sale price and to take management decisions which maintain the value of the stock in advance of disposal.

For those local authorities where it is proposed to create a housing action trust (HAT), the Government intend that any losses caused by the disposal to a HAT, which are not covered by subsidy entitlement following disposal, should be met by the Exchequer by means of a safety net. The idea is to ensure that no additional costs resulting from the transfer of the stock to a HAT should fall on the remaining tenants or ratepayers in the form of rent or rate increases.

It is intended that the new rules should come into effect from 1 April 1989. Copies of the paper have today been placed in the Libraries of both Houses.

Mortgage Interest Rates

Mr. Winnick: To ask the Secretary of State for the Environment what consultations over rehousing are taking place between his Department and local authorities arising from the effect of higher mortgage interest rates on the ability of some families to meet the repayments.

Mr. Trippier: None. If a borrower finds it difficult to make his regular repayment he should immediately contact his lender, who can then offer him appropriate advice. If his house is repossessed by the lender the local authority, which has the responsibility for housing the homeless, must decide on the appropriate housing provision, taking account of all the facts of the case.

Housing (Homeless Persons) Act

Mr. Barry Field: To ask the Secretary of State for the Environment what plans he has to seek to amend the Housing (Homeless Persons) Act.

Mr. Trippier: I have nothing to add to the reply given to the hon. Member for Gateshead, East (Ms. Quinn) on 6 December at column *198*.

Nirex

Mr. Malcolm Bruce: To ask the Secretary of State for the Environment when he now expects to receive the report from Nirex on suitable sites for the disposal of nuclear wastes; and what timetable he envisages for his decision.

Mrs. Virginia Bottomley: My right hon. Friend the Secretary of State expects to receive Nirex's proposals for a radioactive waste disposal facility shortly. The Government will respond to the proposals as quickly as possible.

Nationalised Industries (Rating)

Mr. Adley: To ask the Secretary of State for the Environment if he will list the annual rates bill, at the latest available date, levied on the nationalised industries; and if he will make a statement on what arrangements he proposes for these industries following the reorganisation of local government finance.

Mrs. Virginia Bottomley: Information on nationalised industries' rate bills is not held centrally. These industries will continue to be rated on a basis comparable with the private sector under the provisions of the Local Government Finance Act 1988. To the extent that rateable values are determined by statutory formula at present, this form of assessment will continue for the 1990 rating lists. The main exception will be the coal industry, all of whose property will be valued by conventional means from 1990.

Housing Act 1988

Mr. Soley: To ask the Secretary of State for the Environment whether an Italian national living in a council house will be eligible to vote under tenants' choice provisions made under the Housing Act 1988.

Mr. Trippier: Yes, as long as he or she meets the criteria laid down in the Act. British nationality is not a necessary qualification for voting under tenants' choice.

Domestic Water Supplies (Disconnections)

Mr. Rowlands: To ask the Secretary of State for the Environment how many disconnections of domestic water supplies there have been in each English water authority in 1988.

Mr. Moynihan: I refer the hon. Member to the reply which I gave to the hon. Member for Cynon Valley (Mrs. Clwyd) on 30 November at column *282*.

Waste Disposal Sites

Mr. Squire: To ask the Secretary of State for the Environment how many applications for planning permission for waste disposal sites have been made in the last five years by private sector companies; how many were granted; how many refusals were appealed against; and how many such appeals were successful.

Mr. Chope: The Department does not have information about the number of planning applications for development involving waste disposal. The table gives information

from the Department's records about appeals against refusal of planning permission for waste disposal sites since 1 April 1984 (the earliest date for which such information is available):

	1984-85	1985-86	1986-87	1987-88
Appeals received	20	26	30	34
Appeals decided	2	14	29	21
Appeals allowed	0	4	13	11

Mr. Squire: To ask the Secretary of State for the Environment how many deemed applications for planning permission for waste disposal sites have been made in the last five years by local authorities; how many were granted; how many refusals were appealed against; and how many such appeals were successful.

Mr. Chope: Local authorities have powers to grant themselves deemed planning permission for such development; although in certain circumstances they may be required to apply to my right hon. Friend the Secretary of State for permission. Statistics are not held centrally of the numbers of such permissions and applications.

Mr. Squire: To ask the Secretary of State for the Environment how many applications have been made for waste disposal sites licences under the Control of Pollution Act 1974 in the last five years by private sector companies; how many were granted; how many refused; and how many granted on appeal.

Mrs. Virginia Bottomley: From information held by Her Majesty's inspectorate of pollution, the numbers of waste disposal site licences granted to private sector companies in England and Wales during the period 1983-87 are as follows:

	Number
1983	287
1984	344
1985	367
1986	334
1987	[1]362

[1] 4 of these were granted on appeal.
Figures for 1988 are not yet available.

There is no centrally held information on the number of site licence applications refused by waste disposal authorities.

Mr. Squire: To ask the Secretary of State for the Environment how many waste disposal sites occupied by waste disposal authorities have been authorised by a resolution of those authorities in the last five years.

Mrs. Virginia Bottomley: From information held by Her Majesty's inspectorate of pollution, the numbers of waste disposal sites operated by waste disposal authorities in England and Wales and authorised during the period 1983-87 are as follows:

	Number
1983	39
1984	37
1985	34
1986	40
1987	40

Figures for 1988 are not yet available.

Community Charge (Registration)

Mr. Tony Lloyd: To ask the Secretary of State for the Environment if he will place in the Library copies of the advice his Department has given to local authorities about drawing up a registration form for the poll tax.

Mr. Gummer: The Government have no plans to introduce a poll tax. Advice on community charge registration was contained in community charge practice note No. 8, copies of which were placed in the Library when it was published on 11 November 1988. The note includes a model registration form.

Planning Applications

Mr. Michael Brown: To ask the Secretary of State for the Environment when he expects the public inquiry to begin its work in determining planning applications by Mr. J. Jackson which are being called in by his Department; how long he expects the inquiry to last; and when he hopes to be in a position to give his final decision on the application.

Mr. Chope: Arrangements are in hand for a public inquiry. I understand that the planning inspectorate will shortly be in touch with Mr. Jackson with dates when an inquiry might begin.

It is impossible at this stage to say how long the inquiry will last or indeed when the Secretary of State is likely to issue his decision. But I can assure my hon. Friend that all steps will be taken to ensure an early decision.

Local Authority Housing

Mr. Simon Hughes: To ask the Secretary of State for the Environment if he will list for each year since 1978 the number of local authority homes sold to sitting tenants and the number of new local authority homes built *(a)* in England as a whole and *(b)* for each local authority in England.

Mr. Trippier: The information requested is as listed. The available information for each local authority has today been laid in the Library: this shows total local authority sales and local authority new building completions for each financial year from 1980-81 to 1987-88. The equivalent for England is as follows:

Local authorities: England: numbers of dwellings

	All sales	Housebuilding completions
1980-81	68,200	65,300
1981-82	128,200	39,700
1982-83	181,200	27,200
1983-84	[1]122,000	28,000
1984-85	91,400	26,800
1985-86	82,300	21,400
1986-87	86,100	17,900
1987-88	[2]110,300	15,300

[1] Includes 3,000 dwellings in Cantril Farm sold to Stockbridge Village Trust.
[2] Includes 5,500 dwellings sold by London Residuary Body to Thamesmead Town Ltd.

Water Supply

Mr. Tony Banks: To ask the Secretary of State for the Environment, pursuant to his reply of 12 December, *Official Report*, column *410*, if he will identify areas of

London where drinking water supplies have, at any time, exceeded standards set in the European Community drinking water directive in each of the last three years; and if he will make a statement.

Mr. Moynihan *[holding answer 10 Janauary 1989]:* Some 250,000 analyses a year are carried out in the London area by the Thames water authority and occasionally an analysis will indicate that a standard has been exceeded. This is because of the inherent variability in the nature of water and its supply and the stringency of the standards.

Hazardous and Toxic Wastes (Barnsley)

Mr. Patchett: To ask the Secretary of State for the Environment if he will list in the *Official Report* the names and addresses of all sites in the Barnsley, East constituency which are used for the disposal and dumping of hazardous and toxic wastes.

Mrs. Virginia Bottomley *[holding answer 13 January 1989]:* I refer the hon. Gentleman to the reply that I gave to the hon. Member for Don Valley (Mr. Redmond) on 19 December 1988 at column *40*. Her Majesty's inspectorate of pollution has a record of 257 waste disposal facilities in south Yorkshire, of which 63 are located in the Barnsley local authority area. Its records do not allow for segregation at constituency level. I refer the hon. Member to the Waste Disposal Authority for details of which facilities are licensed to accept special wastes.

Watermead Country Park

Mr. Vaz: To ask the Secretary of State for the Environment whether he has received any representations from Leicestershire county council about the proposed access to Watermead country park; and if he will make a statement.

Mr. Chope *[holding answer 16 January 1989]:* The Department received representations from Leicestershire county council on 7 December against Leicester city council's proposal for a vehicular access to Watermead country park. The city council decided to deem itself planning consent on 5 December and subsequently sought the Department's views on the validity of that action. A reply to both authorities is in preparation.

Importers and Exporters (EC Regulations)

Mr. Corbett: To ask the Secretary of State for the Environment when his Department issued its advice supplementary notice to importers and exporters No. 6 on article 6 of the EEC regulation 3626/82; how many cases have been brought to his Department's attention before and since this advice; and what has been the result of the investigations into those cases.

Mrs. Virginia Bottomley *[holding answer 16 January 1989]:* Supplementary notice to importers and exporters No. 6, which superseded advice given in earlier notices to importers and exporters, was issued in April 1987. Comprehensive details of infractions of article 6 of EC regulation 3626/82 brought to the attention of the Department are not available. Since 7 November possible infractions have been brought to the notice of the Department; five have been referred to the enforcement authorities for any appropriate action; and two are under consideration within the Department.

Libraries

Mr. Blunkett: To ask the Secretary of State for the Environment whether he has any plans to require local authority libraries to charge for their services.

Mr. Luce *[holding answer 12 January 1989]:* As my consultative paper stated, the Government are committed to the continuing provision of a free basic public library service to individuals. Library authorities already have discretionary powers to charge for some services, and as my consultative paper made clear any additional powers which might be introduced would also be discretionary. As I said on 8 December in reply to the hon. Member for Stoke-on-Trent, Central (Mr. Fisher) at column *256* I shall make a statement shortly.

Maerdy Fish Hatchery

Mr. Martyn Jones: To ask the Secretary of State for the Environment is he will make a statement on his current plans for the future of the Maerdy fish hatchery in the Clwyd, South-West constituency since the hon. Member for Clwyd, South-West last wrote to him.

Mr. Peter Walker: I have been asked to reply. No decision has yet been taken on the future of the Maerdy fish hatchery.

ATTORNEY-GENERAL

Parliamentary Questions

Mr. French: To ask the Attorney-General how many oral parliamentary questions he has answered by written reply because the question was not reached at Question Time, for the most recent year for which figures are available.

The Attorney-General: In 1988, of a total of 98 oral parliamentary questions, 55 were answered as written questions, because the question was not reached at Question Time.

Obscene Publications Act

Mr. Speller: To ask the Attorney-General if he will meet the Director of Public Presecutions to discuss possible action under the Obscene Publications Act in respect of newspaper photographs showing the corpse of a murder victim in Surrey in the week beginning 12 December.

The Attorney-General: The Crown Prosecution Service has considered possible action under the Obscene Publications Acts in respect of the photographs referred to but has concluded that there is no realistic prospect of a conviction for an offence under those Acts. I agree with that view.

ENERGY

Electricity Boards (Liabilities)

Mr. Speller: To ask the Secretary of State for Energy (1) if he will identify separately the Central Electricity Generating Board's and the South of Scotland Electricity Board's provisions for *(a)* decommissioning, *(b)* reprocessing of irradiated fuel and *(c)* other liabilities at 1987-88 prices, up to 31 March 1988;

(2) if he will give details of the provisions made by the Central Electricity Generating Board and the South of Scotland Electricity Board for *(a)* decommissioning, *(b)* reprocessing of irradiated fuel and *(c)* other liabilities, on an annual basis from 1977 until 1988.

Mr. Michael Spicer: This is a matter for the Central Electricity Generating Board and I have asked the chairman to write to the hon. Member. The South of Scotland Electricity Board is the responsibility of the Secretary of State for Scotland.

Private Coal Mines

Mr. Redmond: To ask the Secretary of State for Energy if he will list by year for the last five years *(a)* the number of private deep coal mines, *(b)* their locations, *(c)* the number of miners employed therein and *(d)* the number of miners employed by British Coal for the same periods; and what assessment he has made of the implications for private deep coal mines of the proposed privatisation of the electricity industry.

Mr. Michael Spicer: Points *(a)* to *(d)* are matters for British Coal, and I have asked the chairman to write to the hon. Member. The privatisation of the electricity supply industry should provide new opportunities for the coal industry as a whole.

Electricity Supply Industry

Mr. Hardy: To ask the Secretary of State for Energy what was the level of capital expenditure in the electricity supply industry in 1987-88; and what is his estimate of the level of such capital expenditure in 1988-89 and 1989-90.

Mr. Michael Spicer: Capital expenditure by the electricity supply industry in 1987-88 amounted to £1,089 million. Investment approval for 1988-89 and 1989-90 amounts to £1,474 million and £1,644 million respectively.

Mr. Hardy: To ask the Secretary of State for Energy what amount planned expenditure on capital investment to the electricity supply industry during 1988-89 was raised following his decision that electricity prices should be increased from April 1988.

Mr. Michael Spicer: The decision to raise the financial targets of the industry was taken in the light of the forecast disappearance of surplus capacity and the longer-term needs of the industry, not short-term changes in the industry's capital investment programme. The decision on the financial targets did not therefore lead to an increase in the planned capital investment of the industry in 1988-89.

Plutonium

Dr. Thomas: To ask the Secretary of State for Energy if he will provide in separate tabulated form in the *Official Report* figures for *(a)* the total annual amount of civil separated plutonium exported, *(b)* the total annual amount of civil separated plutonium imported, *(c)* the total annual amount of civil plutonium in spent fuel exported and *(d)* the total annual amount of civil plutonium in spent fuel imported for each year since May 1979 until the date for which the most recent records are available.

Mr. Michael Spicer *[holding answer 30 November 1988]:* Total exports and imports of civil separated and unseparated plutonium in the period May 1979 to March 1988 were as follows:

(Kg)	*Imports*	*Exports*
Un-separated	13,720	130
Separated	245	2,865
Total	13,965	2,995

I regret that the total export figure of 2,960 kg given in my reply to the hon. Member on 8 November at column *116* should have read 2,995 kg.

AGRICULTURE, FISHERIES AND FOOD

EC Price Agreement

Mr. Wallace: To ask the Minister of Agriculture, Fisheries and Food what representations he has received from the National Farmers Union on the European Economic Community price agreement for 1989.

Mrs. Ray Michie: To ask the Minister of Agriculture, Fisheries and Food when he last met representatives of the National Farmers Union to discuss the European Community price agreement for 1989.

Mr. MacGregor: The Commission is expected to publish the 1989 price proposals shortly.

Bacon and Meat Industry (Self-regulation)

Mr. Gill: To ask the Minister of Agriculture, Fisheries and Food if he will monitor the Bacon and Meat Manufacturers Association's mandatory scheme of self-regulation with a view to assessing its relevance to other sections of the food industry.

Mr. Ryder: I am aware of the initiative taken by members of the Bacon and Meat Manufacturers Association to self-regulate their activities. Each other sector of the food industry must, however, judge for itself the relevance of such a scheme.

Farm Animal Welfare Council

Mr. Greg Knight: To ask the Minister of Agriculture, Fisheries and Food when he last met representatives of the Farm Animal Welfare Council; and what subjects were discussed.

Mr. Ryder: I met representatives of the Farm Animal Welfare Council on 17 May 1988 to discuss the council's three new studies which are:

(i) evaluation of new husbandry systems, techniques and equipments;
(ii) enforcement of existing welfare legislation and compliance with the welfare codes;
(iii) improvement of welfare by better promotion and education

Sheep Variable Premium

Mr. Pike: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the future of the sheep variable premium.

Mr. Donald Thompson: Proposals from the EC Commission for a review of the Community's sheepmeat regime include one to phase out the variable premium. Negotiations on these proposals have made little progress.

Bovine Somatotropin

Mr. Ashley: To ask the Minister of Agriculture, Fisheries and Food what representations he has received about separating milk from cows being treated with bovine somatotropin while field trials are carried out; what replies he has given; and if he will make a statement.

Mr. Donald Thompson: I have received a number of representations. My replies have explained that the safety of BST was carefully established before certificates to hold the field trials were granted. Milk from cows treated with BST is entirely safe, so there is no reason for it to be treated differently.

Mr. Ron Davies: To ask the Minister of Agriculture, Fisheries and Food when he expects to receive the recommendations of the veterinary products committee on the possible licensing of bovine somatotropin.

Mr. Donald Thompson: The veterinary products committee will be in a position to make recommendations when the companies manufacturing bovine somatotropin have generated and submitted all data necessary to support their product licence applications and these have been assessed.

Mr. Teddy Taylor: To ask the Minister of Agriculture, Fisheries and Food what representations Her Majesty's Government have had from the veterinary products committee about the use of certain BST products on cows; and if he will make a statement.

Mr. Donald Thompson: I have referred to the veterinary products committee several applications from companies interested in developing and marketing BST products for use in milk production. Following the committee's advice that the data relating to the products' safety and quality are satisfactory, permission for field trials has been granted.

Mr. Teddy Taylor: To ask the Minister of Agriculture, Fisheries and Food what advice he has received about the health consequences of the use of BST in milk production; and if he will make a statement.

Mr. Donald Thompson: The advice that I have received is that BST is safe for use in milk production.

Listeria

Mr. Gregory: To ask the Minister of Agriculture, Fisheries and Food what action his Department is taking to deal with the problem of listeria in food.

Mr. MacGregor: My Department is jointly responsible with the Department of Health for regulations under the Food Act. The Department of Health has already issued a statement on 12 January 1989 on the evidence available to it from routine monitoring of human cases of listeriosis.

As part of our continuing review of the impact of new technology on the safety of food, MAFF has in hand work which we have commissioned on the cooking conditions required to kill listeria monocyctogenes in poultry meat. A major study, jointly funded by industry, on physical aspects of microwave cooking is also under way.

I can assure my hon. Friend that as soon as the appropriate scientific information is available from these studies, we will immediately consider with the Department of Health what further action is required if any is revealed to be necessary. We shall also take into account evidence from other outside studies.

Meanwhile my Department, together with the Department of Health, and industry representatives, is considering current food processing, distribution, retailing and labelling of cooked and chilled ready-to-eat products to ensure that safety margins are satisfactory.

Animal Feedstuffs

Mr. Ron Davies: To ask the Minister of Agriculture, Fisheries and Food what organisations he is consulting in his preparation of the code of practice on the production of animal feedstuffs containing processed animal products; and when he intends making his code of practice public.

Mr. Donald Thompson *[holding answer 16 January 1989]:* Proposals for the code of practice on the production of animal feedingstuffs will be discussed with those organisations whose members will be affected. Officials have already discussed the matter with the United Kingdom Agricultural Supply Trade Association (UKASTA) and will consult others, including the British Poultry Federation (BPF) and the National Farmers Union (NFU).

Parallel discussions are also being conducted with other organisations to consider a code of practice for manufacturers of animal protein used in animal feedingstuffs. The codes will be published when the consultations have been completed and the points made in those consultations have been properly assessed.

Tuberculosis

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food *(a)* how many animals and *(b)* what types of animals have been subject to movement restrictions applied under article 15 of the Tuberculosis (England and Wales) and (Scotland) Orders 1984 for each year since 1984; and if he will make a statement.

Mr. Donald Thompson *[holding answer 16 January 1989]:* Under articles 15 in both the Tuberculosis (England and Wales) Order 1984 and the Tuberculosis (Scotland) Order 1984 notices may be served on occupiers of premises where animals are or may be infected with tuberculosis. Details of the numbers of notices served and types of animals to which they applied for each of the last five years are as follows:

	[1] *Number of notices served on occupiers of premises*	*Types of animals*
1984	Nil	—
1985	5	Deer
1986	Nil	—
1987	Nil	—
1988	12	Deer
	1	Alpacas and Guanocos

[1] As notices served can apply to a number of animals it is not possible to say how many animals were involved.

Protein Processing Plants (Salmonella)

Mr. David Clark: To ask the Minister of Agriculture, Fisheries and Food, pursuant to his answer to the hon.

Member for South Shields of 14 December, *Official Report*, columns *579-80*, what statutory restrictions there are on the release of the identity of the 21 protein processing plants that were found to contain salmonella in 1987; and if he will make a statement.

Mr. Donald Thompson *[holding answer 16 January 1989]*: There is no statutory prohibition on the release of the information. However details about protein processing plants are collected by my Department in order to carry out inspections as provided for under the Diseases of Animals (Protein Processing) Order 1981. It would be wrong to disclose such data for purposes other than those for which they were collected.

SCOTLAND

Dornoch Rail Bridge

Dr. Marek: To ask the Secretary of State for Scotland if he will reassess the Dornoch rail bridge project as a result of recent developments in possible financial support.

Lord James Douglas-Hamilton: No. Rail investment is a matter for British Rail. However, the Government's commitments to improved transport in the area are shown by the substantial investment of over £100 million in improving the A9 north of Inverness. British Rail's commitment to the rail line is shown by new signalling investment and the introduction of sprinter units.

Health Boards (Delegation of Functions)

Mr. Galbraith: To ask the Secretary of State for Scotland under what statutory authority health boards delegate functions to their committees.

Mr. Michael Forsyth: Section 2(10) of the National Health Service (Scotland) Act 1978 and paragraph 11 of part II of schedule 1 to that Act; and regulation 8 of the National Health Service (Health Boards: Membership, Procedure and Payment of Subscriptions) (Scotland) Regulations 1975 (SI 1975 No. 197 (S 16)).

Water

Mr. Wigley: To ask the Secretary of State for Scotland how many people resident in Scotland live in areas of Scotland which receive their water services from an authority based in England.

Lord James Douglas-Hamilton: No part of Scotland receives water services from an authority based in England.

Fishing

Mr. Wilson: To ask the Secretary of State for Scotland if there are any prosecutions pending or in progress concerning the use of monofilament net; and if he will make a statement.

Lord James Douglas-Hamilton: Proceedings in respect of three such cases have been raised but have yet to be concluded.

YTS

Mr. Foulkes: To ask the Secretary of State for Scotland how many YTS places are available for 17 and 18-year-olds in the travel-to-work areas for Girvan, Ayr and Cumnock; how many of them have registered for places; how many have been placed; and how many of those remaining without placement have had benefit withdrawn, for each of the above areas, in the last 12-month period for which figures are available.

Mr. Lang: The information sought either does not exist or is unavailable in the form requested. Information on YTS places is not available by travel-to-work area; nor is it possible to count how many places are filled by young people of a particular age. Information on young people registered with the careers service cannot distinguish between those seeking work only and those seeking a YTS place; nor is it available centrally for separate areas within Ayrshire. Information on numbers of young people who have no benefit and have not been placed on YTS is not available. All 18-year-olds however are entitled to income support.

Health Service Managers

Mr. Dalyell: To ask the Secretary of State for Scotland what is the value of the money spent on merit awards to Health Service managers.

Mr. Michael Forsyth: This information is not held centrally.

Parliament House, Edinburgh

Mr. Darling: To ask the Secretary of State for Scotland what was the cost of terminating the services of employees providing security services at Parliament House, Edinburgh.

Lord James Douglas-Hamilton: To date, no such costs have been incurred.

Mr. Darling: To ask the Secretary of State for Scotland what is the annual cost of the private security service now in operation at Parliament House, Edinburgh; and if he will indicate the contractors to whom payments are made.

Lord James Douglas-Hamilton: A joint contract for the provision of security services at Parliament House and Edinburgh sheriff court was awarded from 1 January 1989 for a period of three years to Burns International Security Services (UK) Ltd. The annual cost of the contract is confidential for commercial reasons, but the lowest tender for the service required was accepted.

Mr. Darling: To ask the Secretary of State for Scotland what was the annual cost of providing security services at Parliament House, Edinburgh, in 1987-88; and how many people were employed to provide the security services.

Lord James Douglas-Hamilton: The cost of providing security services at Parliament House in the year ending 31 December was £137,000. Eleven staff were employed.

Education Reform

Mr. McLeish: To ask the Secretary of State for Scotland if he will give the total spending on the preparation of the recently launched school boards video.

Mr. Michael Forsyth: The cost of production was £31,000.

Mr. McLeish: To ask the Secretary of State for Scotland if he has recently met representatives of the Scottish Council of Independent Schools.

Mr. Michael Forsyth: No.

Mr. McLeish: To ask the Secretary of State for Scotland if he has received any representations since June 1987 from the Scottish Council of Independent Schools.

Mr. Michael Forsyth: Yes.

Mr. McLeish: To ask the Secretary of State for Scotland how many representations he has received from parents' organisations regarding opting out of the local education authority system.

Mr. Michael Forsyth: Two since we published our paper "Self-Governing Schools" on 7 December.

Mr. McLeish: To ask the Secretary of State for Scotland how many representations he has received from teachers unions regarding opting out of the local education authority system.

Mr. Michael Forsyth: One.

Mr. McLeish: To ask the Secretary of State for Scotland how many representations he has received from the Convention of Scottish Local Authorities regarding opting out of the local education authority system.

Mr. Michael Forsyth: None.

Mr. McLeish: To ask the Secretary of State for Scotland how many representations he has received from local education authorities regarding opting out of the local education authority system.

Mr. Michael Forsyth: None.

Mr. McLeish: To ask the Secretary of State for Scotland if he has received any requests from non-maintained or independent schools to opt-in to the state sector since 22 November 1988.

Mr. Michael Forsyth: No.

Mr. McLeish: To ask the Secretary of State for Scotland if he has contacted the Audit Commission regarding the financial aspects of schools opting out.

Mr. Michael Forsyth: No. The remit of the Audit Commission does not extend to Scotland.

Grant Maintained Trust

Mr. McLeish: To ask the Secretary of State for Scotland if an application for financial assistance has been received from the grant maintained trust.

Mr. Michael Forsyth: No.

Mr. McLeish: To ask the Secretary of State for Scotland if he has met or received representations from the grant maintained trust.

Mr. Michael Forsyth: Yes.

Lockerbie Air Disaster

Sir Hector Monro: To ask the Secretary of State for Scotland if he will make a statement on the Government's contribution towards the Lockerbie air disaster appeal.

Mr. Rifkind: The sum of £150,000 has been contributed to the appeal fund. Parliamentary approval for this will be sought in a supplementary Supply Estimate for the prisons, hospitals and community health services, etc., Scotland Vote (Class XVI, Vote 14). Pending that approval this expenditure has been met by a repayable advance from the contingencies fund.

Ayrshire and Arran Health Board

Mr. Foulkes: To ask the Secretary of State for Scotland what appointments or reappointments he has recently made to the Ayrshire and Arran health board; whether each has any known political affiliation; and what such affiliation is in each case.

Mr. Michael Forsyth *[holding answer 16 January 1989]:* The only recent appointment (in July 1988) was that of Mrs. J. A. C. McNally of Ayr, who is a qualified nurse and was appointed to fill a vacancy left by a nurse. Members are appointed according to the individual contributions which they can bring to the board.

Teachers

Mr. McLeish: To ask the Secretary of State for Scotland if he has received any representations regarding section 88 of the Education Act; and how many teachers were dealt with under such provisions in each of the years 1985-86 to the most recent date for which information is available.

Mr. Michael Forsyth: Following the issue to all schools and further education colleges in October 1988 of an explanatory paper about the proposed repeal of section 88 of the Education (Scotland) Act 1980, the following bodies have responded:

Convention of Scottish Local Authorities;
Teachers' Side of the Scottish Joint Negotiating Committee for School Education;
Scottish Secondary Teachers Association;
National Association of Schoolmasters/Union of Women Teachers (Scotland);
Central Regional Council;
Borders Regional Council;
Orkney Islands Council;
The views of two individuals have also been received.

Information on the number of cases in which education authorities have invoked section 88 of the Act is not held centrally.

The main committee of inquiry, which reported in October 1986, provided details for the period from 1975 in an appendix to its report.

EMPLOYMENT

Equal Pay

12. **Mrs. Ray Michie:** To ask the Secretary of State for Employment if he has met the chairman of the Equal Opportunities Commission to discuss changes to equal pay legislation; and if he will make a statement.

Mr. Nicholls: My right hon. Friend has not discussed changes to equal pay legislation with the EOC chairman. I understand that the commission will shortly be publishing a consultative document about the legislation.

Labour Statistics

13. **Mr. David Evans:** To ask the Secretary of State for Employment if he will make a statement on the current levels of employment in the United Kingdom.

14. **Mr. Roger King:** To ask the Secretary of State for Employment what was the size of the employed labour force in December 1983, December 1986 and December 1988; and if he will make a statement.

Mr. Fowler: The work force in employment in the United Kingdom was 25,739,000 in June 1988—the highest level on record. This compares with 24,041,000 in December 1983 and 24,982,000 in December 1986. In December 1979 the work force in employment was 25,486,000—about a quarter of a million less than latest estimates.

18. **Mr. Ken Hargreaves:** To ask the Secretary of State for Employment if he will make a statement on the current level of unemployment in Lancashire.

Mr. Lee: In November 1988 the level of unemployment in Lancashire was 48,039—a fall of 14,787 over the last 12 months.

20. **Mr. Rooker:** To ask the Secretary of State for Employment in how many parliamentary constituencies unemployment fell by 50 per cent. or more between September 1983 and September 1988.

Mr. Nicholls: Between September 1983 and September 1988 unemployment fell by 50 per cent. or more in 44 parliamentary constituencies in Great Britain.

30. **Mr. Summerson:** To ask the Secretary of State for Employment how many people classed as long-term unemployed were without jobs in December 1988 and December 1983; and if he will make a statement.

Mr. Lee: Unemployment figures are analysed by duration quarterly. In October 1988 the number of unemployed claimants who had been unemployed for one year or more in the United Kingdom was 885,504 compared with 1,142,899 in October 1983—a fall of 257,395 over the period. This comparison is slightly affected by changes in the coverage of the count.

41. **Mr. Pike:** To ask the Secretary of State for Employment what percentage of those in employment in the north-west are in manufacturing industries; and what was the comparable figure in 1979.

Mr. Lee: Estimates of the civilian work force in employment in manufacturing industries in regions are not available as the self-employed and work-related Government training programmes statistics are not analysed in this way.

In June 1988, the latest date for which figures are available, 23 per cent. of the total civilian work force in employment (which is the sum of employees in employment, the self-employed and participants in work-related Government training programmes) in the north-west region were employed as employees in employment in manufacturing industries. The comparable figure for June 1979 was 34 per cent.

50. **Mr. David Martin:** To ask the Secretary of State for Employment how many 16 to 18-year-olds were unemployed in December 1983 and December 1988; and if he will make a statement.

Mr. Cope: In November 1988, the latest date for which figures are available, there were 5,826 people aged under 18 claiming unemployment-related benefits. The recent extension of the guaranteed offer of a YTS place to all those aged under 18 not in full-time education or employment means there is now no need for these young people to be unemployed. Consequently, only a few now remain entitled to unemployment-related benefits following the associated change from September 1988 in the benefit regulations for under 18-year-olds. In December 1983 an estimated 199,600 people under 18 were claiming unemployment-related benefits.

52. **Mr. Bellingham:** To ask the Secretary of State for Employment what was the rate of change in unemployment levels in the last 12 months in East Anglia.

Mr. Lee: In November 1988 the level of seasonally adjusted unemployment in the East Anglia region was 43,500, compared with 61,100 in November 1987, a fall of 17,600 or 28·8 per cent. over the last 12 months.

53. **Mr. Evennett:** To ask the Secretary of State for Employment if he will make a statement on the current level of unemployment in London.

Mr. Lee: In November 1988 the level of seasonally adjusted unemployment in Greater London was 259,800, a fall of 67,000 over the last 12 months.

54. **Sir Marcus Fox:** To ask the Secretary of State for Employment if he will make a statement on the current levels of unemployment in Yorkshire and Humberside.

Mr. Lee: In November 1988 the level of seasonally adjusted unemployment in the Yorkshire and Humberside region was 209,800, a fall of 41,500 over the last 12 months.

65. **Mr. Neil Hamilton:** To ask the Secretary of State for Employment how many people were self-employed in the United Kingdom in December 1988 and December 1979, respectively; and if he will make a statement.

106. **Mr. Robert B. Jones:** To ask the Secretary of State for Employment how many people are currently self-employed in the United Kingdom; and if he will make a statement.

Mr. Lee: In June 1988, the latest date for which estimates are available, there were 2,985,000 self-employed in the United Kingdom. In June 1979 there were 1,906,000. Currently 12 per cent. of the work force in employment are self-employed.

69. **Miss Emma Nicholson:** To ask the Secretary of State for Employment if he will make a statement on the levels of unemployment in the south-west of England.

Mr. Lee: In November of 1988 the level of seasonally adjusted unemployment in the south-west region was 118,700, a fall of 37,200 over the last 12 months.

70. **Mr. Andrew Mitchell:** To ask the Secretary of State for Employment if he will make a statement on the levels of unemployment in the east midlands.

Mr. Lee: In November 1988 the level of seasonally adjusted unemployment in the east midlands region was 130,900, a fall of 31,100 over the last 12 months.

85. **Mr. Illsley:** To ask the Secretary of State for Employment what is the percentage change in the level of unemployment in Barnsley since 1985.

Mr. Lee: In November 1988 the number of unemployed claimants in Barnsley local authority areas was 12,649, compared with 16,739 in November 1985, a fall of 4,090, or 24·4 per cent., over the three-year period. The figures are affected by the change in the compilation of the count in March 1986 to reduce over-recording and by the change in the coverage from September 1988 due to new benefit regulations for young people aged under 18.

98. **Mr. Dykes:** To ask the Secretary of State for Employment if he will give the unemployment figures for *(a)* one year ago, *(b)* two years ago, *(c)* three years ago and *(d)* the latest available date.

Mr. Lee: The table shows seasonally adjusted unemployment in the United Kingdom for November 1985, 1986, 1987 and 1988.

Unemployed claimants[1]

November	*Number*
1985	3,052,900
1986	3,086,700
1987	2,604,400
1988	2,108,800

[1] Seasonally adjusted, consistent with the current coverage.

103. **Mr. Holt:** To ask the Secretary of State for Employment if he will make a statement on the current levels of unemployment in the northern region of England.

Mr. Lee: In November 1988 the level of seasonally adjusted unemployment in the northern region of England was 163,800, a fall of 23,300 over the last 12 months.

104. **Mr. Knapman:** To ask the Secretary of State for Employment if he will make a statement on the current levels of employment in the west midlands.

Mr. Lee: In June 1988, the latest date for which figures are available, there were 2,354,000 people in the civilian work force in employment in the west midlands region. This represents an increase of 234,000, or 11 per cent. since June 1983. The civilian work force in employment is the sum of employees in employment, the self-employed and participants in work-related Government training programmes.

107. **Mr. Teddy Taylor:** To ask the Secretary of State for Employment what are the three industries or services in the United Kingdom which have provided the largest increase in employment over the most recent 12-month period for which figures are available; and if he will make a statement.

Mr. Lee: Between June 1987 and June 1988, the most recent 12-month period for which figures are available, the largest increase in employees in employment in the United Kingdom were observed in the following industries:

	Number	*Per cent.*
Business Service	+ 93,000	+ 7·3
Hotels and Catering	+ 49,000	+ 4·4
Education	+ 34,000	+ 2·0

110. **Mr. Wigley:** To ask the Secretary of State for Employment which travel-to-work area had the lowest level of unemployment and which had the highest level of unemployment at the most recent available date; what were their respective levels of unemployment; and if he will make a statement.

Mr. Lee: In November 1988 Crawley travel-to-work area had the lowest rate of unemployment at 1·8 per cent. and Cookstown travel-to-work area had the highest rate of unemployment at 29·5 per cent.

112. **Mr. William Powell:** To ask the Secretary of State for Employment if he will make a statement on the current levels of employment in the United Kingdom.

Mr. Lee: Between March 1983 and June 1988 the work force in employment in the United Kingdom increased by 2,178,000 to 25,739,000, the highest level on record. This rising trend has now continued for more than five years. The figures have been adjusted for the effects of seasonal variations. The work force in employment is the sum of employees in employment, the self-employed, Her Majesty's forces, and participants in work-related Government training programmes.

Mr. Speller: To ask the Secretary of State for Employment what he will do in 1989 to help reduce unemployment in north Devon in general and the Ilfracombe areas specifically.

Mr. Lee: My Department operates a wide range of employment, enterprise, and training measures and offers services in support of small firms and tourism, all of which are available to people throughout north Devon, including Ilfracombe.

During the 12 months to November 1988 unemployment in the Devon, North constituency fell by 909—26 per cent. of the November 1987 figure. In the same period unemployment in the Barnstaple and Ilfracombe travel-to-work area has fallen by 713—24 per cent. of the November 1987 figure.

Construction Industry

15. **Mr. Cohen:** To ask the Secretary of State for Employment what steps he intends to take to reduce fatalities in the construction industry in the London area.

Mr. Nicholls: In my answer to the hon. Member for Aberdeen, South (Mr. Doran) earlier today, I set out the action being taken to improve safety in the construction industry on a national basis. As regards London, the action being taken is the same.

47. **Mr. Cummings:** To ask the Secretary of State for Employment what action he intends to take to reduce deaths and crippling injuries in the construction industry.

66. **Mr. Martyn Jones:** To ask the Secretary of State for Employment what steps he intends to take to reduce fatalities in the construction industry caused by the use of crane excavators and dumpers.

Mr. Nicholls: New regulations are being prepared which provide for the management and co-ordination of health and safety on multi-contractor sites, increase the number of safety supervisors in smaller companies and amend the site notification procedure to identify sites where there are high-risk activities. The introduction of regulations which would make the wearing of safety helmets compulsory on constructions sites is also planned.

In addition to concentrating on the inspection of the more hazardous activities in the industry. Health and Safety Executive inspectors will also be paying more attention to the quality of site management and its ability to manage health and safety. They will be looking at the level of training and supervision that has been provided and the precautions that have been taken to prevent accidents. They will pursue their inquiries and any enforcement action to the highest levels in companies which do not measure up to the standards expected of them.

55. **Mr. Robert Hughes:** To ask the Secretary of State for Employment what action he intends to take to ensure that health and safety law is enforced more stringently on those who have charge of others on construction sites.

Mr. Nicholls: I am confident that the law is already being enforced stringently. However, new regulations are being prepared which provide for the management and co-ordination of health and safety on multi-contractor sites and increase the number of safety supervisors in smaller companies.

The Health and Safety Commission has also recently published two booklets aimed at improving safety management in the construction industry and in future the Health and Safety Executive inspectors will be paying special attention to the quality of site management and its ability to manage health and safety.

Inspectors will also be looking at the level of training and supervision that has been provided and the precautions that have been taken to prevent accidents. They will pursue their inquiries and any enforcement action to the highest levels in companies which do not measure up to the standards expected of them.

62. **Mr. Graham:** To ask the Secretary of State for Employment what action he intends to take to protect those members of the public who stray on to construction sites.

Mr. Nicholls: At visits to construction sites, inspectors of the Health and Safety Executive will continue to remind employers and contractors of their obligation under section 3 of the Health and Safety at Work etc. Act 1974 to ensure that the health and safety of persons not in their employment, including members of the public, is not affected by the way in which they carry out their operations. Enforcement action will be taken in appropriate cases where this duty is not met.

The Health and Safety Executive is currently revising its published guidance to the industry on the safety of children at construction sites and will continue to use the media to remind contractors, children, parents, teachers and members of the public before major school holidays of the dangers of construction sites.

91. **Mr. Nellist:** To ask the Secretary of State for Employment what steps he intends to take to reduce fatalities in the construction industry due to poor maintenance of plant and equipment.

Mr. Nicholls: New regulations are being prepared which provide for the management and co-ordination of health and safety on multi-contractor sites, increase the number of safety supervisors in smaller companies and amend the site notification procedure to identify sites where there are high-risk activities.

In addition to concentrating on the inspection of the more hazardous activities in the industry, Health and Safety Executive inspectors will also be paying more attention to the quality of site management and its ability to manage health and safety.

They will be looking at the level of training and supervision that has been provided and the precautions that have been taken to prevent accidents such as those arising from poor maintenance of plant and equipment. They will continue to draw attention to Health and Safety Executive published guidance on the maintenance of plant and equipment.

Inspectors will pursue their inquiries and any enforcement action to the highest levels in companies which do not measure up to the standards expected of them.

96. **Mr. McKelvey:** To ask the Secretary of State for Employment what steps he intends to take to reduce fatalities in the construction industry due to electrical hazards.

Mr. Nicholls: New electricity at work regulations have recently been proposed to the Secretary of State by the Health and Safety Commission and are currently being considered. They are directed at the prevention of injury due to electrical hazards at all places of work including construction sites.

Other new regulations are being prepared which provide for the management and co-ordination of health and safety on multi-contractor sites, increase the number of safety supervisors in smaller companies and amend the site notification procedure to identify sites where there are high-risk activities.

In addition to concentrating on the inspection of the more hazardous activities in the industry, health and safety executive inspectors will also be paying more attention to the quality of site management and its ability to manage heath and safety.

They will be looking at the precautions that have been taken to prevent accidents, such as those arising from electrical hazards, and will continue to draw attention to HSE published guidance. A new guidance note "Avoiding Danger from Underground Services" will be published in the near future.

Inspectors will pursue their inquiries and any enforcement action to the highest levels in companies which do not measure up to the standards expected of them.

102. **Mr. Skinner:** To ask the Secretary of State for Employment what action he intends to take to reduce the number of deaths from construction accidents.

Mr. Nicholls: New regulations are being prepared which provide for the management and co-ordination of health and safety on multi-contractor sites, increase the number of safety supervisors in smaller companies and amend the site notification procedure to identify sites where there are high-risk activities. The introduction of regulations which would make the wearing of safety helmets compulsory on construction sites is also planned.

In addition to concentrating on the inspection of the more hazardous activities in the industry, HSE inspectors will also be paying more attention to the quality of site management and its ability to manage health and safety.

They will be looking at the level of training and supervision that has been provided and the precautions that have been taken to prevent accidents.

They will pursue their inquiries and any enforcement action to the highest levels in companies which do not measure up to the standards expected of them.

105. **Mr. Corbyn:** To ask the Secretary of State for Employment what steps he intends to take to reduce fatalities in the construction industry caused by fires and explosions.

Mr. Nicholls: New regulations are being prepared which provide for the management and co-ordination of health and safety on multi-contractor sites, increase the number of safety supervisors in smaller companies and amend the site notification procedure to identify sites where there are high-risk activities.

In addition to concentrating on the inspection of the more hazardous activities in the industry, Health and Safety Executive (HSE) inspectors will also be paying more attention to the quality of site management and its ability to manage health and safety.

They will be looking at the precautions that have been taken to prevent accidents such as those arising from fires and explosions and will continue to draw attention to HSE published guidance on fire and explosion risks. A new guidance note "Avoiding Danger from Underground Services" will be published in the near future.

Inspectors will pursue their inquiries and any enforcement action to the highest levels in companies which do not measure up to the standards expected of them.

109. **Mrs. Mahon:** To ask the Secretary of State for Employment what steps he intends to take to reduce fatalities in the construction industry caused by falling materials or objects.

Mr. Nicholls: New regulations are being prepared which provide for the management and co-ordination of health and safety on multi-contractor sites, increase the number of safety supervisors in smaller companies and amend the site notification procedure to identify sites where there are high-risk activities. The introduction of regulations which would make the wearing of safety helmets compulsory on construction sites is also planned.

In addition to concentrating on the inspection of the more hazardous activities in the industry, Health and Safety Executive (HSE) inspectors will also be paying more attention to the quality of site management and its ability to manage health and safety.

Inspectors will be looking at the level of training and supervision that has been provided and the precautions that have been taken to prevent accidents such as those caused by falling materials and objects and will continue to draw attention to HSE published guidance on this subject. They will pursue their inquiries and any enforcement action to the highest levels in companies which do not measure up to the standards expected of them.

"Employment for the 1990s"

16. **Mr. Mans:** To ask the Secretary of State for Employment what representations he has received following the publication of the White Paper, "Employment for the 1990s", and if he will make a statement.

Mr. Fowler: To date, over 300 organisations and individuals have made representations about the White Paper "Employment for the 1990s". The overwhelming majority have expressed interest in and support for the establishment of the new training and enterprise councils.

Tourism

17. **Mr. Harris:** To ask the Secretary of State for Employment how many representations he has received in response to his tourism review; and if he will make a statement.

Mr. Lee: The review team has spoken to almost 150 individuals and organisations in the tourism industry in preparing the report. In addition, I have received a number of written submissions which have also been seen by the review team. I have also received a number of representations on matters of tourism policy which I shall be considering in addition to the report from the review team.

21. **Mr. Fearn:** To ask the Secretary of State for Employment when he last met the chairman of the British Tourist Authority to discuss the promotion of tourism in the north-west of England.

Mr. Lee: I last met the chairman of the British Tourist Authority on 9 November 1988. Discussions related to the promotion of tourism in all parts of the country.

22. **Mr. Jacques Arnold:** To ask the Secretary of State for Employment how many people were employed in tourism and tourism-related employment in the United Kingdom in December 1988 and December 1983; and if he will make a statement.

Mr. Lee: The latest available estimate for employment in tourism-related industries relates to September 1988, when there were 1·4 million employees in employment in tourism-related industries. The equivalent estimates for September and December 1983 are 1·2 million and 1·1 million respectively.

23. **Mr. David Shaw:** To ask the Secretary of State for Employment if he will make a statement on the progress of the tourism review.

Mr. Fowler: I hope to consider the report on this shortly.

24. **Mr. Butterfill:** To ask the Secretary of State for Employment what action he is taking to support tourism and leisure industries within traditional seaside resort towns.

Mr. Lee: The development of the tourism and leisure industries in seaside towns is primarily a matter for the private sector and the local authorities. The national and regional tourist boards provide support and advice through a range of marketing and development activities.

34. **Mr. David Nicholson:** To ask the Secretary of State for Employment how many applications were received by the tourist boards for section 4 tourist grant; what were the total funds awarded in 1988; and if he will make a statement.

Mr. Lee: In 1988, 694 applications were considered for assistance by the English tourist board under section 4 of the Development of Tourism Act 1969. The total value of assistance offered during this period was £12·3 million.

Rural Areas

19. **Mr. Macdonald:** To ask the Secretary of State for Employment what specific proposals he has to reduce unemployment in rural areas.

Mr. Cope: Specific measures introduced by my Department and others to help rural areas are described in "Action for Rural Enterprise" available to Members from the House of Commons Library. Since this was published, our adult training provision has been reorganised and enhanced by the introduction of employment training and we are currently examining ways of further improving rural access to our programmes and services.

Employment Training

25. **Mr. Harry Greenway:** To ask the Secretary of State for Employment if he will make a statement about the progress of the employment training scheme in inner city areas.

Mr. Nicholls: Employment training is progressing well in inner city areas, as it is elsewhere. Information on the numbers in training in inner city areas will be available at the end of January.

36. **Mr. Battle:** To ask the Secretary of State for Employment whether he will provide the latest available figures for *(a)* the numbers of places and *(b)* the numbers of trainees in employment training.

Mr. Nicholls: There is provision for up to 300,000 places on employment training once the programme is fully operational. At 6 January there were 111,000 people training on the programme.

42. **Mr. Stevens:** To ask the Secretary of State for Employment how many people are currently undertaking training on the employment training scheme; and if he will make a statement.

Mr. Nicholls: The number of people training on employment training at 6 January 1989 was 111,000. This is a tremendous achievement after just four months of the programme's operation and is a reflection of the considerable interest shown by unemployed people in getting quality training to help them get back into a job.

48. **Mr. Ground:** To ask the Secretary of State for Employment if he will make a statement on the progress of the employment training programme.

Mr. Nicholls: Employment training has made a tremendous start. On 6 January, just four months after the programme's launch, there were already 111,000 people training on the programme.

58. **Mr. Steinberg:** To ask the Secretary of State for Employment what proportion of places on employment training have been taken up by workers aged 50 years or more; and if he will make a statement.

Mr. Nicholls: The information available is for those aged 51 years and over. So far, about 5 per cent. of all those joining the programme have been in this age group. The programme will continue to provide opportunities for unemployed people over 50 who want to improve their prospects of getting a job through quality training.

81. **Mrs. Gorman:** To ask the Secretary of State for Employment what plans he has to meet the general secretary of the Trades Union Congress to discuss the employment training scheme; and if he will make a statement.

Mr. Nicholls: I have no plans to do so. Employment training has made a very successful start with over 100,000 people training after just three months. The policy adopted at the last conference of the Trades Union Congress towards the programme cannot help long-term unemployed people to get back into jobs.

83. **Mr. Quentin Davies:** To ask the Secretary of State for Employment if he will make a statement on his proposals to meet the skill shortages currently encountered by British industry and commerce.

Mr. Cope: I refer my hon. Friend to the training section of the White Paper "Employment for the 1990s", published last month. About 100 training and enterprise councils are to be established with this as one of their prime goals. The business growth through training programme also announced in the recent White Paper will help employers to develop strategies for the training and development of their staff in line with business objectives.

The Training Agency plays a strategic role in helping employers to plan and take action to develop occupationally specific skills. It seeks to develop young people and to help reskill unemployed adults with programmes to meet labour market needs. Both YTS and employment training are delivered in close collaboration with local industry and commerce.

88. **Mr. Madden:** To ask the Secretary of State for Employment whether he will publish estimates of the effects of his White Paper, "Employment for the 1990s", on employer-based training; and if he will make a statement.

Mr. Cope: The aim of the new framework for training set out in the White Paper is to ensure that training is carried out to the scale and to the quality our economy will require in the 1990s.

97. **Mr. Sumberg:** To ask the Secretary of State for Employment what representations he has received from Bury council on the employment training scheme.

Mr. Nicholls: My right hon. Friend has not received any representations from Bury metropolitan borough council about employment training. Bury college had a contract with the Training Agency to operate as a training agent for employment training. The decision of the borough council to terminate this contract following threatened industrial action by the local branch of NALGO is most deplorable. This cannot possibly be of any help to unemployed people in Bury.

113. **Mr. Bradley:** To ask the Secretary of State for Employment whether he will provide the latest available figures for those transferring to employment training from the community programme.

Mr. Nicholls: By the end of October 1988, the latest date for which information is available, a total of about 6,000 people had transferred from the community programme to employment training.

Mr. Leighton: To ask the Secretary of State for Employment what percentage of employment training places are employer based.

Mr. Nicholls: At 6 January there were 111,000 people training on employment training. Information on the percentage of trainees in employer based training is not yet available, but will be available at the end of this month.

Employer Networks

26. **Mr. Colvin:** To ask the Secretary of State for Employment what role he proposes for employer networks in the training and employment councils proposed in his White Paper, "Employment in the 1990s"; and if he will make a statement.

Mr. Cope: In some areas local employer networks might form the nucleus of a training and enterprise council. In other areas training and enterprise councils might absorb their functions or link with them in a constructive way.

Job Clubs

27. **Mr. Burt:** To ask the Secretary of State for Employment if he will make a statement on the progress of job clubs.

92. **Dr. Goodson-Wickes:** To ask the Secretary of State for Employment what is the current number of job clubs in the United Kingdom; and if he will make a statement.

Mr. Lee: There are currently 1,220 job clubs open. Since April 1986, when central records began, 121,494 people participating in the job club programme have found jobs and a further 31,268 have gone into other positive outcomes, such as training, a place on the community programme or the enterprise allowance scheme. Currently, 71 per cent. of all those leaving a job club do so having achieved a positive outcome. The shape of the programme for 1989-90 is currently under consideration as part of the employment service's annual planning round.

I am pleased that job clubs are continuing to give such positive help to long-term unemployed people who are at a disadvantage in the labour market.

EC (Ministerial Meetings)

28. **Mr. Nicholas Bennett:** To ask the Secretary of State for Employment if he has any plans to meet the other Employment Ministers of the European Economic Community countries to discuss unemployment; and if he will make a statement.

Mr. Cope: The next full meeting of European Community Labour and Social Affairs Ministers will be on 6 March at an informal meeting of the Labour and Social Affairs Council. The United Kingdom will continue its efforts to ensure that trainig and employment growth are Community priorities. Meanwhile, my right hon. Friend the Secretary of State and I also have frequent bilateral meetings with other Community Ministers.

Lost Working Days

29. **Dr. Michael Clark:** To ask the Secretary of State for Employment how many working days were lost through strikes in 1988; and if he will make a statement.

Mr. Nicholls: The estimate of the number of working days lost through stoppages of work due to industrial disputes in 1988 is not yet available. The most recently available figure for a 12-month period is for the period ending October 1988 during which it is provisionally estimated that 3,719,000 working days were lost.

33. **Mr. Meale:** To ask the Secretary of State for Employment what action he intends to take to reduce the incidence of injuries causing people to be off work for over three days.

Mr. Nicholls: Responsibility for ensuring the health and safety of people at work is laid upon employers by the Health and Safety at Work, etc. Act 1974. The efforts of the Health and Safety Commission and Executive are targeted on those areas of work where people are at the greatest risk from death, injury or disease.

For 1988-89 the Government increased provision to the commission by £6·7 million gross above the level previously planned. In 1989-90 planned provision will be raised by a further £8·8 million gross, allowing for gross expenditure of £118·3 million. The planned provision for 1989-92 allows for real growth in the HSE's activities. This will enable the executive to increase the number of inspectors and the amount of inspection planned to promote and secure compliance with the law in order to help prevent occupational fatalities, injuries and diseases.

56. **Mr. Kirkhope:** To ask the Secretary of State for Employment how many working days were lost through strikes in December 1987 and December 1978; and if he will make a statement.

Mr. Nicholls: The number of working days lost through stoppages of work due to industrial disputes in December 1987 was 60,000; the comparable figure for December 1978 was 542,000.

YTS

31. **Mr. Patrick Thompson:** To ask the Secretary of State for Employment if he will give details of the number of vacancies on the YTS in the Norwich area.

Mr. Cope: At 16 December 1988, of 2,920 agreed YTS places in the Norwich local authority district 787 were unfilled.

35. **Mr. Grocott:** To ask the Secretary of State for Employment whether the Government are in a position to carry out their commitment of a guaranteed YTS place; and if he will make a statement.

Mr. Cope: Yes. There are more than sufficient unfilled YTS places available in all areas of the country to fulfil the guarantee of the offer of a suitable YTS place to all who apply.

77. **Mr. Canavan:** To ask the Secretary of State for Employment what is his estimate of the number of unemployed 16 and 17-year-olds who have not been offered a YTS place.

Mr. Cope: This information is not available. Once young people leave full-time education they are not required to tell the local authority career service what they are doing. There are a number of options open to 16 and 17-year-olds. Those who chose other options will not, of course, be offered a YTS place. However there are more than sufficient YTS places available in all areas of the country for all who apply.

79. **Mr. Sillars:** To ask the Secretary of State for Employment if he will make a statement on the effects on the 16 to 17-year-old group of the operation of the YTS placement scheme.

Mr. Cope: YTS has been a resounding success for young people and employers alike, providing good quality structured vocational training in the foundation skills which young people need at the start of their working lives.

87. **Mr. Andrew MacKay:** To ask the Secretary of State for Employment if he will make a further statement on the progress of two-year YTS.

Mr. Cope: The scheme continues to play a major role in meeting the training needs of young people and employers. Over 2 million young people have been in YTS since its inception and around three quarters of trainees currently find employment or go into further education or training. We shall continue the drive for positive outcomes through YTS, in particular nationally recognised vocational qualifications for all trainees and employment on completion of their training.

90. **Mr. Couchman:** To ask the Secretary of State for Employment how many young people are currently training on two-year YTS; and if he will make a statement.

108. **Mr. Paice:** To ask the Secretary of State for Employment how many young people are currently on YTS training schemes; and if he will make a statement.

Mr. Cope: At the end of December 1988 there were 419,900 young people in training on YTS.

As the Government made clear in the recent White Paper "Employment for the 1990s", YTS has been a resounding success. The task now is to increase still further the contribution which YTS can make to meeting the needs of the changing labour market.

111. **Mr. Hinchliffe:** To ask the Secretary of State for Employment whether he has any plans to improve the safety of YTS training; and if he will make a statement.

Mr. Cope: Health and safety remain of paramount importance in YTS. There is a contractual requirement on all managing agents to secure the health, safety and welfare of trainees both in work placements and in off-the-job training. In addition, a positive commitment to health and safety is one of the criteria which have to be fulfilled by managing agents as a condition of approved training organisation status.

We constantly try to improve health and safety and we have in hand improved training materials for both young people and trainers.

Pre-entry Closed Shop

32. **Mr. Batiste:** To ask the Secretary of State for Employment what recent representations he has received about the pre-entry closed shop; and if he will make a statement.

Mr. Nicholls: Ministers and officials in the Department of Employment continue to receive letters from employers and employees describing difficulties that they have experienced as a result of the operation of pre-entry closed shops. As announced in our recent White Paper, "Employment for the 1990s", the operation of the pre-entry closed shop will be examined over the coming months and we will take any further legislative steps that are needed on this or any other aspects of industrial relations which constitute a barrier to employment.

Small Businesses

37. **Mr. Marland:** To ask the Secretary of State for Employment how many counselling sessions were provided by the small firms service during the last 12 months; and if he will make a statement.

Mr. Cope: In 1987-88 the small firms service in England conducted 39,138 counselling sessions.

57. **Mr. Franks:** To ask the Secretary of State for Employment if he has any plans to meet the director general of the Confederation of British Industry to discuss the development of small businesses.

Mr. Cope: My right hon. Friend and I are in regular contact with the CBI to discuss issues affecting small firms and other matters.

59. **Mr. Moss:** To ask the Secretary of State for Employment if he has any plans to meet the British Venture Capital Association to discuss the development of small businesses.

Mr. Cope: I met Mr. John Nash, chairman of the British Venture Capital Association when I opened the BVCA financial forum on 1 December. I have no immediate plans to meet representatives from the BVCA again in the near future but I do have regular contact with the association.

Mr. Andrew Welsh: To ask the Secretary of State for Employment if he will make it his policy to provide the House with an annual report on the state of small businesses in Britain.

Mr. Cope: The annual report of the small firms service is published and is also sent to hon. Members and placed in the Library each year.

Consideration is being given to the possibility of including in the report in future material covering a wider range of small firm's matters. Reports and discussions on various aspects of small businesses appear in the *Employment Gazette*.

Skill Shortages

38. **Mr. Beaumont-Dark:** To ask the Secretary of State for Employment what plans he has to deal with skill shortages in British industry; and if he will make a statement.

Mr. Cope: I refer my hon. Friend to the training section of the White Paper "Employment for the 1990s", published last month. Some 100 training and enterprise councils are to be established with this as one of their prime goals. The business growth through training programme also announced in the recent White Paper will help employers to develop strategies for the training and development of their staff in line with business objectives.

The Training Agency plays a strategic role in helping employers to plan and take action to develop occupationally specific skills. It seeks to develop young people and to help to reskill unemployed adults with

programmes to meet labour market needs. Both YTS and employment training are delivered in close collaboration with local industry and commerce.

Enterprise Allowance Scheme

39. **Mr. Bright:** To ask the Secretary of State for Employment how many people in 1988 joined the enterprise allowance scheme; and if he will make a statement.

Mr. Lee: In the period from 1 January to 20 December 1988, 100,435 people joined the enterprise allowance scheme. Since the scheme began early in 1982, more than 400,000 unemployed people have been helped to start their own business.

Safety at Work

40. **Mr. Ronnie Campbell:** To ask the Secretary of State for Employment what action he intends to take to preserve the lives of people at risk of being killed during simple routine work.

Mr. Nicholls: Responsibility for ensuring the health and safety of people at work is laid upon employers by the Health and Safety at Work, Act 1974. The efforts of the Health and Safety Commission and Executive in promoting compliance with the Act are targeted on those areas of work where people are at the greatest risk, regardless of whether the activity is simple and routine or complex and varied.

For 1988-89 the Government increased provision to the commission by £6·7 million gross above the level previously planned. In 1989-90, planned provision will be enhanced by a further £8·8 million gross, allowing for gross expenditure of £118·3 million. The planned provision for 1989-90 allows for real growth in HSE's activities over the next three years. This will enable the executive to increase the number of inspectors and the amount of inspection planned to promote and secure compliance with the law in order to help prevent occupational fatalities, injuries and diseases.

Disabled People

43. **Mr. Wareing:** To ask the Secretary of State for Employment what new proposals he has to improve the employment prospects for disabled people.

Mr. Lee: I refer the hon. Member to the reply I gave to my hon. Friend the Member for Mid-Kent (Mr. Rowe) on 6 December 1988 at column *141*.

71. **Mr. Browne:** To ask the Secretary of State for Employment if he will make a statement about the number of disabled people in employment training.

Mr. Nicholls: Comprehensive information on the number of disabled people on employment training is not yet available. Early indications suggest that about 6 per cent. of those joining the programme have disabilities.

Accident Prevention (HSE Report)

44. **Mrs. Fyfe:** To ask the Secretary of State for Employment what action he intends to take in response to the recent report published by the Health and Safety Executive's accident prevention advisory unit.

Mr. Cope: The Health and Safety Commission has recently published two booklets aimed at improving safety management in the construction industry and in future HSE inspectors will be paying special attention to the quality of site managment and its ability to manage health and safety.

New regulations are also being prepared which provide for the management and co-ordination of health and safety on multi-contractor sites, increase the number of safety supervisors in smaller companies and amend the site notification procedure to identify sites where there are high-risk activities. It is intended to introduce soon regulations which would make the wearing of safety helmets compulsory on construction sites.

Industrial Training Boards

45. **Mr. Sayeed:** To ask the Secretary of State for Employment how many representations he has received on the future of the industrial training boards; and if he will make a statement.

Mr. Nicholls: We have received several representations from industrial training boards and interested organisations about the future of ITBs since the publication of our White Paper "Employment for the 1990s". The Government believe that the voluntary commitment of employers to independent sectoral bodies will yield better results than regulation based on statutory powers. Independent industry-level training organisations have an important role to play in setting standards and forecasting skill needs for their industries. We shall, therefore, be consulting each industrial training board and the appropriate employers' organisations with a view to drawing up a timetabled programme for each board to become an independent non-statutory body.

Wages Councils

46. **Mr. Janman:** To ask the Secretary of State for Employment how many representations he has received on the future of wages councils following the publication of his White Paper, "Employment in the 1990s"; and if he will make a statement.

Mr. Nicholls: Fifteen such representations have been received up to 10 January. Final decisions on the future of wages councils will be taken in the light of responses to the 1988 consultation document on wages councils, published with the White Paper, which invites comments by 3 February.

Training and Vocational Experience

49. **Mrs. Gillian Shephard:** To ask the Secretary of State for Employment if he will make a statement on progress of the training and vocational education initiative.

Mr. Cope: I refer my hon. Friend to my reply to my hon. Friend the Member for Stevenage (Mr. Wood) on 6 December 1988 at column *142*.

Inner city Initiative

51. **Mr. Carrington:** To ask the Secretary of State for Employment if he will make a statement on his Department's contribution to the inner city initiative.

Mr. Cope: My Department makes a substantial contribution to inner city regeneration through its employment. Training and enterprise programmes which bring an estimated expenditure of £1·1 billion to the 57 urban programme authorities. Our aim is to ensure that inner city residents share in the growing prosperity of their cities and, in particular, to help them acquire the self-confidence, training and motivation to enable them to compete on equal terms in the jobs market, or in setting up and running their own businesses.

In addition to existing programmes we have, as part of the action for cities programme, committed £3·25 million this year towards the development of 30 schools/industry compacts which guarantee jobs or training to school-leavers. We have opened six new inner city offices of the small firms service and appointed specialist inner city business advisers.

We have established a £600,000 loan fund to support projects by local enterprise agencies in inner cities and extended the guarantee on Government loans to small firms in task force areas to 85 per cent. We have provided extra training and advice for enterprise allowance scheme participants and given special help to unemployed people with language, literacy and numeracy difficulties. We continue to improve access to information on jobs and training opportunities and on my Department's programmes.

Productivity

60. **Mr. Waller:** To ask the Secretary of State for Employment what was the increase in productivity in *(a)* 1987 and *(b)* 1988; and if he will make a statement.

Mr. Lee: Productivity in manufacturing, as measured by output per person employed, was 7·3 per cent. greater in 1987 than in 1986. Figures for the first 10 months of 1988 show an increase of 7·2 per cent. over the corresponding period of 1987. Productivity for the economy as a whole was 2·8 per cent. higher in 1987 than in 1986. Figures for the first half of 1988 show a 3·4 per cent. increase over the first half of 1987.

Labour Market Information System

61. **Mr. Favell:** To ask the Secretary of State for Employment if he will make a statement about the development of the computer-assisted local labour market information system.

Mr. Cope: The computer-assisted local labour market information system is based in each of the Training Agency's 57 area offices, and holds information on local employers and their skills and training needs. It is used in planning training and vocational education provision, to help ensure that local labour market needs are met effectively.

CALLMI was introduced in 1986. A database of, on average, about 1,000 employers per area office has been built up and the labour market analyses produced have made an important contribution to the planning of work-related further education, YTS and employment training.

Further developments will focus mainly on exploring the most effective means of co-operation with other collectors and users of local labour market information, such as chambers of commerce and local authorities. It is expected that training and enterprise councils, as they are set up, will take over responsibility for local aspects of LMI including CALLMI.

VAT

63. **Mr. Amos:** To ask the Secretary of State for Employment how many new registrations were made for value added tax in 1988; and if he will make a statement.

Mr. Cope: In 1987, the latest year for which figures have been published, the estimated number of new registrations for value added tax was 205,000. The net increase in the number of VAT-registered businesses in 1987 was 45,000, or nearly 900 a week on average. The indications are that the rate of increase during 1988 has been faster.

Wages

64. **Mr. Cran:** To ask the Secretary of State for Employment what discussions he has had with trade union leaders regarding wage increases.

Mr. Nicholls: My right hon. Friend has had none. Pay is primarily a matter for employers and employees, or their representatives, to determine in the light of their own circumstances.

93. **Mr. Wallace:** To ask the Secretary of State for Employment what is the current level of wage increases; what was the figure for the same month in 1988; and if he will make a statement on his Department's policy in relation to the level of wage increases.

Mr. Nicholls: Latest available figures show that the underlying increase in average earnings in the 12 months to October 1988 was 9 per cent. over the economy as a whole. This compares with 8 per cent. in the 12 months to October 1987. The average earnings index reflects all movements in pay, including those related to output and productivity, as well as basic pay settlements.

The Department's approach to pay is set out in chapter 3 of the White Paper "Employment in the 1990s", a copy of which has been placed in the Library.

Mr. Nigel Griffiths: To ask the Secretary of State for Employment if he will update the information on establishments underpaying and prosecutions for under-payment given in his answer of 2 December, *Official Report*, columns *431-32*.

Mr. Nicholls: The information given in my answer of 2 December was incorrect in that, for the years 1979 and 1982, it included prosecutions which were not for underpayment offences. Revised figures, with those for 1988 updated to include the whole of that year, are given in the following table.

	Establishments underpaying	*Prosecutions*[1]
1979	10,969	9
1980	12,154	8
1981	10,074	8
1982	9,269	4
1983	9,842	2
1984	9,461	2
1985	9,064	2
1986	8,205	2
1987	4,443	4
1988	[2]5,597	10

[1] For failing to pay not less than the legal minimum.
[2] Provisional.

Industrial Relations (Industry and Commerce)

67. **Mr. Riddick:** To ask the Secretary of State for Employment if he has any plans to meet the chairman of the Advisory Conciliation and Arbitration Service to discuss industrial relations in the private sector of British industry and commerce; and if he will make a statement.

Mr. Nicholls: My right hon. Friend has no such plans. Ministers of the Department meet the chairman of ACAS from time to time to discuss matters of mutual interest.

Vocational Qualifications

68. **Mr. Redwood:** To ask the Secretary of State for Employment how many qualifications have been accredited to date under the National Council for Vocational Qualifications scheme; and if he will make a statement.

Mr. Cope: The National Council for Vocational Qualifications has accredited 80 qualifications to date and is making good progress towards the objectives set by the Government in 1986. The council is on target to have the first four levels of the national vocational qualification framework in place by 1991.

95. **Mr. Lewis:** To ask the Secretary of State for Employment when he will be in a position to publish findings of the National Council for Vocational Qualifications inquiry into vocational qualifications; and if he will make a statement.

Mr. Cope: The National Council of Vocational Qualifications was established in September 1986, following the report of the review of vocational qualifications working group, to develop a national vocational qualification framework covering all occupations and to improve qualifications themselves by basing them on the standards of competence required in employment. Good progress is being made on both fronts and the council is on target to have levels 1-4 of the framework in place by 1991. A copy of the council's first annual report has been placed in the House of Commons Library.

100. **Mr. Chris Smith:** To ask the Secretary of State for Employment whether he has any plans to draw up a scheme of comparable competence for vocational qualifications on completion of the European Community internal market in 1992; and if he will make a statement.

Mr. Cope: The Training Agency is already co-ordinating the United Kingdom's response to the European community's initiative to establish the comparability of vocational qualifications in the Community. It is expected that this work will continue beyond 1992 and that the results of the first qualifications to be compared will be published this year.

Long-term Unemployment (London)

72. **Mr. Fishburn:** To ask the Secretary of State for Employment how many representations he has received following the publication of the survey of long-term unemployed in London.

Mr. Lee: My right hon. Friend has received no representations following the publication of the surveys of vacancies and longer-term unemployed people in London.

Business Growth Through Training Programme

73. **Mr. Oppenheim:** To ask the Secretary of State for Employment how many representations he has received on his proposals to introduce the business through training programme outlined in the White Paper, "Employment for the 1990s."

Mr. Cope: No representations on the proposal to introduce the business growth through training programme has been received so far.

Employer-School Compacts

74. **Mrs. Maureen Hicks:** To ask the Secretary of State for Employment how many areas have applied for development funding for employer-school compacts to date; and if he will make a statement.

Mr. Cope: Forty-six areas applied for funding to establish a compact. Partnerships of employers and education authorities in 30 of these areas are currently preparing applications for operational funding. I have been pleased by the positive response from both employers and the education service and I look forward to the establishment of the first compacts later in the spring.

Training and Enterprise Councils

75. **Mr. Frank Field:** To ask the Secretary of State for Employment when he will announce the formation of the first training and enterprise council.

Mr. Cope: The first training and enterprise council is likely to be approved before the end of 1989.

78. **Mr. Jack:** To ask the Secretary of State for Employment how many representations he has received on his proposals to create training and enterprise councils contained in the White Paper, "Employment for the 1990s"; and if he will make a statement.

Mr. Cope: Since the White Paper was published on 5 December over 300 individuals and organisations have written to this Department to inquire about training and enterprise councils. I am very pleased about the positive response from employers who, throughout the country, are already meeting to discuss the formation of training and enterprise councils in their local area.

TUC

76. **Mr. Strang:** To ask the Secretary of State for Employment if he has any plans to meet representatives of the Trades Union Congress to discuss the effect of his Department's policies and legislation on trade unions.

Mr. Nicholls: My right hon. Friend has no current plans for such a meeting.

National Training Task Force

80. **Mr. Leigh:** To ask the Secretary of State for Employment what representations he has received on his proposals to introduce the national training task force contained in his White Paper, "Employment in the 1990s"; and if he will make a statement.

Mr. Fowler: I refer my hon. Friend to my earlier reply given to my hon. Friend the Member for Derby, North (Mr. Knight).

Computerisation

82. **Mr. Day:** To ask the Secretary of State for Employment how many organisations are currently using the national on-line manpower information system; and if he will make a statement.

Mr. Lee: The national on-line manpower information system (NOMIS) is a computer system which gives fast and flexible access to a wide variety of official statistics covering topics such as population, employment and unemployment. It is run for the Employment Department: Training Agency to assist in labour market analysis and planning, but access by other Government Departments and a range of outside users is also encouraged.

Currently, about 160 organisations use NOMIS. Just under half of these are local government organisations, a third are academic institutions, and the remainder are split between Government Departments and commercial users. The House of Commons Library has had a terminal giving access to the system since 1985. Use of NOMIS is growing rapidly. During 1988 the number of registered users doubled.

Retail Prices Index

84. **Mr. Cousins:** To ask the Secretary of State for Employment whether he has any plans to ask the retail prices index advisory committee to undertake a further review of any methodological issues.

Mr. Lee: The committee is currently considering the effect of the abolition of domestic rates on the construction of the retail prices index, and a report is expected on this shortly. It will then go on to consider the way in which expenditure on holidays should be taken into account in the index and to review progress on implementing longer-term recommendations made in its last report in 1986.

Loan Guarantee Scheme

86. **Dr. Hampson:** To ask the Secretary of State for Employment how many applications have been made following the new incentives for loans under the loan guarantee scheme; and if he will make a statement.

Mr. Cope: The rate of applications under the loan guarantee scheme has almost doubled since 1987, to over 180 a month. This follows the introduction in January 1988 of simplified administrative procedures for loans up to £15,000 and the increase in the maximum guarantee for businesses in the 16 inner city task force areas from June 1988.

I have recently announced that the scheme is to be continued and that the maximum guaranteed loan will be increased from £75,000 to £100,000.

Enterprise Agencies

89. **Mr. Colin Shepherd:** To ask the Secretary of State for Employment if he will make a statement on the progress and number of enterprise agencies currently operating in the United Kingdom.

Mr. Cope: We know of 429 local enterprise agencies operating in the United Kingdom. Of these, 389 are approved under provisions of the Income and Corporation Taxes Act 1988 (previously under provisions of the Finance Act 1982) which allows business sector sponsors tax relief on their contributions to such bodies.

The local training and enterprise councils announced in the White Paper "Employment for the 1990s" will provide a means for ensuring that the provision of small firms counselling and training relevant to local needs is extended and co-ordinated. I would expect enterprise agencies and others to be able to bid for sub-contracts for counselling, training and enterprise councils themselves. This will rest with training and enterprise councils themselves. This will be an important opportunity for local enterprise agencies.

Skills Unit

94. **Mr. Wilshire:** To ask the Secretary of State for Employment if he will make a statement about the work of the skills unit.

Mr. Cope: The Training Agency skills unit was established in 1986 to gather, analyse and interpret information on overall skills supply and demand, and disseminate that information to those concerned in training and vocational education. The main focus of its work is changes brought about by new technology, changing work practices and new materials. The skills unit produces a regular skills bulletin, a skills monitoring report, and research reports. Copies are held in the Library. It also provides a reference and library service and mounts seminars, workshops and conferences. Its output is being used by industry and commerce, including chambers of commerce and employers' organisations, by the education service, by training providers, and by other Government Departments.

Health and Safety Executive

99. **Mr. Henderson:** To ask the Secretary of State for Employment what action he intends to take to ensure that contractors comply with the law and report deaths, major injuries and three-day accidents to the Health and Safety Executive.

Mr. Nicholls: Inspectors of the Health and Safety Executive will continue to remind contractors of the requirement under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1985 to report deaths, major injuries and "over three-day" injury accidents to the appropriate enforcing authority. They will continue to take prosecutions for failure to report accidents in appropriate cases.

Hotels

101. **Mr. John Greenway:** To ask the Secretary of State for Employment if he will make a statement on the number of new hotel developments completed in the United Kingdom in 1988.

Mr. Lee: The English tourist board's survey of investment in major tourism projects shows that during 1988, 58 new hotel developments with a value of greater than £500,000 were completed in England.

Industrial Action (Ballots)

114. **Mr. Simon Coombs:** To ask the Secretary of State for Employment how many representations he has received on changing the balloting rules to be followed by trade unions before industrial action; and if he will make a statement.

Mr. Nicholls: The statutory requirements which must be satisfied if a trade union organising industrial action is to protect itself against legal action by an employer, customer or supplier, or by a member, are set out in part II of the Trade Union Act 1984 as amended by the Employment Act 1988, and in section 1 of the Employment Act 1988. There have been a number of representations, in a variety of forms, about changes to these requirements.

A draft statutory code of practice to promote desirable practices in relation to the conduct by trade unions of ballots on industrial action was published last November. The consultation period on the draft code continues until 3 February. Some representations received on the draft code have also included suggestions for further changes to the relevant primary legislation.

Workers Charter

Mr. Redmond: To ask the Secretary of State for Employment if there are any plans to introduce within the context of the European single market a workers charter, providing for the rights of workers to be involved in discussions regarding mergers and closures of companies.

Mr. Nicholls: My right hon. Friend has no such plans.

Training Agency

Mr. Fatchett: To ask the Secretary of State for Employment whether he has any plans to reduce the number of staff employment by the Training Agency: and if he will make a statement.

Mr. Cope *[holding answer 11 January 1989]:* The staffing levels of the Training Agency, as of other Government organisations, are under constant review in the interests of improving efficiency and effectiveness. The major programmes for which the Training Agency is responsible are for the most part demand led; and as unemployment falls there may be some reduction in the total staff required.

Playground Accidents

Mr. Robert G Hughes: To ask the Secretary of State for Employment if he will list the number of children who turn up at hospital because of playground accidents for every month since his Department started collecting figures; and if he will make a statement about those figures.

Mr. Nicholls: *[pursuant to his reply, 9 December 1988, c. 381]:* My earlier reply gave details, in a table, of injuries to children 18 years of age or younger as reported to the Health and Safety Executive's factory and agricultural inspectorates. I regret that the table contained an error.

There were no fatal accidents to children in playgrounds other than school playgrounds in 1987-88.

The following table gives the correct figures.

Injuries to children, 18 years of age or younger, reported to the Health and Safety Executive's factory and agriculture inspectorates for years beginning 1 April.

	1986-87		1987-88[1]	
	Fatal	Major[2]	Fatal	Major[2]
Resulting from sports activities in school playgrounds	0	995	2	765
Resulting from indoor and outdoor play activities in school	0	2,161	1	1,234
In playgrounds other than those in schools	1	87	0	84

[1] Provisional.
[2] Major injuries as scheduled under the Reporting of Injuries' Diseases and Dangerous Occurrences Regulations, 1985 (RIDDOR).

Young People

Mr. Flannery: To ask the Secretary of State for Employment what representations he has received regarding the Health and Safety Commission's view on the need for control of young persons' hours of work.

Mr. Nicholls: My right hon. Friend has had none.

Mr. Flannery: To ask the Secretary of State for Employment what is his policy with regard to the continuation in force of section 74 of the Factories Act restricting the employment of young people on specific operations.

Mr. Nicholls: The restrictions on the employment of young people in certain lead processes should remain.

Skillcentres

Mr. Leighton: To ask the Secretary of State for Employment what would be the estimated cost of closing down all the skillcentres, including redundancy payments.

Mr. Cope: The White Paper "Employment for the 1990s" explains that the Skills Training Agency must become more competitive and more viable, and that it would be in a better position to seize opportunities for business if it were in the private sector where it could adopt best commercial practices. My right hon. Friend's reply to my hon. Friend the Member for Stamford and Spalding (Mr. Davies) on 21 December, at column *331*, announced the appointment of Deloitte, Haskins and Sells to advise on the feasibility of such a move. Its terms of reference do not cover the cost of closure of all skillcentres, and we have no plans to ask it for such an estimate.

Restart Interviews

Mr. Bowis: To ask the Secretary of State for Employment, pursuant to his reply to the hon. Member for Battersea, *Official Report*, 22 December, column *465*, what investigations he has made into the non-attendance at restart interviews of 1·5 million out of the 6·5 million called for interview since 1 July 1986.

Mr. Lee: Everyone who fails to attend a restart interview is followed up. Some people do not attend for acceptable reasons—for example, they may have started or be about to start work. However, those people who, after

two invitations, fail to attend their restart interviews are investigated further to find out their reasons for not attending. If claimants still do not attend an interview without a valid reason their benefits are withdrawn until they agree to attend.

Written Answers to Questions

Wednesday 18 January 1988

TRANSPORT

Motorways (Matrix Indicators)

Mr. Gareth Wardell: To ask the Secretary of State for Transport if he will publish in the *Official Report* those motorways, or sections of motorways, that are fitted with matrix indicators which permit written messages to be conveyed on them; and what plans he has for extending this facility to all motorways.

Mr. Peter Bottomley: Matric indicators are now fitted on almost all sections of motorway in England. The few remaining sections will have similar facilities as soon as practicable. The messages that the indicators currently display for incidents and occasionally for inclement weather are advice on recommended speeds and lane closures.

Enhancements are under way to add some written text messages, within the limits of the indicator size. These include replacing the 'end of restriction' symbol with the word "End" and the automatic display (on the M25) of the word "Fog" when visibility is automatically detected to have fallen below pre-determined limits.

Recent developments in sign technology offer the opportunity to display longer written text messages on variable message signs. These are now being used at specific locations where this ability is worth while.

Information about the position on motorways in Wales and Scotland is a matter for my right hon. Friends the Secretaries of State for Wales and for Scotland respectively.

Design Stage Work (Local Authorities)

Mr. Redmond: To ask the Secretary of State for Transport if he will list the local authorities that have been allowed to bid for design stage work under section 6 of the Highways Act; and if he will make a statement.

Mr. Peter Bottomley: My right hon. Friend has agreements with more than 90 local highway authorities under which they carry out design work on trunk roads as agents under section 6 of the Highways Act 1980. The authorities do not bid for this work. Standard terms and conditions for all agency agreements are negotiated nationally with the local authority associations.

Motorboat and Yachting Accidents

Mr. Nicholas Bennett: To ask the Secretary of State for Transport how many accidents involving *(a)* motorboats and *(b)* yachts were reported in British territorial waters in each of the past five years; and how many instances in each year were fatal.

Mr. Portillo: Records kept by Her Majesty's coastguard classify such incidents under the headings of *(a)* powered pleasure craft and *(b)* sailing craft. The totals below reflect incidents occurring within the United Kingdom search and rescue region for the last five years for which information is available.

	Number of incidents	*Lives lost*
1983		
Powered pleasure craft	621	9
Sailing craft	774	5
1984		
Powered pleasure craft	579	9
Sailing craft	551	23
1985		
Powered pleasure craft	659	18
Sailing craft	720	9
1986		
Powered pleasure craft	722	27
Sailing craft	710	7
1987		
Powered pleasure craft	738	15
Sailing craft	686	2

Irish Sea Ferries

Mr. Nicholas Bennett: To ask the Secretary of State for Transport whether contingency plans exist to deal with serious accidents involving ferries on routes across the Irish sea; what arrangements are made to test these plans; and if he will make a statement.

Mr. Portillo: Contingency plans exist at all coastguard regions to deal with serious maritime incidents, including ferry accidents in the Irish sea. The plans are frequently reviewed and tested from time to time with the full co-operation of the other emergency services including MOD, local authorities and the ferry companies.

The plans are tested using both live scenarios and simulated exercises, the last exercise taking place on the Holyhead-Dun Laoghaire route in September 1988 and the next scheduled for Belfast-Liverpool in the spring of 1989.

Exhaust Emissions

Mr. Maclennan: To ask the Secretary of State for Transport what steps he is taking to ensure that exhaust emission standards agreed by the European Community are fully implemented in the United Kingdom; and what efforts are currently being made by his Department to encourage the fitting of catalytic devices to all motor vehicles sold within the United Kingdom.

Mr. Peter Bottomley: We shall be consulting in the next few months on draft regulations which will fully implement the new European Community standards in the United Kingdom.

Catalysts are a valuable aid to achievement of these standards. We expect most new petrol engined cars over 1·4 litres that comply with the limits will use them. The standards for cars under 2 litres have also been set so as not to inhibit the further development of lean burn technology, which has the dual benefit of improving fuel economy and minimising carbon dioxide emissions.

Aircraft Noise

Mr. Wells: To ask the Secretary of State for Transport whether he has received the report of the Stansted noise preferential routes working group; and whether he will make a statement.

Mr. Peter Bottomley: My noble Friend Lord Brabazon has received the report and is arranging for it to be published. It should be available early next month. My noble Friend will arrange for copies to be placed in the House Libraries.

The group endorses the present policy of concentrating aircraft along routes overflying the smallest number of people and recommends:

(i) a change to the route which goes to the south and west of Bishop's Stortford which would move it from its present position roughly halfway back towards the line proposed by the Department in December 1987;

(ii) no change to the other routes presently being flown but with revisions to instructions to pilots to improve track keeping on several of these routes;

(iii) an early change to pilots' instructions, introducing a different turning point for non-jet aircraft on the Bishop's Stortford route, both to provide some relief from overflying of the town by these aircraft and to assist preparation of appropriate instructions for (i) and (ii); and

(iv) further measures aimed at assisting better track keeping and avoiding overflying of noise-sensitive areas around Dunmow, Thaxted and St. Elizabeth's Home.

My noble Friend is minded to accept the proposed change to the route around Bishop's Stortford. However, moving a route to relieve someone of noise means someone else will suffer. There will therefore be further public consultation and the further views of local people will be taken into account before he decides whether any substantial change should be implemented.

My noble Friend is arranging for an exhibition of the proposals to be held as part of this consultation. The exhibition will open at Dunmow on 7 March, moving thereafter to Thaxted, Sheering and Bishop's Stortford. Full details of dates and opening times will be publicised in due course.

Suzuki SJ Model

Mr. Tony Lloyd: To ask the Secretary of State for Transport if he will make a statement about his Department's tests on Suzuki SJ models and his discussions with Suzuki and the Consumers Association.

Mr. Peter Bottomley *[holding answer 16 January 1989]:* As indicated in my answer to the hon. Member for Pembroke (Mr. Bennett) on 14 December at column *659*, the transport and road research laboratory recently completed a series of stability tests. The results have been placed in the Library of the House. These covered a range of multi-purpose four-wheel drive vehicles, not just Suzukis. The tests were part of a continuing process by the Department to understand the vehicles' handling characteristics and to contribute to international discussions.

Results from the tests were brought to the attention of the manufacturers and the Consumers Association. The tests indicated that none of the vehicles exhibited handling characteristics which could automatically be regarded as unsafe, or that would justify the calls from the Consumers Association to ban any one model.

The Department is advising drivers that they should realise that multi-purpose vehicles cannot be expected to handle on road as well as modern passenger cars; that sudden and excessive steering manoeuvres should be avoided; and that seatbelts should be worn by rear seat passengers, as well as those in front seats, wherever possible.

Manufacturers can reduce the risks of injuries to occupants through improvements to the handling and secondary safety characteristics of the vehicles and through offering clear and improved advice to owners and drivers of the limitations of their vehicles. This advice can also cover safe road driving techniques as well as advice on other aspects such as the most appropriate replacement tyres. The Society of Motor Manufacturers and Traders has been asked to provide a list of action on these lines which manufacturers are planning to take. The Department has drawn the attention of the Motor Agents Association to the need for dealers to offer clear advice to customers about the characteristics of the vehicles.

EDUCATION AND SCIENCE

University Salary Scales

Mr. Ian Taylor: To ask the Secretary of State for Education and Science what discretion is allowed to individual universities in determining academic salary scales.

Mr. Jackson: Acceptance of the salary scales for academic and related staff notified by the UGC to universities is voluntary. The salary structure for non-clinical academic and related staff provide flexibility to reward merit and special responsibilities and to counter problems of recruitment and retention. The salaries of clinical academic staff are broadly comparable with NHS doctors and dentists.

Teachers (Salaries)

Mr. Ian Taylor: To ask the Secretary of State for Education and Science what discretion is allowed to local education authorities in determining teachers' salaries.

Mrs. Rumbold: The 1988 school teachers' pay and conditions document gives LEAs discretion in certain circumstances over the scale point on which an individual teacher should be paid. It also allows LEAs to award incentive allowances, which may be given to teachers in shortage subjects or hard to fill posts, in relation to the assumption of extra responsibilities or in recognition of classroom excellence.

Mr. Ian Taylor: To ask the Secretary of State for Education and Science if he will give the present salary scales for secondary school teachers.

Mrs. Rumbold: All qualified teachers except head and deputy head teachers are paid on a single incremental scale as follows:

Scale point	*Salary (£)*
1	7,920
2	8,235
3	8,547
4	8,859

Scale point	Salary (£)
5	9,591
6	10,422
7	11,049
8	11,673
9	12,351
10	13,134
11	13,863

A teacher may, in addition, receive one of five incentive allowances:

Rate	Amount (£)
A	801
B	1,200
C	2,400
D	3,201
E	4,401

Source: School Teachers' Pay and Conditions Document 1988

Teachers of the Deaf

Mr. Ashley: To ask the Secretary of State for Education and Science (1) how many people need to qualify annually as teachers of the deaf, according to his Department's figures, in order to maintain the supply of qualified teachers of the deaf;

(2) how many people who qualified as teachers of the deaf during the academic year 1987-88 were seconded under the grant-related in-service training scheme;

(3) how many people training as teachers of the deaf in the academic year 1988-89 are seconded under the grant-related in-service training scheme;

(4) if current training arrangements will ensure that sufficient qualified teachers of the deaf are available to teach hearing-impaired children in ordinary and special schools.

Mrs. Rumbold: In 1987-88, the first year of the local education authority training grants scheme, funding for those qualifying as teachers of the deaf was not identified separately from that for teachers of other special educational needs. For 1988-89, we have made separate provision through the scheme to support the in-service training of 110 specialist teachers of the deaf. With the numbers qualifying through initial training this is estimated to be sufficient to maintain the supply of qualified teachers of the deaf.

PRIME MINISTER

International Agriculture Trade

Sir Richard Body: To ask the Prime Minister which Department has primary responsibility for representing consumers' interests in matters of international agricultural trade.

The Prime Minister: My right hon. Friend the Minister of Agriculture is responsible for all aspects of agricultural policy. He works closely with other ministers including my right hon. and noble Friend the Secretary of State for Trade and Industry, who is responsible for United Kingdom policy on international trade negotiations and has overall responsibility for consumer affairs. The views of consumers and of bodies representing them are welcomed by the Government at all stages of policy formation, and consumer bodies are regularly consulted about developments in the Uruguay round of negotiations which is currently under way in the general agreement on tariffs and trade.

Pensioners

Mr. Tony Lloyd: To ask the Prime Minister what response she made to the Manchester Trades Union Council Pensioners and Trades Unionists Association's letter concerning charges for eye tests and dental checks, the pensioners' Christmas bonus and the means testing of prescription charges.

The Prime Minister: The private secretary to my right hon. and learned Friend the Secretary of State for Health has replied on my behalf setting out the Government's policy on these matters.

ATTORNEY-GENERAL

Republic of Ireland (Court Cases)

Mr. McNamara: To ask the Attorney-General on how many occasions witnesses have refused to travel to the Republic of Ireland to give evidence in cases where the Criminal Law Jurisdiction Act 1976 has been employed.

The Attorney-General: Assessment of the evidence necessary to initiate proceedings in the Republic of Ireland under the 1976 Act, and of the availability of such evidence, is a matter falling within the responsibility of the Irish prosecuting authorities.

FOREIGN AND COMMONWEALTH AFFAIRS

Biological Weapons (Iraq)

Mr. Alton: To ask the Secretary of State for Foreign and Commonwealth Affairs what evidence there is concerning the development of biological weapons by Iraq; and if he will make a statement.

Mr. Waldegrave: I refer to the answer given by my noble Friend the Minister of State, Lord Glenarthur, on 3 February 1988 to Lord Kennet in another place, in which he state that as Iraq is a party to the 1972 biological weapons convention which prohibits the development or possession of biological weapons, any evidence that they might be developing such a capacity would be a matter of serious concern.

Human Rights (Burma)

Mr. Lester: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made on the re-establishment of human rights in Burma following recent disturbances.

Mr. Eggar: In statements on 9 and 20 September 1988, we deplored the shooting of unarmed demonstrators and called for greater freedom and multi-party democracy. The Twelve issued similar statements on 19 August and 23 September. My right hon. and learned Friend the Secretary of State reiterated our concern in his speech to the United Nations General Assembly on 28 September.

In addition, aid to Burma has been suspended and dealings with the State Law and Order Restoration Council (SLORC) confined to essential business only. Further steps are under consideration.

Mr. Lester: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to the Government of Thailand over the position of refugees from Burma who are not currently being assisted by the United Nations High Commission for Refugees.

Mr. Eggar: None.

Military Training (Burma)

Mr. Lester: To ask the Secretary of State for Foreign and Commonwealth Affairs what facilities are offered to the Burmese Government in the field of military training.

Mr. Eggar: None.

Free Elections (Burma)

Mr. Michael Welsh: To ask the Secretary of State for Foreign and Commonwealth Affairs what help he is giving towards the holding of free elections in Burma; and if he will make a statement.

Mr. Eggar: With our partners in the Twelve, we have made it clear—in a series of statements and EC demarches to the Burmese State Law and Order Restoration Council (SLORC)—that a lasting solution to Burma's problems can come about only if the Burmese people's manifest desire for greater freedom and multi-party democracy is met. In addition, aid has been suspended and dealings with the SLORC confined to essential business only. Further steps are under consideration.

Fax Facilities

Mr. Andrew Welsh: To ask the Secretary of State for Foreign and Commonwealth Affairs how many United Kingdom consulates and embassies *(a)* have and *(b)* do not have fax facilities.

Mr. Eggar: There are:

(a) 119 posts with fax facilities; and a further 38 posts are about to install facsimile equipment.

(b) 70 posts without fax.

Chemical Weapons

Mr. Hardy: To ask the Secretary of State for Foreign and Commonwealth Affairs what is his estimate of the number of countries which either currently possess chemical weapons or are likely to do so before the end of 1989 if international agreement to control or discourage the holding of such weapons is not achieved.

Mr. Waldegrave: It is not possible to provide a precise figure. Very few countries provide information on activity in this area. It is believed that between 15 and 20 countries either possess or are actively seeking to acquire chemical weapons.

WALES

Water Act 1973

Mr. Wigley: To ask the Secretary of State for Wales if he will list directions made by his Department to the Welsh water authority under section 30(6) of the Water Act 1973, giving the dates and the nature of each such direction.

Mr. Grist: None. This section has subsequently been repealed by the Public Utility Transfers and Water Charges Act 1988.

Mr. Wigley: To ask the Secretary of State for Wales what directions he has made under the provisions of section 31(3) of the Water Act 1973, to the Welsh water authority, at any time since the coming into force of this Act, giving the date and nature of any such directions.

Mr. Grist: None.

Mr. Wigley: To ask the Secretary of State for Wales on what dates since the coming into force of the Water Act 1973 he has made any regulations under section 32(2) of the Act in relation to the installation of meters.

Mr. Grist: There were no regulations made under section 32(2) of the Water Act 1973. This section has subsquently been repealed by the Public Utility Transfers and Water Charges Act 1988.

Mr. Wigley: To ask the Secretary of State for Wales how many applications have been made to the Welsh Office since the implementation of the Water Act 1973 for permitting a new discharge into a river in Wales; and, of these, how many have been approved and how many have been rejected.

Mr. Grist: Approximately 300 applications for new or altered discharges into rivers, including storm water and emergency overflows, have been received by the Welsh Office since June 1985. None has been rejected, although many have been approved with more stringent conditions than were originally sought. Prior to this, water authorities were not obliged to apply formally for consent unless specifically requested to do so by the Department and comparable figures are therefore not available.

OVERSEAS DEVELOPMENT

World Development Movement

Mr. Mills: To ask the Secretary of State for Foreign and Commonwealth Affairs what is the cost of answering letters enclosing printed slips sent to hon. Members and sent on to him on behalf of the current lobby by the world development movement.

Mr. Chris Patten: Answering letters about aid is an integral part of the work of the Overseas Development Administration. To isolate the cost of answering this particular group of letters would involve disproportionate cost, but if I had to make a rough calculation I would estimate that the cost has been about the same as that of a small NGO development project financed under our joint funding scheme in a developing country.

HOUSE OF COMMONS

Members' Income and Allowances

Mr. Allen: To ask the Lord President of the Council what was the value of *(a)* the office and secretarial allowance and *(b)* the salary of hon. Members for each of the years for which figures are available, taking the latest year as 100.

Mr. Wakeham: The information requested is given in the tables.

Office costs allowances in actual and real terms since 1969

	Office costs allowance[1] Actual £ PA	Real terms[2] £ PA	Real term OCA as a percentage of January 1988 OCA
1 October 1969	500	2,936	13·8
1 January 1972	1,000	4,916	23·1
1 April 1974	1,750	6,722	31·6
1 April 1975	3,200	10,101	47·4
13 June 1976	3,512	9,174	43·1
13 June 1977	3,687	8,184	38·4
13 June 1978	4,200	8,679	40·7
13 June 1979	4,600	8,536	40·1
14 February 1980	6,750	11,056	51·9
13 June 1980	8,000	12,270	57·6
13 June 1981	8,480	11,683	54·8
13 June 1982	8,820	11,131	52·3
13 June 1983	12,000	14,611	68·6
13 June 1984	12,437	14,403	67·6
1 April 1985	13,211	14,399	67·6
1 April 1986	20,140	21,301	100·0
1 April 1987	21,302	21,616	101·5
1 January 1988	21,302	21,302	[3]100·0
1 April 1988	22,588	22,054	103·5

[1] Formerly the Office, Secretarial and Research Allowance.
[2] At January 1988 prices (RPI).
[3] The rate of OCA in force in January 1988 was introduced on 1 April 1987.

Parliamentary salary in actual and real terms: 1911 to date

	Parliamentary Salary Actual £ PA	In Real Terms[1] £ PA	Real Term Salary as a per cent. of January 1988 salary
1 April 1911	400	n/a	—
17 July 1937	600	11,071	49·1
1 April 1946	1,000	14,088	62·4
1 July 1957	1,750	15,077	66·9
16 October 1964	3,250	23,543	104·4
1 January 1972	4,500	22,121	98·1
13 June 1975	5,750	17,091	75·8
13 June 1976	6,062	15,836	70·2
13 June 1977	6,270	13,917	61·7
13 June 1978	6,897	14,253	63·2
13 June 1979	9,450	17,537	77·8
13 June 1980	10,725	16,450	73·0
13 June 1980[3]	11,750	18,022	79·9
13 June 1981	13,150	18,117	80·3
13 June 1981[3]	13,950	19,219	85·2
13 June 1982	14,510	18,312	81·2
13 June 1983	15,308	18,638	82·7
1 January 1984	16,106	19,158	85·0
1 January 1985	16,904	19,146	84·9
1 January 1986	17,702	18,999	84·2
1 January 1987	18,500	19,111	84·7
1 January 1988	22,548	22,548	100
1 January 1989	24,107	[2]	[2]

[1] At January 1988 prices (RPI).
[2] Not available until the January 1989 Retail Prices Index (RPI) is published in February.
[3] Pensionable rate.

DEFENCE

Royal Navy Armaments Depot, Trecwn

Mr. Geraint Howells: To ask the Secretary of State for Defence if he will make a statement on the long term future of the Royal Navy armaments depot at Trecwn, Pembrokeshire.

Mr. Neubert: The consultative document which promulgated our decision in principle to close the Royal Navy armaments depot at Milford Haven, referred to the need for further consideration of the future of RNAD Trecwn. I have now commissioned an in-depth Ministry of Defence study into the future role and task of the depot which will commence in late February. The final study report should be submitted to management by the summer of 1989. There will be a full consultation with the trade unions and local authorities during the review period.

Challenger Tank

Mr. O'Neill: To ask the Secretary of State for Defence if, pursuant to his statement of 20 December 1988, *Official Report*, columns 283-84, he will state the dates of the intermediate milestones at which Vickers Defence Systems will have to demonstrate satisfactory progress on developing Challenger II mark 2.

Mr. Sainsbury: The intermediate milestones referred to by my right hon. Friend the Secretary of State for Defence in statement of 20 December 1988, *Official Report*, columns 283-4, for the Challenger II mark 2 demonstration phase, are September 1989 and March 1990, respectively.

Mr. O'Neill: To ask the Secretary of State for Defence if the fire control system of the Challenger I will be improved to meet the same specifications as the fire control system that is planned to equip the Challenger II mark 2.

Mr. Sainsbury: The fire control system proposed for Challenger II mark 2 will certainly be significantly superior to that currently fitted to Challenger I. Improvements to the latter are under development, but full comparability with Challenger II mark 2 could not be achieved cost effectively.

Aldermaston and Burghfield (Programme Audits)

Mr. O'Neill: To ask the Secretary of State for Defence if, pursuant to his answer 22 of December 1988, *Official Report*, column *380*, he will state the nature and contents of the written communication from the BNFL team carrying out the programme audit at Aldermaston and Burghfield received by the Ministry of Defence on 15 November 1985.

Mr. Sainsbury: The communication from the BNFL team, received on 15 November 1985, confirmed the scope of the audit to be conducted.

Mr. O'Neill: To ask the Secretary of State for Defence how many meetings were held between his officials and the BNFL team carrying out the programme audit at Aldermaston and Burghfield; and on what dates they occurred.

Mr. Sainsbury: I refer the hon. Member to the reply that I gave him on 15 December 1988 at column *686*. Within the consultation and communication referred to therein were eight formal meetings held between 20 November and 18 December 1985.

HOME DEPARTMENT

Homosexual Offences

Mrs. Ann Taylor: To ask the Secretary of State for the Home Department (1) how many men aged between 16 and 21 years were *(a)* prosecuted, *(b)* convicted and *(c)* imprisoned for consensual sexual acts with other males aged 16 to 21 years in each of the years 1986 and 1987; and in the case of those imprisoned, what were the maximum, minimum and average sentences served by such men;

(2) how many men were imprisoned in the United Kingdom in each of the years 1986 and 1987 for consensual homosexual acts with males between the ages of 16 and 21 years; and what were the maximum, minimum and average sentences served by such men.

Mr. John Patten: The available information, which may be incomplete, is given in the following table. This information relates to cases where the victim was aged 16 or over and it is not possible from the information held centrally to isolate cases where the victim was aged 16-20. Comparable information for Scotland and Northern Ireland is not readily available.

Males proceeded against for consensual homosexual acts[1]
England and Wales

	Year	
	1986	*1987*
Offenders aged 16-20		
Proceeded against	26	41
Found guilty	21	35
Sentenced to custody	[2]1	[3]1
Offenders aged 21 and over		
Sentenced to custody	34	32
Maximum sentence imposed	4 years	5 years
Minimum sentence imposed	2 months	3 months
Average sentence imposed	18·8 months	18·3 months

[1] Buggery or attempted buggery with a male person aged 16 or over with consent; indecency between males.
[2] One month youth custody.
[3] One year youth custody.

Dogs

Mr. Allen: To ask the Secretary of State for the Home Department if he will list the representations he has received from Nottingham city council regarding legislation to make it an offence for the owner of a dog to allow it to stray; and what has been his response.

Mr. Douglas Hogg: Nottingham city council has written twice about a bylaw which would make it an offence to allow a dog to stray. The council's first letter proposed the idea and the second was a response to a request for further information. Subsequently we have been engaged in consultations and will be writing again to the council shortly.

Correspondence

Mr. Allen: To ask the Secretary of State for the Home Department what action he is taking on correspondence from Mrs. Ann Marie Parker of 43 Moor road, Strelley estate, Nottingham, regarding her son Andrew, currently in Glen Parva young offenders centre.

Mr. Douglas Hogg: The governor of Glen Parva remand centre was asked to reply to Mrs. Parker's letter of 31 December and did so on 13 January.

Rule 43 Prisoners

Mr. Cox: To ask the Secretary of State for the Home Department what plans he has to review the ruling that allows those sent to prison for child abuse immediately to seek to go on rule 43 when in prison.

Mr. Douglas Hogg: Any prisoner may ask to be removed from association with other prisoners under rule 43. It is for the prison governor to decide, in the light of any evidence of danger to the prisoner, whether to grant such a request. We have no plans to change this procedure.

Mr. Cox: To ask the Secretary of State for the Home Department when he expects to receive the report on rule 43 prisoners; and if he will make a statement.

Mr. Douglas Hogg: We expect the report to be available for wider consideration within the Department during February and March and to receive proposals by April 1989.

Mr. Cox: To ask the Secretary of State for the Home Department what action he is taking to reduce the number of prison inmates at present in prisons in England and Wales who are on rule 43 at their own request.

Mr. Douglas Hogg: This question is among matters being considered by the prison department working group on the management of vulnerable prisoners which is expected to report shortly.

Mr. Cox: To ask the Secretary of State for the Home Department what is the longest period of time that a prison inmate has been on rule 43 at his or her own request.

Mr. Douglas Hogg: As far as we can ascertain without disproportionate cost, the longest current period is 21 months.

Ethnic Minorities

Mr. Cox: To ask the Secretary of State for the Home Department if he will give the number of *(a)* men and *(b)* women of ethnic minority backgrounds who are working in (i) the prison service and (ii) the police service in England and Wales.

Mr. Douglas Hogg: For the prison service the available information is not in the form requested and derives from a survey conducted in 1986. Of some 11,500 members of the service (including staff in headquarters and regional offices) who responded to the survey, 111 stated that they were of ethnic minority origin. The results of a more recent survey of those who did not respond are currently being analysed.

On 30 September 1988 there were 942 male and 236 female police officers of ethnic minority background in police forces in England and Wales. There is no central record of the ethnic background of civilian police staff.

Broadcasting

Mr. Dykes: To ask the Secretary of State for the Home Department if he will introduce amendments to the existing broadcast receiving legislation to enable domestic consumers to share satellite receiving single dish aerials without seeking official approval as licensable cable services.

Mr. Renton: A satellite receiving system serving two or more homes (commonly known as a SMATV system) is generally a licensable diffusion service for the purposes of the Cable and Broadcasting Act 1984 and thus requires a licence from the cable authority. A system carrying only the services of an IBA DBS contractor would not, however, require a licence. We are considering the future arrangements for such systems as part of the follow-up to our recent White Paper, "Broadcasting in the '90s: Competition, Choice and Quality".

Drink Driving

Mr. Gardiner: To ask the Secretary of State for the Home Department if he will list, for each police force area in England and Wales, the number of drivers given the breath test, and the percentage where the test proved positive, in respect of *(a)* the 1988 Christmas period and *(b)* Christmas 1987.

Mr. John Patten: Information on screening breath tests required and results by police force area for 1987 was published in Home Office statistical bulletin 23/88, "Statistics of Breath Tests, England and Wales", copies of which are in the Library. The official statistics for 1988 will be published later this year.

The Association of Chief Police Officers has, however, collected provisional figures for the number of screening breath tests required, and the number of positive results, in each police force area between 19 December 1988 and 1 January 1989. These are given in the following table:

Police Force Area	*Number of Breath Tests*	*Per cent. positive*
Avon and Somerset	499	22·6
Bedfordshire	361	12·5
Cambridgeshire	1,919	2·4
Cheshire	415	22·4
City of London	189	7·9
Cleveland	321	15·9
Cumbria	414	10·9
Derbyshire	1,041	7·5
Devon and Cornwall	1,284	17·9
Dorset	665	8·6
Durham	172	41·9
Dyfed-Powys	139	32·4
Essex	1,640	9·1
Gloucestershire	265	18·9
Greater Manchester	4,980	8·5
Gwent	1,529	3·8
Hampshire	1,026	16·6
Hertfordshire	544	15·4
Humberside	784	10·3
Kent	641	20·3
Lancashire	1,293	10·8
Leicestershire	886	8·9
Lincolnshire	841	7·4
Merseyside	370	36·5
Metropolitan	10,937	8·9
Norfolk	2,942	1·1
Northamptonshire	772	5·8
Northumbria	217	63·1
North Wales	1,540	5·9
North Yorkshire	470	15·1
Nottinghamshire	3,214	3·1
South Wales	351	30·8
South Yorkshire	1,012	11·9
Staffordshire	812	14·9
Suffolk	406	10·6
Surrey	757	10·0
Sussex	941	8·6
Thames Valley	2,850	7·5
Warwickshire	396	11·6
West Mercia	616	19·6
West Midlands	1,249	20·7
West Yorkshire	422	43·1
Wiltshire	548	13·3
TOTAL	41,706	10·26

NATIONAL FINANCE

Rating Revaluation

Mr. Alexander: To ask the Chancellor of the Exchequer when he expects to publish the findings of the Inland Revenue survey into the likely effects of the 1990 revaluation for the introduction of the national non-domestic rate.

Mr. Major: I expect that an announcement covering this point will be made shortly.

National Savings

Mr. Andrew Bowden: To ask the Chancellor of the Exchequer what is his estimate of the numbers of deposits of less than £5 made annually in national savings ordinary accounts.

Mr. Lilley: Some 3·2 million deposits of less than £5 were made in the financal year 1987-88. These accounted for less than 1 per cent. of total deposits over that period.

Mr. Andrew Bowden: To ask the Chancellor of the Exchequer what is the total current number of national savings investment accounts.

Mr. Lilley: There are about 4·3 million investment accounts.

Interest Rates

Dr. Reid: To ask the Chancellor of the Exchequer what is his estimate of the extra borrowing costs to industry incurred by a rise of 1 per cent. in interest rates.

Mr. Major: The cost to industrial and commercial companies of a one percentage point rise in United Kingdom short-term interest rates maintained for a full year is estimated to be about £400 million. The estimate is based on their holdings of financial assets and liabilities at the end of the second quarter of 1988, the latest period for which comprehensive data are available.

Economic Model

Mr. Jack: To ask the Chancellor of the Exchequer when he last reviewed the operation of the Treasury economic model.

Mr. Major: The performance of the Treasury economic model is continuously monitored and the relationships updated. It is also subject to periodic scrutiny by the Treasury academic panel.

ENVIRONMENT

Factory Building

59. **Mr. Hind:** To ask the Secretary of State for the Environment if he will make a statement on the extent of factory building in the United Kingdom in 1988.

Mr. Trippier: In the first nine months of 1988 the value of factory building in Great Britain was £1,675 million at current prices. New orders in the first 10 months of 1988 are significantly higher than the same period of 1987 which should lead to higher output.

Home Improvement Grants

Mr. Allen: To ask the Secretary of State for the Environment how many home improvement grants were approved last year by local authorities *(a)* nationwide and *(b)* in Nottingham; and what comparable figures he has for previous years.

Mr. Trippier: Numbers of renovation grant approvals for private owners and tenants, by local authorities in England from 1985 to June 1988 appear in table 2.16 of "Housing and Construction Statistics, Part 2", No. 34. A copy is in the Library.

The available information reported by Nottingham is:

Renovations: number of grant approvals

	Conversion and improvement	*Repairs*	*Intermediate*
1985	590	568	65
1986	332	442	77
1987[1]	248	253	25
1988 Q1	n/a	n/a	n/a
Q2	n/a	n/a	n/a

[1] March and September quarters only.

Derelict Land

Mr. Heddle: To ask the Secretary of State for the Environment if he will publish a schedule giving the address and the local authority of each of the areas of urban derelict land in Staffordshire.

Mr. Trippier: Information about the location of individual plots of land is not collected by the Department. Aggregate figures for derelict land in each district or borough in England have been provided to the Department by local authorities in the course of the 1988 survey of derelict land. The report of the survey is due to be published in the summer.

Development and Conservation

Mr. Heddle: To ask the Secretary of State for the Environment if he will publish in the *Official Report* a list of local authorities which have responded positively to his request to publish local plans setting out their policies and proposals for development and conservation; and what action he proposes to take to ensure that those local authorities which have not acted in response to PPG12 do so forthwith.

Mr. Chope: I am aware that many planning authorities have responded positively to PPG12 and are starting work on preparing or updating local plans. The full impact of PPG12 will not, however, be apparent for some time, as several months are normally required for plan preparation and public participation before a plan can be formally placed on deposit.

Though my right hon. Friend has powers of direction, I believe that the message to planning authorities should be a positive one—that it is in their own interests to ensure that local plans are prepared or brought up to date as quickly as possible.

Housing Development

Mr. French: To ask the Secretary of State for the Environment if he will state, for each year since 1980, the number of schemes for housing development for which he has refused planning permission on appeal and the numbers of homes involved.

Mr. Chope: The table gives the information recorded by the Department on planning appeals relating to housing development.

S.36 planning appeals—housing schemes

Scale of residential development	*Appeals decided*	*Appeals dismissed*	*Percentage appeals dismissed*
1984			
Major housing[1]	527	358	68
Minor housing[2]	4,813	3,658	76
Total	5,340	4,016	75
1985			
Major housing[1]	685	397	58

Scale of residential development	Appeals decided	Appeals dismissed	Percentage appeals dismissed
Minor housing[2]	6,269	4,516	72
Total	6,954	4,913	71
1986-87			
Major housing[1]	906	532	59
Minor housing[2]	6,852	4,777	70
Total	7,758	5,309	68
1987-88			
Major housing[1]	1,105	708	64
Minor housing[2]	8,942	6,290	70
Total	10,047	6,998	70

[1] 10 and over.
[2] Under 10 houses.

Mr. French: To ask the Secretary of State for the Environment if he will state, for each year since 1980, the number of schemes for housing development for which local authorities have refused planning permission and the number of homes that would have been built if planning permission had been granted.

Mr. Chope: The table gives information about decisions on planning applications for residential development. This does not indicate the number of dwellings permitted or refused because information about this is not collected centrally.

Thousands

	Minor residential developments (1–9 dwellings)			Major residential developments (10 or more dwellings)		
	Decisions	Refusals	Per cent. refused	Decisions	Refusals	Per cent. refused
1979-80	73·8	24·6	33	9·5	3·2	34
1980-81	75·3	25·6	34	9·5	3·6	38
1981-82	66·7	19·5	29	9·1	3·1	35
1982-83	61·9	15·7	25	7·4	1·6	22
1983-84	69·4	17·0	24	8·2	1·8	22
1984-85	69·6	18·5	27	8·5	2·0	24
1985-86	73·9	20·4	28	9·3	2·3	24
1986-87	81·9	24·3	30	10·3	2·7	26
1987-88	92·8	29·7	32	11·4	3·2	28

House Building

Mr. French: To ask the Secretary of State for the Environment if he will now state the annual number of completions, for the most recent 20 year-period for which figures are available, of (i) private sector houses and flats, (ii) council and new town houses and flats and (iii) housing association houses and flats.

Mr. Trippier: The total numbers of dwellings completed in England between 1977 and 1987 by local authorities, new towns, housing associations and the private sector are published in table 6.1(a) of "Housing and Construction Statistics: 1977-1987". Figures for 1969 to 1976 are published in table 56 of "Housing and Construction Statistics: 1969-1979". Figures for 1968 are published in "Housing and Construction Statistics No. 4".

Copies of these publications are available in the Library.

Empty Housing

Mr. French: To ask the Secretary of State for the Environment if he will list, for the most recent 20-year period for which figures are available (i) the 20 local authorities which have had the most empty council properties at the end of each year, (ii) the corresponding figures for each authority's spending on housing in *(a)* cash and *(b)* real terms and (iii) each authority's total spending in *(a)* cash and *(b)* real terms on *(a)* statutory functions and *(b)* non-statutory functions.

Mr. Trippier: I regret that information for the last 20 years, which is not in every case available in the form requested, could be provided only at disproportionate expense. Available figures for the last two years are given in the table.

Local authority	Number of vacant local authority dwellings at 1 April 1987	1986-87 Total housing expenditure £ million	Number of vacant local authority dwellings at 1 April 1988	1987-88 Total housing expenditure £ million
Birmingham	2,718	143	2,339	152
Bradford	1,490	28	1,262	33
Hackney	3,113	99	2,692	105
Islington	1,850	89	1,403	95
Kingston upon Hull	1,389	35	[1]—	[1]—
Kirklees	[1]—	[1]—	1,402	33
Lambeth	[1]—	[1]—	1,156	115
Leeds	1,644	64	1,486	67
Leicester	[1]—	[1]—	1,220	44
Lewisham	1,331	68	[1]—	[1]—
Liverpool	6,955	96	5,416	92
Manchester	4,847	71	5,166	104
Newcastle upon Tyne	1,565	41	1,651	49
Newham	2,777	57	1,961	54
North Tyneside	1,537	25	[1]—	[1]—
Nottingham	1,625	49	[1]—	[1]—
Oldham	[1]—	[1]—	1,129	29
Salford	2,221	35	1,993	37

Local authority	Number of vacant local authority dwellings at 1 April 1987	1986-87 Total housing expenditure £ million	Number of vacant local authority dwellings at 1 April 1988	1987-88 Total housing expenditure £ million
Sandwell	2,799	42	3,062	49
Sheffield	3,390	67	2,856	89
Southwark	1,952	99	1,910	87
Sunderland	2,141	34	2,106	41
Tower Hamlets	2,825	84	2,526	95
Wolverhampton	1,927	39	1,737	38

[1] Not among the 20 authorities with most vacants this year.
Note: It is not possible to provide a breakdwon into statutory and non-statutory expenditure.

Mr. French: To ask the Secretary of State for the Environment if he will provide an estimate of the number of council and new town properties which were empty at the end of each year for the most recent 20-year period for which figures are available.

Mr. Trippier: The available information, derived from local authorities' annual housing investment programme returns, is as follows:

Vacant council dwellings at 1 April

	thousands
1978	92
1979	100
1980	100
1981	97
1982	100
1983	114
1984	113
1985	117
1986	113
1987	112
1988	103

Note: From 1983 the figures include vacant dwellings which have been closed or acquired for demolition under the Housing Acts and, from 1987, dwellings owned by authorities outside their areas (eg overspill estates).

Corresponding information for earlier years is not available and similar information about new town dwellings is not held centrally.

Accommodation Rental

Mr. French: To ask the Secretary of State for the Environment if he will publish an estimate of the number of private sector flats and houses which have been withdrawn from use as rented accommodation each year for the most recent 20-year period for which figures are available.

Mr. Trippier: This information is not available.

Habitat Loss Surveys

Mr. Home Robertson: To ask the Secretary of State for the Environment if he will publish any information which has been made available to his Department by the Nature Conservancy Council concerning habitat loss surveys which have been commissioned by the Nature Conservancy Council from Edinburgh university since 1970.

Mrs. Virginia Bottomley: A confidential study commissioned by the Nature Conservancy Council in 1980 from Edinburgh university was used to produce a methodology for the national countryside monitoring scheme. The first report in this series, "Changes in the Cumbrian Countryside" was published by NCC in 1987. I will arrange for copies of this report to be placed in the Library as soon as it has been reprinted.

Right-to-buy Legislation

Mr. Batiste: To ask the Secretary of State for the Environment whether he is satisfied with the response time of the Leeds metropolitan district council to applications by council tenants under the right-to-buy legislation; and if he will make a statement.

Mr. Trippier: I have become increasingly concerned in recent months that Leeds city council, in common with many other local authorities throughout the country, have been unable to deal with the very large volume of right-to-buy applications within the statutory timescales laid down by the Housing Act 1985. Because of my concern over such delays, several measures were introduced in the Housing Act 1988 to help prospective purchasers. Future applicants may be compensated for undue delays by having their rent held by their landlord as an advance payment on the purchase price. Assistance has also been given to authorities by enabling them to use the proceeds of sales to defray their administrative costs.

I am encouraged to learn that Leeds city council has recently increased the number of staff working on right-to-buy sales and have improved the system for dealing with applications. Efforts are being made to clear the large backlog of cases. Once this has been achieved the council is confident that normal response times will be met.

Council Tenants (Torbay)

Ms. Primarolo: To ask the Secretary of State for the Environment whether he has had any discussions with Torbay council about deceased persons who were council tenants and who were counted as voting in favour of the transfer of council housing.

Mr. Trippier: We received one letter from a tenant and Torbay borough council, about a deceased person receiving a ballot form. When the council was asked about this it reported that a joint tenant of a house had died without the surviving joint tenant notifying the council of the death. When the occurrence was brought to its attention the council duly amended the list of tenants and reduced by one the number of tenants entitled to be consulted.

Rent Arrears (Brent)

Mr. Nicholas Bennett: To ask the Secretary of State for the Environment what is the latest figure for rent arrears

in the London borough of Brent; and what is the percentage of total rents payable that this figure represents.

Mr. Trippier: I refer my hon. Friend to the reply I gave to my hon. Friend the Member for Hendon, South (Mr. Marshall) on 10 November 1988, indicating for Brent as at 31 March 1988 combined arrears of rent, rates, water rates and heating service charges of approximately £16·7 million. The council has not given a separate figure for rent only, but my estimate is £8·1 million representing about 47 per cent. of the 1987-88 rent roll.

Planning Applications

Mr. Gill: To ask the Secretary of State for the Environment what consideration he has given to compelling planning authorities to advise parish councils and adjacent owners of planning applications in their area.

Mr. Chope: Parish councils have a statutory right to be consulted on planning applications if they so wish. Local planning authorities are not required to notify the owners of adjacent property about planning applications, because those authorities are best placed to decide on appropriate publicity for particular development proposals.

Toxic Wastes

Mr. Butler: To ask the Secretary of State for the Environment what information he has on the current levels of imports of toxic wastes.

Mrs. Virginia Bottomley: It is estimated that in 1987-88 a total of 83,000 tonnes of special waste was imported into the United Kingdom. This is estimated to represent 5 per cent. of the special waste produced in the United Kingdom.

Council House Sales

Mr. Thurnham: To ask the Secretary of State for the Environment how many council house sales were completed in the Bolton local authority area during 1988 and each of the previous years; what revenue this accrued for the local authority; and if he will make a statement.

Mr. Trippier: The latest table showing sales for each local authority for each year from April 1979 to June 1988 was placed in the Library in November 1988; since then we have received Bolton's September return which shows sales of 165 dwellings in the first six months of 1988-89. The following information is available for the capital value of dwellings sold in each year in Bolton.

	£ thousands
1979-80	1,733
1980-81	4,131
1981-82	2,728
[1]1982-83	1,724
1983-84	1,961
1984-85	2,374
[1]1985-86	2,177
1986-87	2,244
1987-88	2,596
[2]1988-89	1,328

[1] First three quarters only.
[2] First half only.

Rent Arrears

Mr. Simon Hughes: To ask the Secretary of State for the Environment if he will publish a table showing the levels of rent arrears for each month in 1987 and 1988.

Mr. Trippier: English local authorities report cumulative rent arrears annually; monthly figures are not available. Estimated total arrears were £226 million at 1 April 1988, compared with £195 million a year earlier, an increase of 16 per cent. Two thirds of this increase is accounted for by the 10 authorities—all Labour controlled—with the highest cumulative rent arrears as a percentage of rent roll.

Irish Sea (Discharges)

Mrs. Clwyd: To ask the Secretary of State for the Environment if he will list the name and location of the sites discharging (i) cadmium, (ii) mercury and (iii) halogenated hydrocarbons into the Irish sea and the volume of those discharges in each year from 1978 to the present.

Mr. Moynihan: Further to my answer of 10 January, the provisions of the European Community's framework directive on the discharge of dangerous substances to the aquatic environment (76/464/EEC) prohibit the disclosure of information relating to particular undertakings acquired by my Department specifically for the purposes of transmission to the European Commission under that directive. However, much of the information requested is likely to be available on the public register maintained by the North West water authority, in whose area all of the discharges referred to occur.

Planning Law

Mr. Stern: To ask the Secretary of State for the Environment when he now expects to publish proposals for the revision of planning law.

Mr. Chope: My right hon. Friend hopes to publish a White Paper shortly containing proposals for the future of the development plan system.

Animal Welfare

Mr. Ron Davies: To ask the Secretary of State for the Environment, pursuant to his reply to the hon. Member for Caerphilly of 12 January, *Official Report*, column *745*, under what circumstances the welfare of animals is a material consideration for planning decisions under article 18 of the Town and Country Planning General Development Order 1988.

Mr. Chope: The welfare of animals is material to planning decisions to the extent that it is a land-use planning consideration. Article 18 of the General Development Order does not seem relevant: it lists types of planning application on which local planning authorities must consult certain bodies before granting planning permission.

Lowermoor Water Treatment Works

Dr. Cunningham: To ask the Secretary of State for the Environment what action has been taken by Her Majesty's inspectorate of pollution with regard to the poisoning of fish subsequent to the incident at Lowermoor water treatment works on 6 July 1988.

Mr. Ridley: I have received reports from the South West water authority on the pollution of the rivers Camel and Allen. These have been passed to the Crown Prosecution Service and action now lies with them.

Estate Action Schemes

Mr. O'Brien: To ask the Secretary of State for the Environment how much each local authority was allowed to borrow to carry out improvements under the estate action schemes; and what percentage of that money was allowed for providing additional heating facilities in their houses; for each of the last three years.

Mr. Trippier *[holding answer 13 January 1989]:* The estate action provision since 1986-87 has been:

	£ million
1986-87	45
1987-88	75
1988-89	140

Figures for individual local authorities on the proportion of the allocations spent on heating facilities are not readily available. The proportion of the total Estate Action allocations devoted to heating and insulation improvements and associated works is estimated at 25 per cent. in 1986-87 and 24 per cent. in 1987-88. We expect a similar proportion in the current year.

Trent Valley Garden Centre (Planning Application)

Dr. Hampson: To ask the Secretary of State for the Environment if he is now in a position to decide whether or not he will call in for determination by himself a planning application in the name of Stephen Smith of Trent Valley garden centre, Doncaster road, Gunness, Scunthorpe.

Mr. Chope *[holding answer 22 December 1988]:* I have now directed that this application be referred to me for decision. Arangements are now being made to hold a local inquiry as soon as possible. I shall write to my hon. Friend as soon as the date of the local inquiry has been fixed.

ENERGY

Offshore Construction Industry

63. **Mr. McAllion:** To ask the Secretary of State for Energy what assessment he has made of the ability of the United Kingdom offshore construction industry to compete with rival industries in south east Asia.

Mr. Parkinson: United Kingdom companies are constantly demonstrating their ability to compete effectively both at home and in export markets.

Electricity

Mr. Carrington: To ask the Secretary of State for Energy how many units of electricity per person per annum are consumed in the United Kingdom, and in other northern European industrialised nations.

Mr. Michael Spicer: The average consumption of domestic electricity per person per annum in a range of northern European countries in 1986 was as follows:

	Domestic consumption (GWh)	*Population (millions)*	*Average consumption (KWh)*
Denmark	8,739	5	1,748
France	89,814	55	1,633
West Germany	97,570	61	1,600
England and Wales	79,154	50	1,583
Belgium	13,835	10	1,384
Holland	16,200	15	1,080

(Source of figures for domestic consumption: Handbook of Electricity Supply Statistics, Electricity Council).

AGRICULTURE, FISHERIES AND FOOD

Subsidies

Mr. Allen: To ask the Minister of Agriculture, Fisheries and Food if he has investigated the possibility of fraudulent claims for European Economic Community subsidies in connection with the recent consignment of rotten meat imported from Ireland.

Mr. Donald Thompson: This is a matter for the Irish authorities and we have encouraged them to investigate this.

Butter

Sir Richard Body: To ask the Minister of Agriculture, Fisheries and Food what assessment he has made of the impact on United Kingdom consumers of further European Economic Community restrictions on New Zealand butter imports.

Mr. Donald Thompson: The European Commission has made proposals on the future of imports of New Zealand butter, which were debated on 30 November. The Government believe that these proposals represent a reasonable balance between the interests involved, including those of consumers.

Mr. Andrew Smith: To ask the Minister of Agriculture, Fisheries and Food, pursuant to his answer of 10 January, *Official Report*, column 520, what information is available on the distribution of European Economic Community butter under European Community Regulation 2191/81; which body is responsible for administering the distribution; how institutions apply to receive it; and what records are kept of these applications.

Mr. Donald Thompson: The scheme is administered in the United Kingdom by the Intervention Board for Agricultural Produce. The board maintains registration details of 4,000 eligible institutions, of which 2,400 are currently active. Records are kept of total sales of butter under the scheme. Once registered, organisations apply to the board for monthly certificates which permit the purchase of authorised quantities of butter from suppliers. In 1988 about 20,000 certificates were issued, details of which are held by the board.

Abattoirs

Mr. Cousins: To ask the Minister of Agriculture, Fisheries and Food if he will publish a list of abattoirs in Britain, indicating which were inspected by his Department or its agents; how many times, and on what dates.

Mr. Donald Thompson: In 1987, the most recent year for which figures are available, each exporting abattoir received an average of nine visits from officials of my Department and each non-exporting abattoir an average of two visits. Further details could be provided only at disproportionate cost to public funds.

Mr. Cousins: To ask the Minister of Agriculture, Fisheries and Food if he will publish a list of abattoirs in Britain, indicating which are acceptable sources for meat and meat produce exports to other countries of the European Economic Community and which are not.

Mr. Donald Thompson: I am placing in the Library of the House a list of all slaughterhouses in England and Wales which identifies those approved for the production of meat for export to other member states of the European Community.

Mr. Cousins: To ask the Minister of Agriculture, Fisheries and Food how any enforcement actions were taken in each year since 1980 to ensure that his standards for the conduct of abattoirs are met; how many of these enforcement actions involved prosecution; and what proportion of the total number of abattoirs were subject to such enforcement actions in each year since 1980.

Mr. Donald Thompson: Enforcement of slaughterhouse hygiene legislation is the responsibility of local authorities. No records of enforcement actions are collected.

Mr. Cousins: To ask the Minister of Agriculture, Fisheries and Food if he will list the standards and guidance given for the running of abattoirs.

Mr. Donald Thompson: The hygiene and inspection standards applicable to abattoirs in England and Wales are set out in the Food Act 1984 and the following secondary legislation:

The Slaughterhouse Hygiene Regulations 1977 as amended SI 1977 No. 1805, SI 1987 No. 2235
The Meat Inspection Regulations 1987 SI 1987 No. 2236
The Fresh Meat Export (Hygiene and Inspection) Regulations 1987 SI 1987 No. 2237

Mr. Cousins: To ask the Minister of Agriculture, Fisheries and Food how many of his Department's staff, full-time equivalent, were involved in the supervision of abattoirs in each year since 1980.

Mr. Donald Thompson: Officers of my Department visit all abattoirs to advise on hygiene and welfare standards and, in relation to exporting premises, to ensure that Community requirements are observed. The manpower involved, for the years for which figures are available, was:

	Years
1983-84	53 man
1984-85	52 man
1985-86	56 man
1986-87	45 man
1987-88	45 man

Foxes

Mr. Ron Davies: To ask the Minister of Agriculture, Fisheries and Food what research has been undertaken or commissioned by his Department relating to predation by foxes upon lambs and other farm animals; whether any such research has been published; and if he will make a statement.

Mr. Donald Thompson: My Department has not undertaken or commissioned any research relating to specifically to predation by foxes upon lambs or other farm animals as this has not been considered to be of sufficient priority compared with the other demands on our research programme.

Fish Farms

Mr. Ron Davies: To ask the Minister of Agriculture, Fisheries and Food what guidelines his Department has issued or proposes to issue concerning the siting of marine fish farms in England and Wales; and if he will make a statement.

Mr. Donald Thompson: My Department has issued no such guidelines. However, marine fish farms require consent from the Crown Estate Commissioners. The commissioners have introduced consultation procedures for all applications which involve a range of national and local interests including conservation bodies. Discharge, navigation and planning consents may also be required from the appropriate authorities.

Salmonella

Mr. Lord: To ask the Minister of Agriculture, Fisheries and Food if he will list the action he is taking on salmonella in eggs.

Mr. MacGregor: Since the summer of 1988 we have been preparing and adopting a series of measures designed to tackle the salmonella problem at each point along the chain from poultry feedingstuffs, through the breeding flocks and hatcheries to the laying houses, and then on into the home. I am now proposing a number of further measures to reinforce the action already taken.

To minimise the risk of salmonella in poultry feedingstuffs, my Department has doubled the rate of inspections in protein processing plants so that samples are now taken annually from 20 days production from each plant instead of 10 days production as previously. I propose shortly to bring in new statutory provisions requiring protein processors to take samples from each day's production, to have them tested at MAFF-listed laboratories, and to notify MAFF immediately of positive results. I also propose to take powers to stop the supply of products from processing plants where salmonella is found, until action has been taken to ensure that uncontaminated products are being produced.

New arrangements for imported animal protein are currently being introduced. These will involve a graded series of controls reflecting our previous experience of contamination levels in material from particular sources.

To minimise the risk of infection through breeding stock, two codes of practice have been introduced for poultry breeders and hatcheries. I propose to introduce secondary legislation requiring the registration of breeding flocks and hatcheries, requiring breeders to arrange regular bacteriological monitoring of their birds and of the hatcheries, and requiring breeders to supply MAFF with veterinary certificates setting out the results of that monitoring. This legislation will also enable Ministry officers to restrict sales of poultry and hatching eggs when invasive salmonellae are found.

For commercial laying flocks, similarly, a code of practice has been introduced. I propose now to introduce a requirement on operators to carry out regular

bacteriological monitoring, together with strengthened statutory requirements about the control of rodents, with provision for compulsory cleansing and disinfection and requirements for the hygienic handling of eggs.

In order to underline the importance of hygienic handling of food in the home, a major education campaign will be launched early this year. This campaign is designed to reduce the incidence of food poisoning generally. Salmonella is an international problem, so I have also been consulting colleagues in Europe and the United States.

I believe that this range of measures amounts to one of the most comprehensive programmes for dealing with salmonella in any country in the world.

Tuberculosis

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food how much he has spent, or will spend, on research and development to improve the diagnosis and control of tuberculosis in cattle and wildlife, including badgers and deer for the years 1984-85 to 1988-89; and if he will make a statement.

Mr. Donald Thompson: *[holding answer 16 January 1989]:* During the current financial year, and for the past four financial years, the amounts spent on research and development to improve the diagnosis and control of tuberculosis in cattle, badgers and deer have been:

Year	*£'000*
1984-85	466
1985-86	627
1986-87	552
1987-88	602
1988-89	[1]593

[1] Estimated.

SCOTLAND

Public Relations Firms

Mr. Dewar: To ask the Secretary of State for Scotland if he will list the private sector public relations firms which are currently employed by his Department or have been in the last three years, the projects for which they were engaged and the sum paid to each firm on each of these projects.

Mr. Rifkind: PR Consultants (Scotland) Ltd. of Edinburgh were appointed for the period of 1 June, 1987 to 12 September, 1988 for the purpose of marketing and organisation of the Scottish road safety campaign road show. The total amount paid to the company in respect of that period was £20,000.

In addition, I expect shortly to be in a position to announce the appointment of public relations and marketing consultants to advise on the privatisation of the electricity supply industry in Scotland.

Health Board Membership

Mr. Galbraith: To ask the Secretary of State for Scotland if he will give for each health board the individuals, excluding chairmen, who either are or have been elected local authority members, including their political affiliations.

Mr. Michael Forsyth: The information in departmental records is as follows:

Health Board and Local Authority Members	*Political affiliation*
ARGYLL AND CLYDE HEALTH BOARD	
Current Local Authority Members	
Mr. G. McMillan, Strathclyde Region, previously Argyll and Bute District	Labour
Mr. R. R. Reid, Argyll and Bute District	Independent
Past Local Authority Members	
Mrs. E. W. Riddell, Strathclyde Region until 1986	Liberal/SDP
Mr. L. Capaldi, Dumbarton District until 1980	Labour
AYRSHIRE AND ARRAN HEALTH BOARD	
Current Local Authority Members	
Mr. R. Campbell, JP, Strathclyde Region	Labour/Co-operative
Mr. T. Dickie, JP, Cunninghame District	Labour
Past Local Authority Member	
Mrs. A. Dunbar, Cunninghame District until 1980	Labour
BORDERS HEALTH BOARD	
Current Local Authority Member	
Mr. A. S. Watt, Borders Region	Independent
Past Local Authority Member	
Mr. R. W. Jack, Roxburgh District until 1984	Liberal/Alliance
DUMFRIES AND GALLOWAY HEALTH BOARD	
Current Local Authority Member	
Mr. W. Service, Dumfries and Galloway Region	Independent
Past Local Authority Members	
Mrs. M. D. Dick-Smith, Dumfries and Galloway Region until 1986	Independent
Mrs. A. R. Murdoch, Stewartry District until 1988	Independent
Mr. G. Willacy, Annandale and Eskdale District until 1988	Independent
FIFE HEALTH BOARD	
Current Local Authority Member	
Mr. J. McMurdo, Fife Region	Labour
Past Local Authority Members	
Mr. J. S. Edmiston, Kirkcaldy District until 1980	Conservative
Mr. I. A. McCrone, Fife Region until 1982	Conservative
FORTH VALLEY HEALTH BOARD	
Current Local Authority Members	
Mr. K. Harding, Stirling District	Conservative
Mrs. E. D. Kennedy, Central Region	Labour
Past Local Authority Members	
Mr. A. B. Cruickshank, Clackmannan District until 1977	Unknown
Mrs. J. I. D. Isbister, Stirling District until 1984	Conservative
GRAMPIAN HEALTH BOARD	
Current Local Authority Member	
Mrs. R. Kemp, Grampian Region	Liberal/Alliance
Past Local Authority Members	
Mr. N. Donald, Gordon District until 1988	Independent
Mr. J. Sorrie, Grampian Region until 1986	Conservative
GREATER GLASGOW HEALTH BOARD	
Current Local Authority Members	
Mrs. J. E. Cameron, JP, Bearsden and Milngavie District	Conservative
Mrs. A. Jarvis, Strathkelvin District	Conservative
Mrs. M. McGarry, Clydebank District	Labour
Past Local Authority Member	
Mr. B. A. Maan, Glasgow District until 1984	Labour

Health Board and Local Authority Members	*Political affiliation*
HIGHLAND HEALTH BOARD	
Current Local Authority Member	
Mrs. V. MacIver, Ross and Cromarty District	Independent
Past Local Authority Members	
Rt. Hon. Lord G. J. Macdonald of Sleat, Skye and Lochalsh District until 1984	Independent
Mr. A. I. MacDonald, Caithness District until 1988	Independent
LANARKSHIRE HEALTH BOARD	
Current Local Authority Member	
Mr. J. P. Robinson, Strathclyde Region	Labour
Past Local Authority Member	
Mr. W. J. O'Brien, JP, Cumbernauld and Kilsyth District until 1984	Labour
LOTHIAN HEALTH BOARD	
Current Local Authority Member	
Mr. W. B. Herald, Lothian Region	Labour
Past Local Authority Members	
Mrs. G. Barton, Edinburgh District until 1984	Labour
Dr. M. McGregor, Grampian Region until 1986	Conservative
Mrs. W. E. Donaldson, Lothian Region until 1986	Conservative
ORKNEY HEALTH BOARD	
Current Local Authority Members	
Mrs. M. J. B. Crichton, Orkney	Independent
Mrs. J. Marwick, Orkney	Independent
SHETLAND HEALTH BOARD	
Current Local Authority Member	
Mr. W. A. Smith, BEM, Shetland	Labour
Past Local Authority Member	
Mr. R. R. Bentley, until 1986	Independent
TAYSIDE HEALTH BOARD	
Current Local Authority Members	
Mr. E. W. Cameron, OBE, Perth and Kinross District	Conservative
Mr. A. H. Lynch, Dundee District	Labour
Past Local Authority Members	
Mr. J. Campbell-Smith, Perth and Kinross until 1980	Independent
Mrs. S. D. R. Kydd, Tayside Region until 1986	Conservative
Mr. I. W. Stevenson, Tayside Region until 1986	Conservative
WESTERN ISLES HEALTH BOARD	
Current Local Authority Members	
Mr. A. A. Macdonald	Independent
Captain J. MacIntyre	Independent
Mr. A. Matheson	Independent

Mr. Galbraith: To ask the Secretary of State for Scotland if he will give the current employment or, if retired, previous employment of all health board chairmen.

Mr. Michael Forsyth: The information requested is as follows:

Health board	*Present chairman*	*Occupation*
Argyll and Clyde	Mr. J. D. Ryan CBE	Dental Surgeon
Ayrshire and Arran	Mr. W. S. Fyfe OBE	Company Chairman and Business Consultant
Borders	Mr. J. Gibb CBE	Retired Solicitor
Dumfries and Galloway	Mr. J. A. McIntyre JP	Farmer
Fife	Mrs. A. H. Ferguson	Engineer and Company Director
Forth Valley	Mr. L. J. M. Hynd OBE	Retired Director and Company Secretary
Grampian	Mr. C. W. Ellis OBE	Retired Senior Lecturer/Head of School of Social Studies, Robert Gordon's Institute of Technology
Greater Glasgow	Dr. T. J. Thomson CBE	Retired Consultant Physician
Highland	Mr. J. McWilliam OBE	Retired Rector, Lochaber High School
Lanarkshire	Mrs. B. M. Gunn OBE JP	Housewife
Lothian	Mr. R. B. Weatherstone TD	Formerly Company Director now Non-Executive Director
Orkney	Mr. J. D. M. Robertson OBE	Company Director
Shetland	Mrs. F. B. Grains JP	Housewife/Part-time National Farmers' Union Branch Secretary
Tayside	Mr. D. B. Grant TD	Retired Chartered Accountant
Western Isles	Mrs. M. A. MacMillan	Housewife

Mr. Galbraith: To ask the Secretary of State for Scotland if he will give any local government elected positions held by the person who will be health board chairmen as from 1 April, including their political affiliations.

Mr. Michael Forsyth: Mrs. F. B. Grains, chairman of Shetland health board, is a member (Independent) of Shetland islands council. No other chairman holds elected office in a local authority.

Health Care International Hospital, Clydebank

Mr. Galbraith: To ask the Secretary of State for Scotland when he expects Health Care International to secure funding for its hospital at Clydebank; and if he will make a statement.

Mr. Lang: Health Care International has secured financial backing to take the project to its present stage. I understand that the company's financial advisers are currently structuring finance for the next stage of the development.

Retirement Homes

Mr. Wilson: To ask the Secretary of State for Scotland if he will list, by local authority area, the number of approved places in *(a)* private, *(b)* voluntary and *(c)* local authority nursing homes for the elderly, for each year since 1980.

Mr. Michael Forsyth: Nursing homes are registered by health boards. Information is therefore only readily

available by health board area. The information available centrally is given in the table. Information for years before 1986 was not collected centrally.

Number of beds in private nursing homes and hospitals[1] admitting elderly patients, by Health Board at 31 March.

Health Board	*1986*	*1987*	*1988*
Argyll and Clyde	508	633	[2]749
Ayrshire and Arran	450	670	939
Borders	81	82	254
Dumfries and Galloway	63	66	127
Fife	38	45	137
Forth Valley	165	207	351
Grampian	183	360	544
Greater Glasgow	478	452	537
Highland	216	259	365
Lanarkshire	231	541	832
Lothian	758	920	1,008
Orkney	—	—	—
Shetland	—	—	—
Tayside	132	166	307
Western Isles	—	—	—
Scotland	3,303	4,401	6,230

[1]Private nursing homes and hospitals subject to the Nursing Homes Registration (Scotland) Act 1938 or the Mental Health Acts 1960/1984.

[2]Data for the Princess Louise Scottish Hospital and Sir Gabriel Wood's Mariners' Home relate to 1987.

Rent Arrears

Mr. Kirkwood: To ask the Secretary of State for Scotland if he will publish a table showing the levels of rent arrears for each month in 1987 and for each month in 1988.

Lord James Douglas-Hamilton *[holding answer 16 January 1989]:* Information on local authority, new town development corporation and SSHA rents and rent arrears is collected centrally on an annual basis at 30 September each year. Total rent arrears at 30 September 1987 amounted to £26,658,649. Information on the position at 30 September 1988 is incomplete, but returns submitted to date indicate that total rent arrears will be higher than in 1987. No information is available on rent arrears in the private sector.

Education Reform

Mr. McLeish: To ask the Secretary of State for Scotland when was the last time a Scottish Education Minister met the chairman of the Convention of Scottish Local Authorities education committee.

Mr. Michael Forsyth *[holding answer 17 January 1989]:* I met the chairman and the vice-chairman of the convention's education committee in February 1988.

SSHA

Mr. Ron Brown: To ask the Secretary of State for Scotland if he will name the private landlords expressing an interest in ownership of houses currently controlled by the Scottish Special Housing Association; and if he will make a statement.

Lord James Douglas-Hamilton *[holding answer 13 January 1989]:* I refer the hon. Member to my reply to the hon. Member for Glasgow, Govan (Mr. Sillars) on 10 January at columns *558-60*.

Rural Areas

Mrs. Ray Michie: To ask the Secretary of State for Scotland if he will make a statement on the outcome of the discussions between his officials and the Highlands and Islands Development Board and the Scottish Development Agency initiated in 1984, with a view to working out practical measures of encouragement and support for rural retailers, following the report and recommendations submitted by the Scottish Consumer Council in July 1983 on consumer problems in rural areas; and what further steps he now proposes to take to ensure that some such scheme is introduced.

Mr. Lang *[holding answer 13 January 1989]:* Following consideration of the Scottish Consumer Council report by the Scottish Office, Scottish Development Agency and Highlands and Islands Development Board, the Scottish Development Agency introduced a scheme to assist single shops serving rural areas. This scheme offers specialist counselling services in conjunction with small local authority grants and operates in Tayside region, Dumfries and Galloway region and East Lothian district. Its extension to other areas is currently being considered. In addition to this scheme and its normal advisory services to small businesses, the agency is assisting two village projects (at Creetown and Newcastleton) aimed at attracting additional visitors. These projects, undertaken in partnership with local trade groups, involve shop front renovations and promotional activity.

The Highlands and Islands Development Board is also willing to give assistance in the form of grants and loans and advisory and training support to shops in remote rural areas, where these meet an important community need, and provides advisory services for retail businesses in its area.

The SDA, HIDB and SCC have recently commissioned consultants to investigate the changes in the provision of services in the parishes previously studied. It will be for the agency and the board to determine any action to be taken following completion of this study.

NORTHERN IRELAND

Strangford (New Industries)

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland how many new industries were announced by the industrial development boards in the constituency of Strangford during 1988; how many new jobs they are expected to provide; and what is the present availability of advance factory space in the constituency.

Mr. Viggers: While no new companies were established with the assistance of the IDB during 1988 in the constituency of Strangford, the board supported expansion plans by eight existing companies which are intended to provide 294 new jobs. The local enterprise development unit does not maintain job statistics on the basis of parliamentary constituencies; however, in 1988 it assisted 20 entrepreneurs to establish new businesses in the Castlereagh and Ards borough council areas. These together with expansion projects supported by LEDU have promoted 96 new jobs in these areas in 1988. There are no vacant advance factories at present in the constituency, but a small refurbished factory is available in Newtownards.

Orlit Houses

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland, pursuant to his reply on 22 December, *Official Report*, column *459*, in which newspapers and on which dates advertisements, inviting contractors to tender for the replacement of Orlit houses at Darragh road, Comber, were published.

Mr. Needham: This is a matter for the Northern Ireland Housing Executive. The chief executive has advised me that advertisements were placed in the *Belfast Telegraph*, *News Letter* and *Irish News* on 26 July 1988.

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland, pursuant to his reply on 22 December, *Official Report*, column *459*, in which newspapers and on which dates advertisements inviting contractors to tender for the replacement of Orlit houses at Barnagh park, Donaghadee, were published.

Mr. Needham: This is a matter for the Northern Ireland Housing Executive. The chief executive has advised me that advertisements were placed in the *Belfast Telegraph*, *News Letter* and *Irish News* on 13 October 1987.

ACE

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland whether he has budgeted for the replacement of the ACE workers who will resign from the employment of Donaghadee Community Association before 1 April; what is the budget for ACE employment in Donaghadee for the next 12 months; whether he proposes to reduce ACE funding in any district during the next 12 months; and if he will make a statement on the future of the ACE scheme.

Mr. Viggers: The budget for the Donaghadee community work force ACE project for the current agreement year is £365,388. A new budget will be agreed prior to renewal of the agreement from 1 April 1989.

I have no plans to reduce ACE funding in any district during the next 12 months. Indeed, I have recently announced additional funding of £10·274 million to allow the ACE programme to be increased to 10,000 places during the 1989-90 financial year.

Fair Employment Act

Rev. Martin Smyth: To ask the Secretary of State for Northern Ireland what statistics the Fair Employment Agency has gathered or been provided with on employment in the Post Office in Northern Ireland; and if he will place any information he has in the Library.

Mr. Viggers: The Fair Employment Agency is currently investigating the religious composition of the work force and the employment practices of the Post Office in Northern Ireland under section 12 of the Fair Employment (Northern Ireland) Act 1976. Any relevant employment statistics obtained for this purpose will eventually form part of a report of the investigation, when completed, but it is not the agency's practice to disclose such information beforehand in public.

When the report is published a copy will be placed in the Library.

Mr. McNamara: To ask the Secretary of State for Northern Ireland how many staff are presently provided by the Department of Economic Development to service *(a)* the industrial tribunals board and *(b)* the fair employment appeals board.

Mr. Viggers *[holding answer 12 January 1989]:* There is no industrial tribunals board. However, the Department provides 15 staff to service industrial tribunals. These staff also service the fair employment appeals board.

Mr. Kevin McNamara: To ask the Secretary of State for Northern Ireland what has been the annual cost over the last 10 years of *(a)* the Industrial Appeals Tribunal and *(b)* the Fair Employment Appeal Boards in Northern Ireland.

Mr. Viggers *[holding answer 12 January 1989]:* There is no industrial appeals tribunal. However, the annual cost over the last 10 years of *(a)* industrial tribunals is as follows:

Year	*Fees and expenses of president, chairman and panel members*	*Departmental staff costs*	*Totals*
1979-80	64,000	n.a.	
1980-81	110,000	n.a.	
1981-82	165,000	n.a.	
1982-83	189,000	n.a.	
1983-84	203,000	n.a.	
1984-85	202,000	n.a.	
1985-86	243,000	n.a.	
1986-87	276,000	129,000	405,000
1987-88	273,000	143,000	416,000
1988-89	[1]282,000	[1]170,000	452,000

[1] Estimate.

The figures for departmental staff costs for the years 1979-80 to 1985-86 are not readily available.

The total cost of *(b)* the fair employment appeals tribunal since its establishment is £500.

Farmers

Mr. William Ross: To ask the Secretary of State for Northern Ireland if he will publish a table in the *Official Report* to show his estimate of the *(a)* net income and *(b)* gross income of farmers in Northern Ireland in cash and in real terms for each year or, if more convenient, financial year since 1977.

Mr. Viggers *[holding answer 17 January 1989]:* Information is not available in the form requested but details of a pre-tax net farm income series and of gross output are given in current prices and in real terms:

	Net farm income[1]		*Gross output*[2]	
Calendar year	*At current prices £ million*	*Index in real terms (Base 1985 = 100)*	*At current prices £ million*	*Index in real terms (Base 1985 = 100)*
1977	64·4	177	443·0	121
1978	61·1	155	496·1	125
1979	33·5	75	526·4	117
1980	14·3	28	544·6	103
1981	58·0	98	601·2	101
1982	87·8	137	662·7	103
1983	91·2	136	730·9	108
1984	132·7	189	774·5	109
1985	74·5	100	750·4	100
1986	60·9	79	751·8	97
1987	113·8	142	779·3	96

[1] Net farm income measures the returns to farmers and their spouses for their own labour and management effort and on their own capital investments. It is the residual after deducting from gross output variable input costs, depreciation, interest on borrowed capital and labour costs.

[2] Gross output is the value of sales of farm produce outside the agricultural sector i.e. it *excludes* inter-farm sales. Production grants and subsidies paid on sale are included. Also, an adjustment is made for changes in stocks of livestock and crops on farms between the beginning and the end of the year.

A forecast net farm income figure for 1988 will be published by the Department of Agriculture for Northern Ireland at the beginning of February 1989.

Apprenticeships

Mr. McNamara: To ask the Secretary of State for Northern Ireland how many individuals are currently employed under a contract of service or of apprenticeship in Northern Ireland; and of these how many are employed under a contract which normally involves employment for less than 16 hours weekly.

Mr. Viggers *[holding answer 12 January 1989]:* The total number of employees in employment in Northern Ireland at September 1988 was 497,550. Information on the number of hous worked by these employees is not available.

HEALTH

Radiotherapy

Miss Widdecombe: To ask the Secretary of State for Health whether he has made a decision about South East Thames regional health authority's proposals for radiotherapy in mid-Kent; and whether he will make a statement.

Mr. Kenneth Clarke: I have today announced my decision to approve South East Thames regional health authority's proposal to build a new radiotherapy unit at Maidstone district hospital, costing nearly £11 million. The development of the new unit will involve the closure of two smaller units at St. William's hospital, Rochester and Pembury hospital, near Tunbridge Wells.

I considered the proposal and two counter proposals very carefully and Ministers received three deputations as well as representations from Members of Parliament, community leaders and members of the public. I paid particular attention to concerns about standards of service, about accessibility, about the continuity of existing services and the strong local support for existing units. However, I was also guided by the recommendations of a review by my expert advisers on cancer, announced last year, on 24 February 1988 at column *251*, on the organisation of radiotherapy services and the importance of having units of a sufficient size, whenever possible. In this case, I have concluded that the catchment area would best be served by a central unit at Maidstone. A central unit will bring together expertise and high technology equipment which should ensure the pest possible standard of care and this was strongly supported by the professional advice I received. Its location at Maidstone will minimise travelling time for the greatest number of people and will take full advantage of the possibilities of integrating the service with the full range of facilities available at the new DGH in Maidstone.

Community Care

Mr. Pawsey: To ask the Secretary of State for Health (1) what steps he has taken to ensure that adequate funds are being made available to ensure that a sufficiently high level of community care exists to cater for those patients being discharged from mental hospitals;

(2) whether he has any proposals to monitor the level of funding being made available for community care catering for those patients being discharged from mental hospitals.

Mr. Mellor: I refer my hon. Friend to the reply given to my hon. Friend the Member for Eddisbury (Mr. Goodlad) on 28 November 1988 at columns *143-44*. We have no plans to monitor the level of funding being made available for community care.

Sexually Related Diseases

Mr. Redmond: To ask the Secretary of State for Health if he will list by sex and by age the number of children 16 years and under who have been examined and diagnosed for a sexually related disease in the county of South Yorkshire during the last year, showing the type of disease; what are the comparable national figures; and if he will make a statement.

Mr. Freeman: We do not hold information in the form requested. The latest available data are for Yorkshire regional health authority in 1986 for syphilis and gonorrhoea only, as in the table, with England figures for comparison.

New cases seen at genito-urinary medicine clinics—1986

	Male	*Female*	*Total*
Yorkshire Regional Health Authority			
Primary and secondary syphilis under 16	1	0	1
Post pubertal gonorrhoea under 16	8	34	42
England			
Primary and secondary syphilis under 16	2	1	3
Post pubertal gonorrhoea under 16	83	227	310

Source: Department of Health form SBH60

Salmonella

Mr. Home Robertson: To ask the Secretary of State for Health if, pursuant to his reply of 10 January to the hon. Member for East Lothian, he will list the locations of the outbreaks of salmonella food poisoning connected with eggs referred to in that answer.

Mr. Freeman: The following table gives a breakdown by NHS region of the reported outbreaks of salmonellosis associated with eggs to the end of October 1988. The outbreaks involved those cases listed in my right hon. and learned Friend the Secretary of State's reply to him on 10 January at columns *612-13*.

Regional health authority (RHA)	*Number of outbreaks reported*
Northern	4
Yorkshire	5
Trent	4
Thames Regions	14

Regional health authority (RHA)	*Number of outbreaks reported*
Wessex	4
South Western	4
West Midlands	2
North Western	4
Wales	5

Management Bulletin

Mr. Ted Garrett: To ask the Secretary of State for Health what is the cost of publishing the NHS *Management Bulletin;* and how many have been printed.

Mr. Mellor: The cost of each issue is currently £3,094 for printing and £1,247 for distribution, including postage. Since the bulletin was launched in July 1986, 17 issues have been published. Approximately 12,000 copies of each issue are printed.

Cervical Cancer (Liverpool)

Mr. Beggs: To ask the Secretary of State for Health what changes in cervical cancer screening procedures have taken place since the cervical cancer smear mistake at the Women's hospital, Liverpool, in 1987.

Mr. Freeman: Various changes took effect following an inquiry held by Liverpool health authority and the procedures are now in line with the national guidance in health circular (88)1, which was issued in January 1988. A copy of this circular has been placed in the Library.

Hearing Therapists

Mr. Alfred Morris: To ask the Secretary of State for Health if he will list the number of hearing therapists employed by each health authority in each year since 1980 and the proportion per 100,000 population; what is his estimate of the optimum number of hearing therapists per 100,000 population; and if he will make a statement.

Mr. Mellor: We do not hold centrally information in regard to hearing therapists employed by particular health authorities in specific years but I understand that 55 are now in post. The total number required will depend on needs perceived by health authorities and the way in which they organise their audiology services.

Mr. Alfred Morris: To ask the Secretary of State for Health how many people have completed training as hearing therapists in each year since 1980; what steps he has taken to ensure that the provision of trained hearing therapists is adequate to meet the demand; and if he will make a statement.

Mr. Mellor: The following numbers of people have successfully completed training as hearing therapists since 1980:

	Number
1980	10
1981	11
1982	9
1983	10
1984	9
1985	10
1986	11
1987	11
1988	10

Provision of hearing therapists was initially funded by the Department but it is now the responsibility of individual health authorities. The Department is keeping in touch with the National Health Service training authority in regard to future training provision.

Mr. Alfred Morris: To ask the Secretary of State for Health what proportion of hearing aid centres employ, or use the services of, a hearing therapist; what research he has undertaken to monitor the decrease in wastage of hearing aids supplied by the National Health Service as a result of the employment of hearing therapists; and if he will make a statement.

Mr. Mellor: We do not hold centrally information on the numbers of hearing therapists made available by health authorities to particular hearing aid centres. No such research has been undertaken nationally.

Mr. Alfred Morris: To ask the Secretary of State for Health what action he is taking to improve the pay and career structure of hearing therapists; and if he will make a statement.

Mr. Mellor: There are at present no pay and grading arrangements specifically for hearing therapists. The pay of most of them is linked to that of senior physiological measurement technicians which is negotiated in the professional and technical B Whitley council. The general Whitley council is currently considering what formal arrangements might be made within the Whitley council system for determining the pay of this group.

Mr. Alfred Morris: To ask the Secretary of State for Health what action he is taking to ensure the future training of hearing therapists following the abolition of the Inner London education authority; and if he will make a statement.

Mr. Mellor: The hearing therapist training course at the City Literary Institute continues and the National Health Service training authority is considering future requirements.

Brook Hospital (Neurosciences Unit)

Mr. Cartwright: To ask the Secretary of State for Health when he now expects to make a decision on the proposed removal of the neurosciences unit from the Brook hospital, Woolwich.

Mr. Freeman: We hope to make a decision in the very near future.

War Injuries (Far East)

Mr. Amos: To ask the Secretary of State for Health (1) how many people receive continuing medication through the National Health Service as a result of injuries sustained whilst being Japanese prisoners of war during the second world war;

(2) what is the annual cost to the National Health Service of the medication people receive as a result of their serving in the Far East as British or Commonwealth troops during the second world war;

(3) what is the annual cost to the National Health Service of the medication people receive as a result of injuries sustained whilst being Japanese prisoners of war during the second world war;

(4) how many people receive continuing medication through the National Health Service as a result of their serving in the far east as British or Commonwealth troops during the second world war.

Mr. Freeman: I regret that this information is not held centrally.

Cyclotron Trust

Mr. Rooker: To ask the Secretary of State for Health if his Department consulted the Co-ordinating Committee for Cancer Research before making a grant to the Cyclotron Trust; and if he will make a statement.

Mr. Mellor: No, but I met representatives of the committee on 11 January.

Lowermoor (Water Contamination)

Dr. Cunningham: To ask the Secretary of State for Health if he will give further details of the terms of reference of the investigation into the incident at Lowermoor treatment works on 6 July 1988.

Mr. Freeman: As stated in my reply to my hon. Friend the Member for Cornwall, North (Mr. Neale) on 13 January at column *775* the terms of reference of the Lowermoor incident health advisory group are

"to advise the Cornwall and Isles of Scilly District Health Authority on the implications for the health of the population in the Camelford area following contamination of their drinking water in July 1988".

The Group will be asked to consider the interpretation to be place on reports of persistent symptoms and the likelihood of ill effects persisting or recurring in the long term. They will be asked also to consider whether any further monitoring or research ought to be proposed. They will not be asked to inquire into the incident at Lowermoor treatment works, which was the subject of an earlier independent inquiry set up by the board of the South West water authority and whose report was published.

Tobacco

Mr. Robin Cook: To ask the Secretary of State for Health what is his Department's current policy towards European Community draft regulations on tar yields and tobacco labelling.

Mr. Freeman: We wish to maintain our well-established and effective voluntary arrangements in the areas covered by the European Commission proposals. We also believe that the labelling proposals are counter productive in being too prescriptive. Discussions on the proposals are continuing in the Council health working group.

Household Formation

Mr. French: To ask the Secretary of State for Health if he will state for the most recent 20 year period for which figures are available the annual rate of household formation.

Mr. Trippier: I have been asked to reply.

We estimate that the number of households in England and Wales in 1968 was 16·2 million, and 19·5 million in 1988. This represents an approximate average net growth of about 0·9 per cent. per year.

TRADE AND INDUSTRY

Overseas Markets (Motor Vehicles)

3. **Mr. Cash:** To ask the Chancellor of the Duchy of Lancaster what action his Department has taken to ensure access of British-made motor vehicles to overseas markets.

Mr. Alan Clark: My Department takes whatever action is necessary to ensure British-made motor vehicles have unhindered access to overseas markets.

Inner Cities (Church Contact)

4. **Mr. Bowis:** To ask the Chancellor of the Duchy of Lancaster what contact his Department has had with church organisations on inner city matters.

Mr. Newton: I met the Bishop of Willesden on 19 December to discuss joint action with the Church in the inner cities. I was able to inform him that I had just agreed to extend our financial support for "Linking-Up", a project to develop church-based action for cities in a number of task force areas. We are also working with Evangelical Enterprise, and have set up a churches liaison group. Mr. Terry Drummond, an officer of the Church Army, has been seconded to work in our Spitalfields task force.

Building Industry (Local Labour)

14. **Mr. Robert G. Hughes:** To ask the Chancellor of the Duchy of Lancaster what discussions he has had with representatives of the building industry regarding the employment and training of local labour in inner city areas.

Mr. Newton: I am frequently in contact with representatives from the building industry, and take every opportunity to emphasise that helping to train local people on local building projects is one important way of giving them a sense of commitment to improving their own environment as well as increasing the availability of important skills for the industry.

Bottle Bank Scheme

19. **Mr. Illsley:** To ask the Chancellor of the Duchy of Lancaster whether he has any proposals to extend the bottle bank scheme to increase the proportion of United Kingdom recycled glass.

Mr. Atkins: On 2 July 1986 a conference was held on glass recycling at which a commitment was made by the glass industry, packaging industry, supermarkets, local authorities and central Government to work towards doubling the number of bottle banks over a five-year period. Progress is being made towards meeting this target.

Machine Tool Industry

20. **Mr. Patrick Thompson:** To ask the Chancellor of the Duchy of Lancaster when he last met representatives of the machine tool industry; and what was discussed.

Mr. Atkins: I attended the annual dinner of the Machine Tool Trades Association on 16 November 1988. On that occasion the discussion was of a general nature.

Whisky (South Korea)

21. **Mr. John Townend:** To ask the Chancellor of the Duchy of Lancaster if he will make a statement on current restrictions on the importation of Scotch whisky into the republic of South Korea; and what progress the Government is making in persuading the Government of that country to remove these restrictions.

Mr. Alan Clark: We continue to press the Korean authorities on all appropriate occasions, both bilaterally and through the European Community, to remove Korean restrictions on the import of Scotch whisky. The issue was high on the agenda at recent United Kingdom-Korea trade policy talks, when the Korean side proposed certain steps towards liberalisation. These are welcome, but not enough.

British-made Products

22. **Mr. Marlow:** To ask the Chancellor of the Duchy of Lancaster what powers he has to encourage the purchase of British-made products.

Mr. Alan Clark: The greatest encouragement to buy British is the availability of competitive British goods and services. My Department's policies are geared to helping businesses achieve this.

Manufacturing Investment (North-West)

23. **Mr. Pike:** To ask the Chancellor of the Duchy of Lancaster if he will state the level of investment in manufacturing industry in the north-west in constant prices for the latest year for which figures are available, as a percentage of 1979.

Mr. Atkins: I refer the hon. Member to the reply given to him by my hon. Friend the Parliamentary Under-Secretary of State for Corporate Affairs on 19 October 1988, at column *953* of the *Official Report*.

Fibre Optic Network

24. **Mr. Hardy:** To ask the Chancellor of the Duchy of Lancaster what consultations he has had on research and development on educational applications of a broadband fibre optic network.

Mr. Forth: Various aspects of this issue have been considered and in some cases supported by my Department over the last few years. Most recently PA Consulting Group were asked to comment on the area of education and broadband technology when reporting on "The Evolution of the United Kingdom Communications Infrastructure". Its report is available in the Library of the House.

Manufacturing Output

25. **Mr. Rowe:** To ask the Chancellor of the Duchy of Lancaster what are the latest figures he has for the output of manufacturing industry; and what were the comparable figures for 1974 and 1979.

Mr. Atkins: In the three months to October 1988 the output of manufacturing industry averaged 116·4, based on 1985 equal to 100, its highest-ever level. The comparable figures for the same three months in 1974 and 1979 were 109·9 and 103·6 respectively.

38. **Mr. Wilshire:** To ask the Chancellor of the Duchy of Lancaster what are the latest figures he has for manufacturing output.

Mr. Atkins: Manufacturing output in the three months to October 1988 is provisionally estimated at 116·4, based on 1985 equal to 100. Manufacturing output is at its highest ever level.

46. **Mr. Oppenheim:** To ask the Chancellor of the Duchy of Lancaster by how much the output of manufacturing industry has increased since 1979.

Mr. Atkins: In the three months to October 1988 the output of manufacturing industry was 10 per cent. higher than the 1979 average level. Manufacturing output is at its highest ever level.

Single Market

26. **Mr. Sumberg:** To ask the Chancellor of the Duchy of Lancaster how many inquiries his Department has now received from those requesting information about the effects of the single market in 1992; and what proportion of these have come from firms in the north-west.

Mr. Alan Clark: A total of 160,000 requests for information have been received since the Europe "Open for Business" campaign was launched in March 1988. Requests from firms in the north-west totalled nearly 13,000.

Inner City Regeneration

27. **Mrs. Maureen Hicks:** To ask the Chancellor of the Duchy of Lancaster what contact he has had with private sector organisations involved in inner city regeneration.

Mr. Newton: I have frequent contacts with a wide range of private sector organisations. The Government welcome the increasing role being played by business and industry in the regeneration of the inner cities.

Japanese Markets

28. **Mr. Yeo:** To ask the Chancellor of the Duchy of Lancaster what representations he has received regarding access for British firms to Japanese markets.

Mr. Alan Clark: The Government attach great importance to Britain's trade with Japan. Representations on market access are received from British companies from time to time and, where appropriate, we take them up vigorously with the Japanese authorities, both directly and through the European Commission.

Export Promotion

29. **Mr. Amess:** To ask the Chancellor of the Duchy of Lancaster if he will make a statement on progress on recent initiatives in export promotion.

Mr. Alan Clark: We have completed the export services review foreshadowed in the White Paper "DTI-the department for Enterprise". Its constituent parts are detailed in the written reply given on 17 January by myself to my hon. Friend the Member for Stroud (Mr. Knapman) at columns *106-108*.

Manufacturing (Productivity)

30. **Mr. David Evans:** To ask the Chancellor of the Duchy of Lancaster what are the latest figures he has for the productivity of manufacturing industry; and what were the comparable figures one year ago.

Mr. Atkins: Productivity in manufacturing industry, as measured by output per person employed, in the three months to October 1988 averaged 121·2, based on 1985 equal to 100. This is an increase of nearly 7½ per cent. on the average level of 113·0 in the same three months of 1987.

37. **Mr. Michael Brown:** To ask the Chancellor of the Duchy of Lancaster what is the productivity growth in manufacturing industry in *(a)* Britain and *(b)* other major industrialised countries.

Mr. Atkins: Since 1980 manufacturing productivity, as measured by output per head, has grown faster in the United Kingdom than in all other major industrialised countries. Over the previous two decades the United Kingdom was at the bottom of the league. Between 1980 and 1987 the annual average growth rate in percentage terms was:

	Per cent.
United Kingdom	5·3
United States of America	4·1
Japan	2·3
Germany	2·0
France	2·5
Italy	3·7
Canada	3·2

Source: OECD, IMF, CSO.

Overseas Companies

31. **Mr. William Powell:** To ask the Chancellor of the Duchy of Lancaster how many overseas companies have set up operations in Britain over the past year.

Mr. Alan Clark: According to the latest figures known to the Invest in Britain Bureau, during the first three quarters of 1988, 260 inward investment decisions were made to locate in the United Kingdom. These include the establishment of a new business, expansion or acquisition of an existing business and involvement in joint venture.

Cordless Telephones

32. **Mrs. Roe:** To ask the Chancellor of the Duchy of Lancaster when he expects to announce the award of the licences for the next generation of cordless telephones.

Mr. Atkins: My right hon. and noble Friend the Secretary of State for Trade and Industry expects to make an announcement shortly.

Overseas Investment

33. **Mr. Janman:** To ask the Chancellor of the Duchy of Lancaster how many jobs have been created or safeguarded by overseas investment since 1979.

Mr. Alan Clark: The following are the Invest in Britain Bureau figures for the numbers of jobs expected to be created or safeguarded, by inward investment projects, for each year since 1979 to 1987 and for the first three quarters of 1988. The figures are based upon information provided by the companies themselves.

Year	*New jobs*	*Safeguarded jobs*
1979	14,310	n/a
1980	18,662	
1981	16,417	
1982	10,529	
1983	15,546	15,257
1984	27,102	19,294
1985	15,584	18,721
1986	16,274	10,760
1987	19,914	17,015
[1]1988	18,805	11,978

[1] January to September 1988.

British Shipbuilders

34. **Mr. Mullin:** To ask the Chancellor of the Duchy of Lancaster when he last met the chairman of British Shipbuilders; and what was discussed.

Mr. Newton: I last met the chairman of British Shipbuilders on 12 January. We discussed matters of current interest to the corporation.

Newspaper Distribution

35. **Mr. Kennedy:** To ask the Chancellor of the Duchy of Lancaster what representations he has received from newsagents about recent developments in newspaper distribution; and if he will make a statement.

Mr. Forth: My Department has received a number of representations from newsagents about recent developments in newspaper distribution. They have been referred to the Director-General of Fair Trading who is monitoring such developments.

Exports

36. **Mr. Beith:** To ask the Chancellor of the Duchy of Lancaster if he will make a statement on the current rate of growth of United Kingdom exports.

Mr. Alan Clark: On a seasonally adjusted basis total export volume in the three months ended November 1988 is provisionally estimated to have been 3½ per cent. higher than in the previous three months.

Commercial Vehicles

39. **Mr. Pawsey:** To ask the Chancellor of the Duchy of Lancaster if he will make a statement on *(a)* the market share and *(b)* export performance of the British-based commercial vehicle manufacturing industry.

Mr. Atkins: In 1988 British commercial vehicle manufacturers took 60 per cent. of the United Kingdom market. In the first 11 months of 1988 they produced over 76,000 vehicles for the export market, compared with some 56,000 vehicles in the corresponding months of 1987.

European Space Industry

40. **Mr. Andrew Mitchell:** To ask the Chancellor of the Duchy of Lancaster when he last had discussions about space policy with his counterparts in the European space industry.

Mr. Atkins: Department of Trade and Industry Ministers have periodic contacts with their European

counterparts on space matters. Most recently my right hon. and noble Friend the Secretary of State for Trade and Industry was in touch with Dr. Riesenhuber, the Federal German Technology Minister, on the issue of the European Space Agency science programme. It was subsequently possible to reach agreement in ESA on this question.

Communications Satellites

41. **Mr. Stern:** To ask the Chancellor of the Duchy of Lancaster what information he has as to how many United Kingdom manufactured communications satellites are now orbiting the earth.

Mr. Atkins: Nine, on the basis of satellites with a still operable payload.

"The Infrastructure for Tomorrow"

42. **Dr. Bray:** To ask the Chancellor of the Duchy of Lancaster if he will make a statement on the communications steering group report "The Infrastructure for Tomorrow".

55. **Mr. Stott:** To ask the Chancellor of the Duchy of Lancaster if he will make a statement on the MacDonald report on a national wide-band cable network.

Mr. Newton: The communications steering group, sometimes referred to as the Macdonald committee, was established in the spring of 1987 to advise DTI Ministers on prospective developments of the electronic communications infrastructure of the United Kingdom.

My right hon. and noble Friend the Secretary of State for Trade and Industry received the group's report in the summer 1988 and it was published on 15 December 1988 as a contribution to the discussion about the United Kingdom's future communications infrastructure needs. We are grateful to the members of the group for their work.

Balance of Trade Deficit

43. **Mr. Wareing:** To ask the Chancellor of the Duchy of Lancaster if he will make a statement on the balance of trade deficit in manufactured goods.

Mr. Alan Clark: In the first 11 months of 1988 the provisional estimate of the seasonally adjusted deficit on trade in manufactured goods was £13·5 billion.

49. **Mr. Cryer:** To ask the Chancellor of the Duchy of Lancaster what is the current level of deficit in the balance of trade; and if he will make a statement.

Mr. Alan Clark: The current account is provisionally estimated to have been in deficit by about £13·4 billion on a seasonally adjusted basis in the first 11 months of 1988.

Internal Market

44. **Mr. Dykes:** To ask the Chancellor of the Duchy of Lancaster when he next expects to attend a meeting of the European Economic Community Council of trade and industry ministers to discuss further steps in the creation of the internal market.

Mr. Alan Clark: My hon. Friend the Parliamentary Under-Secretary of State for Corporate Affairs plans to attend the next meeting of the Internal Market Council to be held on 27 February.

Regional Aid

45. **Mr. Robert Hicks:** To ask the Chancellor of the Duchy of Lancaster how many projects have been supported by regional aid over the past year.

Mr. Atkins: In 1988, the Department of Trade and Industry made 1,330 offers of regional selective assistance and 470 offers of regional enterprise grant, and approved 6,820 projects under the revised regional development grant scheme. In addition, payments under the original regional development grant scheme were made in respect of some 330 projects. All these figures are provisional.

Enterprise Initiative

47. **Mr. Ward:** To ask the Chancellor of the Duchy of Lancaster how many applications have so far been received for the consultancy support under the enterprise initiative.

Mr. Forth: As my right hon. and noble Friend the Secretary of State announced yesterday on the first anniversary of the enterprise initiative, response to the consultancy initiatives has been excellent from across the whole range of small and medium sized business. I am pleased to say that over 17,000 applications for assisted consultancy have been received.

Post Office Counter Services

48. **Mrs. Ray Michie:** To ask the Chancellor of the Duchy of Lancaster when he last met representatives of the Post Office Users Council to discuss the restructuring of Post Office counter services.

Mr. Forth: No meetings have been held with representatives of the Post Office Users Council for Scotland to discuss the restructuring of Post Office counter services.

Barrow-in-Furness

50. **Mr. Franks:** To ask the Chancellor of the Duchy of Lancaster when he next intends to visit Barrow-in-Furness.

Mr. Atkins: I am hoping to visit British Nuclear Fuels plc's Sellafield facility and VESL at Barrow on 11 May 1989.

Debt Problems

51. **Mr. Michael:** To ask the Chancellor of the Duchy of Lancaster what means his Department is using to monitor the scale of personal and family debt problems; what is his latest estimate of the scale of such problems and what is his policy on the provision of advice and counselling for people with debt problems.

Mr. Newton: My Department has access to information on debt problems from a variety of sources. Under section 1(2) of the Consumer Credit Act 1974 the Director-General of Fair Trading has a statutory duty to advise on social and commercial developments relating to the provision of credit. I have carefully considered the views expressed by the Director-General from time to time, for example in the introduction to his most recent report to Parliament.

My Department has also been informed of the results of

the survey on the use of credit which was commissioned by the Office of Fair Trading and was published in August 1988. Information on debt problems is available from sources such as major organisations of lenders, the National Association of Citizens Advice Bureaux, the National Consumer Council and Familybase. The information available suggests that while a significant number of individuals have encountered debt problems, from a variety of causes, the proportion of users of consumer credit who encounter such problems remains small.

A great deal of advice and help on debt problems is provided free of charge by citizens advice bureaux. The National Association of Citizens Advice Bureaux (NACAB) and Citizens Advice Scotland (CAS) are funded by my Department. Their budget in the current financial year is £9·365 million. They have been encouraged to seek additional funding money advice services from the finance industry and already money has been pledged for four

Industrial Scholarships

52. **Mr. Ian Taylor:** To ask the Chancellor of the Duchy of Lancaster what advice is provided by his Department to firms contemplating offering industrial scholarships and other incentives to those going on to further and higher education.

Mr. Forth: Advice to firms contemplating various kinds of link with higher education, including sponsorship, will be included in a guide to good collaborative practice which the Department, in conjunction with the Council for Higher Education, will be publishing later this year.

Nissan

53. **Mr. Brazier:** To ask the Chancellor of the Duchy of Lancaster if he will make a statement on the export of vehicles manufactured by Nissan UK to the European Economic Community.

Mr. Alan Clark: My right hon. and noble Friend has recently received a letter from the Commission stating its view that, in the present state of Community law, there would be no justification, as far as the free circulation of goods is concerned, for treating Nissan UK production differently from other cars produced in the Community. United Kingdom-built Nissan cars are currently being distributed without obstruction in all their EC markets, and I trust that, in the light of the Commission's statement, exports will continue to go ahead smoothly.

Confederation of British Industry

54. **Mr. Riddick:** To ask the Chancellor of the Duchy of Lancaster when he last met representatives of the Confederation of British Industry; and what was discussed.

Mr. Newton: I last met the CBI on 24 November when I spoke at its conference on business opportunities in urban regeneration.

Standard Industrial Trade Classification

56. **Mr. Favell:** To ask the Chancellor of the Duchy of Lancaster how many of the standard industrial trade classification divisions within manufactured trade are currently *(a)* in surplus and *(b)* in deficit.

Mr. Atkins: Of the 35 divisions within sections 5-8 of the standard international trade classification (which correspond to manufactures), for the 10 months to October 1988, 12 are in surplus and 23 in deficit.

Society of British Aerospace Companies

57. **Mr. Gerald Howarth:** To ask the Chancellor of the Duchy of Lancaster when he last met representatives of the Society of British Aerospace Companies; and what matters were discussed.

Mr. Atkins: I last met representatives of the Society of British Aerospace Companies on 14 December 1988. We discussed export opportunities for the industry.

Life Assurance Policies

58. **Mr. Butterfill:** To ask the Chancellor of the Duchy of Lancaster whether he has received the new Securities and Investment Board disclosure rules relating to the sale of life assurance policies; and if he will make a statement.

Mr. Newton: The Securities and Investments Board has not published any new disclosure rules relating to the sale of life assurance policies. I have, however, received a copy of the consultative document "Life Assurance and Unit Trust Disclosure: the regime for 1990" published by the SIB on 14 December 1988. It will be for the SIB to draw up rules in the light of this consultation. Any such rules will be subject in the usual way to the competitive scrutiny by the Director General of Fair Trading and the Secretary of State provided by the Financial Services Act.

Central Selling Organisation for Diamonds

Mr. Nelson: To ask the Chancellor of the Duchy of Lancaster how many complaints the Office of Fair Trading has received this year about the activities of the Central Selling Organisation for Diamonds operating in London; when he will be replying; and if he will make a statement.

Mr. Forth: I understand that the Office of Fair Trading has received two complaints about the activities of the Central Selling Organisation for Diamonds. These are matters for the Director-General of Fair Trading to consider under the competition legislation for which he is responsible.

Value Added Tax

Mr. Steinberg: To ask the Chancellor of the Duchy of Lancaster what was the number of businesses registered for value added tax in *(a)* 1978 and *(b)* 1988 in the City of Durham district; and how many deregulations took place in 1988.

Mr. Atkins: Reliable estimates are not available before 1979. At the end of that year the total number of businesses registered for value added tax in the City of Durham district was 1,222. The latest reliable estimate is 1,368 for the end of 1987; there were 118 deregistrations during that year.

Footwear Imports

Mr. Campbell-Savours: To ask the Chancellor of the Duchy of Lancaster (1) whether he will meet with his European counterparts to discuss what action can be taken to deal with the level of imports of footwear from South Korea;

(2) whether he will introduce measures further to restrain imports of footwear from South Korea.

Mr. Alan Clark: The Commission is currently carrying out a Community-wide investigation into imports of footwear from South Korea and Taiwan. We shall need to see the Commission's findings and recommendations before deciding our position. I have no plans, at this stage, to discuss this issue with my European colleagues.

Mr. Campbell-Savours: To ask the Chancellor of the Duchy of Lancaster what representations he has received from Millers Footwear of Cockermouth on the level of South Korean imports into the United Kingdom of South Korean footwear.

Mr. Alan Clark: I have not received any representations from the company on this subject.

Mr. Campbell-Savours: To ask the Chancellor of the Duchy of Lancaster if he will list the arrangements that exist in each member country of the European Community for controlling imports of footwear from South Korea.

Mr. Alan Clark: As far as we are aware, the following restrictions exist on South Korean exports to particular member states:

France voluntary restraint arrangements on most types of footwear

Italy voluntary restraint arrangements on most types of footwear

Portugal certain quantitative restrictions: the details are not known

Spain certain quantitative restrictions: the details are not known

Mr. Campbell-Savours: To ask the Chancellor of the Duchy of Lancaster whether he will meet with representatives of the British Footwear Federation to discuss the level of imports of footwear from South Korea.

Mr. Alan Clark: I met two MP's and representatives of the footwear industry, including the British Footwear Manufacturers' Federation, in February 1988 to discuss footwear imports from the Far East. We have had no request for a further meeting with the federation. This might be appropriate when we know the EC Commission's findings and recommendations following its current investigation of footwear imports from Taiwan and South Korea.

Mr. Campbell-Savours: To ask the Chancellor of the Duchy of Lancaster whether he will consider the introduction of selective aid to the footwear industry to alleviate the damage to employment arising from the level of imports from South Korea of footwear.

Mr. Alan Clark: Regional selective assistance is available for eligible investment projects in the assisted areas undertaken by firms of all sizes in the footwear and other sectors. Also, my Department's enterprise initiative offers eligible firms a nationwide self-help package to improve management practice.

Mr. Campbell-Savours: To ask the Chancellor of the Duchy of Lancaster whether he would set up a footwear imports review group to evaluate the effect of South Korean imports into the United Kingdom on the British footwear industry.

Mr. Alan Clark: I have no plans to set up a review group for this purpose. The results of the investigation being undertaken by the EC Commission will be studied closely by my Department and the trade associations concerned.

Mr. Campbell-Savours: To ask the Chancellor of the Duchy of Lancaster what evidence he has as to the diversion of South Korean footwear from the American market to European markets due to a fall in the value of the dollar.

Mr. Alan Clark: Total exports of footwear by Korea have increased by 140 per cent. in United States dollar terms since 1985. The proportion taken by the United States of America has declined from 73 per cent. to 63 per cent. while the shares taken by the EC and the rest of the world have increased. It is not clear how much of this change is due to exchange rate movements and how much to other factors.

Mr. Campbell-Savours: To ask the Chancellor of the Duchy of Lancaster what impact he expects Her Majesty's Government's strategy for the exchange rate to have on the level of footwear imports into the United Kingdom from South Korea.

Mr. Alan Clark: It is not Government policy to depreciate the exchange rate to try to maintain competitiveness. Restraint of unit costs, which is in industry's own hands is the key to improved competitiveness. In fact, the South Korean won appreciated by 10 per cent. against sterling between the first and second halves of 1988.

Meat Exports

Mr. Cousins: To ask the Chancellor of the Duchy of Lancaster what was the volume and value in current and standard prices of meat exports, other than live animals, in each year since 1983, distinguishing between exports to the European Economic Community, North America and elsewhere.

Mr. Alan Clark: Exports of meat and meat preparations for 1983-87 by volume and value (which is only available in current prices) are given in the following table:

United Kingdom exports of meat and meat preparations

Volume in thousand metric tonnes
Value in £million

	1983		*1984*		*1985*		*1986*		*1987*	
	Volume	*Value*	*Volume*	*Value*	*Volume*	*Value*	*Volume*	*Value*	*Volume*	*Value*
EEC	283·7	433·9	267·2	403·0	268·5	422·9	267·4	446·0	309·7	536·3
North America	0·3	0·4	0·2	0·4	0·2	0·3	0·2	0·5	0·5	1·2
Rest of the World	57·7	61·4	79·8	87·6	64·6	74·2	83·5	75·5	68·1	88·4

Source: Overseas Trade Statistics.
Notes: EEC includes all Member States as at 1 January 1989 throughout;
Value on a fob basis;
Meat and meat preparations defined as Standard International Trade Classification Revision 2 Division 01.

Internal Market Council

Mr. Robert G. Hughes: To ask the Chancellor of the Duchy of Lancaster if he will make a statement on the Internal Market Council held on 21 December.

Mr. Maude: The Council, at which I represented the United Kingdom, reached agreement on 32 individual measures which contribute towards completion of the single market. This has brought the total number of single market measures agreed under the Greek Presidency to more than 50.

Important decisions reached by the Council included the final adoption of directives on the mutual recognition of higher education diplomas; trade marks; construction products; and a package of three directives relating to food law harmonisation (on quick-frozen foodstuffs, food additives and materials and articles intended to come into contact with foodstuffs). It also reached agreement on common positions on directives on the official inspection of foodstuffs; two directives to cut barriers to trade in pharmaceutical products (blood products and radiopharmaceuticals); and on the safety of machines under the Commission's "new approach" to technical harmonisation.

On the initiative of the United Kingdom the Council invited the Commission to bring forward a paper on the subject of barriers to takeovers in member states. It also discussed the proposal for an EC merger regulation.

At the Council Germany withdrew its reserve on the Italian plan for state aid to its steel industry.

Television Licensing

Mr. Grylls: To ask the Chancellor of the Duchy of Lancaster whether he will make a statement about future activities of the Television Licensing Organisation (TVLO).

Mr. Newton: I have given my consent under section 61(2) of the British Telecommunications Act 1981, to a subsidiary of the Post Office, Barton House Services Ltd., contracting to provide subscription management and monitoring services on behalf of the Post Office's TV licensing organisation to organisations providing satellite TV services. This will enable the Post Office to complement its current TV licensing activities and to use TVLO's expertise and resources in taking advantage of the new opportunities offered by the Government's framework for broadcasting which was set out in the White Paper "Broadcasting in the 90s: Competition, Choice and Quality," CM 517, November 1988. Any service provided by TVLO in this respect will be on a strictly commercial contractual basis and without any cross-subsidy from the services it performs for Government in respect of TV licensing itself.

House of Fraser

Mr. Rooker: To ask the Chancellor of the Duchy of Lancaster if he will make a statement on the investigations into the purchase of the House of Fraser.

Mr. Newton: On 29 September my right hon. and noble Friend the Secretary of State for Trade and Industry announced his intention to publish the report of the inspectors as soon as circumstances permit and on 25 November he announced his decision not to refer the takeover to the Monopolies and Mergers Commission. As the hon. Member will be aware both these decisions are the subject to proceedings for judicial review and it would not be appropriate for me to comment further on these matters at this stage.

Foam-filled Furniture

Mr. Tony Lloyd: To ask the Chancellor of the Duchy of Lancaster if he will make a statement on the consumer safety implications of the use of sprays marketed for the purpose of treating covers on flammable foam-filled furniture to make such furniture less flammable.

Mr. Forth *[holding answer 17 January 1989]:* Most of the spray fire-retardant treatments for furnishings now on the market can be quite effective, but they have limitations. The effectiveness depends on the amount taken up and this in turn depends on the fibre of which the fabric is made. Whilst a cotton fabric will absorb the requisite amount of fire retardant in water solution, the same fabric with a stain resistant finish may not, nor will many synthetic fibre fabrics. The feel of the fabric may be affected by the presence of the fire retardant salts. Because these treatments are water based they can be removed by spillage or by sponging. Treatment of the cover fabric will not affect the flammability of the foam. In consequence, use of such sprays to treat curtains is likely to be more reliable than treatment of furniture. Thorough and even treatment is required to ensure effectiveness, and in this respect professional treatments may be more reliable than do-it-yourself products.

There is now greater public awareness than formerly of the fire risks of furniture and furnishings. But for some years to come the furniture in most people's homes will not be made to the requirements of the new regulations. So people are likely to show increased interest in spray fire-resistant treatments. This makes it very important that they should not be misled about the effectiveness of such treatments, and we look to the trade to ensure that their instructions are adequate and their claims accurate.

Iran

Mr. Teddy Taylor: To ask the Chancellor of the Duchy of Lancaster what restrictions are at present imposed on exports to Iran; and what restrictions are imposed by other members of the European Economic Community.

Mr. Alan Clark *[holding answer 17 January 1989]:* Licences are required for export to Iran of goods which are subject to control under the Export of Goods (Control) Order 1987 (S.I., 1987, No. 2070), as amended.

Applications for such licences are examined in particular against the guidelines on the export of defence equipment to Iran and Iraq announced to the House by my right hon. Friend the Foreign and Commonwealth Secretary on 29 October 1985, (*Official Report*, Vol. 84, column 454). The Guidelines are being kept under constant review in the light of the ceasefire and developments in the peace negotiations.

There is no common EC policy on sales of controlled goods to Iran, and I am unable to comment on the national export policies of other EC member countries.

SOCIAL SECURITY

Pensioners

Mr. Andrew Bowden: To ask the Secretary of State for Social Security how many retirement pensioners (i) aged 65 to 79 years and (ii) aged 80 years and over both pay income tax and receive housing benefit.

Mr. Peter Lloyd: The latest available information is as follows:

(i) 130,000
(ii) 30,000

Source: Family Expenditure Survey 1986.

Notes:

1. Based on the "Impact of the reformed structure of Income Related Benefits" published in October 1987 and adjusted to take account of the 1988 Budget.
2. Married and unmarried couples count as one unit.

Mrs. Beckett: To ask the Secretary of State for Social Security what number and what proportion of pensioner households are in receipt of (i) occupational pension payments, (ii) income support, (iii) housing benefit and (iv) income support and housing benefit.

Mr. Peter Lloyd *[holding answer 5 December 1988]:* The latest information, taken from the family expenditure survey, indicates that in 1986 approximately 3·4 million (50 per cent.) pensioner tax units[1] were in receipt of occupational pension payments. The May 1988 Quarterly Statistical Enquiry indicates that approximately 1·7 million pensioners[2] were in receipt of income support. The latest information for housing benefit is for autumn 1987 when the estimated total number of pensioner households[3] in receipt of benefit was 3·8 million which included 1·3 million who were also receiving supplementary benefit. Up to date information is not available to enable income support or housing benefit recipients to be shown as a proportion of all pensioners households.

[1] A pensioner tax unit—a single person of pensionable age, or a married couple where the head is of pensionable age.
[2] Pensioners receiving income support are defined as those in receipt of a pensioner premium.
[3] A pensioner household—a single household of pensionable age or a married couple where at least one of the partners is of pensionable age.

National Insurance

Mr. Nicholas Brown: To ask the Secretary of State for Social Security what is the estimated full-year revenue effect in 1988-89 and 1989-90 of *(a)* abolishing the upper earnings limit for employees' national insurance contributions, *(b)* allowing personal allowances against such contributions and *(c)* *(a)* and *(b)* together.

Mr. Peter Lloyd: The estimated full year revenue effects are as follows:

	1988-89 £ *billion*	*1989-90* £ *billion*
(a)	+1·50	+1·65
(b)	−4·85	−5·15
(c)	−3·35	−3·50

These estimates assume that—

(i) The lower and upper earnings limits are retained for the purpose of assessing contracted-out contributions so that contracted-out rebates are unaffected.
(ii) Employers' secondary contributions are not subject to personal allowance.
(iii) Personal allowances are not transferable, and consist of the single person's allowance (in 1988-89 £2,605) except for married men who are all assumed to be entitled to married man's allowance (in 1988-89 £4,065).
(iv) Lower rates of contribution (5 per cent. and 7 per cent. compared with the standard NIC rate of 9 per cent.) are retained for the lower paid earning in excess of personal allowances.

Community Care Grants and Loans

Mr. Redmond: To ask the Secretary of State for Social Security what is the percentage of the cash budget paid to date to claimants using the two Doncaster social security offices seeking assistance from community care grants; what percentage of claims have been refused; what percentage of claimants were recommended to apply for social security loans; what percentage of the loan budget has been spent; what percentage of the national budgets have been spent to date; and if he will make a statement.

Mr. Peter Lloyd: Information on the numbers of applicants for social fund loans and grants processed and awarded, listed by local office, including information on budget allocations and expenditure, is available from the details held in the Library.

Information is available on the social fund application form to assist people in deciding whether to apply for a grant or a loan. Social fund officers are also available to provide additional information and help with form completion, but they do not recommend applicants to apply for loans in preference to grants. Upon receipt of an application the social fund officer will determine whether a grant or loan is appropriate.

Benefit Fraud

Mr. Redmond: To ask the Secretary of State for Social Security if, pursuant to his answer of 20 December, *Official Report*, column *214*, he will state the number of officers and their grades who are carrying out the investigation into benefit fraud in Doncaster; and what has been the cost to date.

Mr. Peter Lloyd: Three officers of Departmental grade LOI are currently involved in the investigation into benefit fraud in Doncaster. The cost to date has been about £18,000. The benefit savings yield to date is £56,974 gross.

Reduced Earnings Allowance

Mr. Cummings: To ask the Secretary of State for Social Security how many people in the Easington constituency, by ward, receive reduced earnings allowance at present, how many will receive reduced earnings allowance after April 1989; and what are the current amounts paid in reduced earnings allowance and the amounts expected to be paid out in reduced earnings allowance after April 1989.

Mr. Scott: Easington is served by Peterlee and Seaham local offices, although their boundaries are not coterminous with the constituency; information by ward is not available. At 12 January, 1,471 people were receiving reduced earnings allowance from the Peterlee office and

686 from Seaham. I regret that information relating to wards and the amounts of benefit paid could be provided only at disproportionate cost.

Mr. Cummings: To ask the Secretary of State for Social Security what criteria are used in assessing levels of reduced earnings allowance; what effect the receipt of other benefits, including invalidity benefit, has on the level of reduced earnings allowance; what plans there are to change such criteria; and if these changes have been advertised.

Mr. Scott: Entitlement to reduced earnings allowance arises where an industrial accident or disease causes disablement of at least 1 per cent. and a person's capacity to earn is reduced as a result. The level of benefit is calculated by comparing pre- and post-disablement earnings and is subject to a maximum of £26·88 a week at today's rates; it is not affected by receipts of other benefits. There are no plans to change the criteria for assessing the level of benefit. Information about the allowance is available in the Department's leaflet on industrial injuries disablement benefit.

Mr. Cummings: To ask the Secretary of State for Social Security (1) what safeguards are being introduced for those people who currently receive reduced earnings allowance, especially those on other social security benefits, when the proposed ending of the reduced earnings allowance takes place;

(2) how the proposed ending of the reduced earnings allowance will affect people over retirement age; and whether safeguards are being incorporated to ensure that retired persons do not lose out as a result of the April 1989 changes.

Mr. Scott: People in receipt of reduced earnings allowance who are of pensionable age and who retire on or after 10 April will no longer be entitled to the allowance. The vast majority of them will become automatically entitled to a new benefit, retirement allowance, which will be paid at 25 per cent. of the former entitlement to reduced earnings allowance. Retirement allowance will be uprated annually in line with prices. Beneficiaries of reduced earnings allowance who retire before 10 April will retain their entitlement, although the rate will not be reviewed. No special safeguards are being introduced. The change removes the long-standing and widely recognised anomaly by which compensation for loss of earnings can continue beyond retirement when earnings would normally have ceased in any case, and takes effect on retirement, when most people expect a reduction in their income.

Departmental Publications

Mr. Harry Barnes: To ask the Secretary of State for Social Security whether, pursuant to his answer of 21 December to the hon. Member for Derbyshire, North East, *Official Report*, column *308*, he will make it his policy to ensure that all statements in his Department's official publications are objective and factual.

Mr. Peter Lloyd: I have nothing further to add to that reply.

Income Support

Mr. Allen: To ask the Secretary of State for Social Security what is the average time for adjudicating decisions on reduced income support cases arising from leaving a job without reason in the Nottingham area.

Mr. Peter Lloyd: I regret that the information requested is not collected. However, in the four Nottingham offices —Castlegate, David lane, Shakespeare street and Station street—the average clearance time for all income support claims in the months April to November 1988 (the latest available figure) has been provisionally calculated as 5·2 days.

Mr. Turner: To ask the Secretary of State for Social Security what is the cash figure included in the April 1988 income support rates to represent the average water rate payment by an income support claimant.

Mr. Peter Lloyd: No specific amount is included in the income support rates for April 1988 for the payment of water rates.

Family Credit

Mr. Barry Field: To ask the Secretary of State for Social Security if he is now in a position to provide information on the number of single parent families in receipt of family credit.

Mr. Peter Lloyd: At the end of November, approximately 98,000 lone parent employees received family credit. No information is available about how many lone parents were among the 20,000 recipients of family credit where the parent was in self-employment.

Retirement Homes

Mr. Wilson: To ask the Secretary of State for Social Security how many places in residential homes for the elderly are supported by payments from his Department; what is the cost; and if he will provide the equivalent figures for each year since 1980.

Mr. Peter Lloyd: Payments by the Department of Social Security are not made for the purpose of supporting places in residential homes. Income support is available to help individuals with insufficient resources of their own to meet their fees in independent residential care and nursing homes.

The table sets out the number of people in independent homes receiving income support (formerly supplementary benefit), and the estimated annual cost, for each year since 1980. Information specifically about residential homes for elderly people is not available.

Supplementary Benefit (Income Support from April 1988) to people in independent residential care and nursing homes

	Number of claimants (000s)	*Estimated expenditure (current prices (£ million)*
December 1980	13	18
December 1981	13	23
December 1982	16	39
December 1983	26	104
December 1984	42	200
December 1985	70	348

	Number of claimants (000s)	Estimated expenditure (current prices (£ million)
February 1986	90	459
May 1987	117	671
May 1988	147	878

Benefits (North-East)

Mr. Garrett: To ask the Secretary of State for Social Security how many people are receiving income support, and how many of these are under the age of 25 years, from each office at Wallsend, North Shields and Saxon house, Newcastle upon Tyne.

Mr. Peter Lloyd: The number of people in receipt of income support by local office is:

	Number
Wallsend	7,787
North Shields	10,183
Newcastle East (Saxon house)	14,269

Source: Manual count of cases in action. The data are provisional and subject to revision.

I regret that information is not available on the number of these claimants who are under the age of 25 years.

Mr. Garrett: To ask the Secretary of State for Social Security how many people are receiving grants and loans, and how many are under the age of 25 years, from each office at Wallsend, North Shields and Saxon house, Newcastle upon Tyne.

Mr. Peter Lloyd: Information on the numbers of applications for social fund loans and grants processed and awarded, listed by local office, including information on budget allocations and expenditure, is available from the details held in the Library.

Separate statistics on the numbers of applicants under the age of 25 years are not collected. I regret, therefore, that this information could be obtained only at disproportionate cost.

Transitional Payments

Mr. Ashdown: To ask the Secretary of State for Social Security how many applications for transitional payments more than two months old are now outstanding *(a)* for south Somerset and *(b)* for the United Kingdom as a whole.

Mr. Peter Lloyd: The transitional payments unit processes applications as soon as the necessary information is received from the relevant local authority. A number of cases have not been processed because the inquiry forms have not been returned by local authorities. There are 70 inquiry forms, which have been outstanding for over two months, with South Somerset district council. Information on inquiries outstanding for over two months, in the United Kingdom as a whole, is not readily available.

Young People (Care)

Mr. Steel: To ask the Secretary of State for Social Security whether he has studied the recent report produced by Barnardo's entitled "I Can't Go Back To Mum And Dad"; and if he will make a statement about the effect of recent social security changes on young people leaving care who cannot return to their families.

Mr. Peter Lloyd: We have studied the Barnardo's report closely. We are monitoring the effects of the reformed social security system on all client groups, including the youngsters covered by this report. Once this monitoring has been completed we shall decide what, if any, action is needed.

Unemployment Benefit

Mrs. Beckett: To ask the Secretary of State for Social Security how many people in receipt of unemployment benefit have been unemployed for *(a)* less than two weeks, *(b)* between two weeks and six months and *(c)* for over six months, at the latest available date.

Mr. Peter Lloyd: The table shows the number of people in receipt of unemployment benefit analysed by duration of their current spell of unemployment. The figures relate to May 1988, the latest date for which they are available.

Duration of current spell of unemployment	Number of claimants
less than 2 weeks	12,683
between 2 weeks and six months	380,653
more than six months	242,480

Source: 5 per cent. sample.

Retirement Age

Mr. Harris: To ask the Secretary of State for Social Security, what proposals he has for the equalisation of the retirement age for men and women under the state pension schemes; what progress is being made towards their implementation; and if he will make a statement.

Mr. Peter Lloyd: Proposals for the equalisation of state pension age continue to be under consideration. Negotiations have begun on the EC directive completing the implementation of the principle of equal treatment for men and women in statutory and occupational social security schemes.

Agency Benefits Unit

Mr. Nigel Griffiths: To ask the Secretary of State for Social Security if he will give the average time and the range of times which it takes the agency benefits unit to process claims from patients seeking help with National Health Service charges; whether separate details are available in respect of dental claims; and whether there are any proposals to make the claim form AG1 shorter.

Mr. Andrew Welsh: To ask the Secretary of State for Social Security if he will give the average time taken by the agency benefits unit to complete and return form AG1; if he has any plans to improve this situation; and why dentists are not informed about the decision reached.

Mr. Peter Lloyd *[holding answer 13 January 1989]:* In the five weeks ending 9 December 1988 claims were, on average, cleared within six working days; 50·8 per cent. of claims were cleared within five working days and 91·4 per cent. within 10 working days. Since 5 December, a further

21 staff have been recruited for the agency benefits unit. Furthermore, the completion of claim form AG1 is being monitored with a view to improving its effectiveness. Form AG1 is used to claim help with the whole range of NHS charges. Claims in respect of dental charges are not separately identifiable.

Margaret Beckett: To ask the Secretary of State for Social Security, if he will publish in the *Official Report* the figures given in his answer on social security benefits on 7 December, *Official Report*, column *182*, at 1988 prices.

Mr. Peter Lloyd: The information is as follows:

	1978-79	*1979-80*	*1980-81*	*1981-82*	*1982-83*	*1983-84*	*1984-85*	*1985-86*	*1986-87*
Widow's allowance									
average number of beneficiaries (thousands)	36	37	34	34	33	32	31	30	30
expenditure (£ million)	142	140	126	120	107	106	103	97	97
Widowed mother's allowance									
average number of beneficiaries (thousands)	123	119	117	114	110	105	100	93	88
expenditure (£ million)	340	308	296	[2]296	[2]287	[2]283	[2]268	[2]248	[2]239
Death grant (by calendar year)									
awards (thousands)	583	593	593	591	597	600	[1]600	601	[1]600
expenditure (£ million)	35	30	25	24	23	22	21	21	20
Maternity grant									
awards (thousands)	622	659	654	[1]640	653	662	[1]700	694	[1]560
expenditure (£ million)	35	30	25	23	21	22	22	20	16

[1] Estimates
[2] Records of expenditure on widowed mother's allowance include amounts of additional pension payable.

Mr. Brian Wilson: To ask the Secretary of State for Social Security if he will list by local authority area the number of approved places in *(a)* private, *(b)* voluntary and *(c)* local authority residential homes for the elderly, for each year since 1980.

Mr. Roger Freeman: The information readily available over the period relates to the number of places for elderly and younger physically handicapped people in local authorities own homes and places registered in private and voluntary homes under the Registered Homes Act 1984. the information for the years ending 31 March 1981 to 1986 is published in "Residential Accommodation for Elderly and Younger Physically Handicapped People: All Residents in Local Authority, Voluntary and Private Homes Year ending 31 March 1981 to Year ending 31 March 1986 England", a copy of which is available in the Library. The provisional information for year ending 31 March 1987 is given in the table.

Number of places in residential care homes for the elderly and for younger physically handicapped people as at 31 March 1987 (provisional)

Local authority	*Places in local authority homes*	*Places in voluntary homes*[1]	*Places in private homes*[1]	*Total places in all homes*[1]
Northern Region	9,297	1,019	4,531	14,847
Cleveland	1,494	104	367	1,965
Cumbria	1,672	127	1,245	3,044
Durham	1,883	137	560	2,580
Northumberland	852	173	564	1,589
Gateshead	649	52	107	808
Newcastle upon Tyne	886	228	393	1,507
North Tyneside	509	63	738	1,310
South Tyneside	511	10	194	715
Sunderland	841	125	363	1,329
Yorkshire/Humberside	14,465	1,749	9,854	26,068
Humberside	2,325	187	2,625	5,137
North Yorkshire	2,004	821	2,893	5,718
Barnsley	698	0	243	941
Doncaster	748	77	345	1,170
Rotherham	677	16	73	766
Sheffield	1,813	44	282	2,139
Bradford	1,425	93	1,418	2,936
Calderdale	702	32	438	1,172
Kirklees	1,163	43	534	1,740
Leeds	2,165	382	709	3,256
Wakefield	745	54	294	1,093
North Western Region	17,347	4,673	15,337	37,357
Cheshire	2,134	775	1,083	3,992
Lancashire	3,985	691	6,768	11,444
Bolton	706	74	405	1,185
Bury	462	392	181	1,035
Manchester	1,842	233	700	2,775
Oldham	671	0	528	1,199
Rochdale	608	0	329	937
Salford	831	201	194	1,226

Local authority	Places in local authority homes	Places in voluntary homes[1]	Places in private homes[1]	Total places in all homes[1]
Stockport	637	36	588	1,261
Tameside	459	83	319	861
Trafford	521	122	613	1,256
Wigan	824	16	216	1,056
Knowsley	222	0	63	285
Liverpool	1,441	719	496	2,656
Sefton	705	1,075	1,816	3,596
St. Helens	316	84	92	492
Wirral	983	172	946	2,101
West Midlands Region	11,768	2,289	9,483	23,540
Hereford and Worcester	1,207	417	2,131	3,755
Shropshire	1,128	31	1,360	2,519
Staffordshire	2,147	370	1,740	4,257
Warwickshire	918	372	885	2,175
Birmingham	2,509	747	1,358	4,614
Coventry	677	45	601	1,323
Dudley	563	42	581	1,186
Sandwell	909	0	158	1,067
Solihull	324	166	82	572
Walsall	697	0	261	958
Wolverhampton	689	99	326	1,114
East Midlands Region	9,210	1,732	6,652	17,594
Derbyshire	2,116	431	1,717	4,264
Leicestershire	2,159	423	1,066	3,648
Lincolnshire	1,437	203	1,778	3,418
Northamptonshire	1,309	337	1,004	2,650
Nottinghamshire	2,189	338	1,087	3,614
Thames/Anglia Region	14,426	5,344	11,791	31,561
Bedfordshire	1,145	172	754	2,071
Berkshire	1,158	635	1,060	2,853
Buckinghamshire	1,029	874	507	2,410
Cambridgeshire	1,378	316	942	2,636
Essex	3,389	1,168	2,565	7,122
Hertfordshire	1,753	826	1,318	3,897
Norfolk	1,896	514	2,738	5,148
Oxfordshire	1,183	340	476	1,999
Suffolk	1,495	499	1,431	3,425
Inner London Region	6,785	2,173	874	9,832
Camden	578	206	71	855
Greenwich	560	0	109	669
Hackney	523	137	0	660
Hammersmith	461	106	16	583
Islington	651	58	32	741
Kensington	300	249	51	600
Lambeth	702	302	172	1,176
Lewisham	790	18	237	1,045
Southwark	682	300	0	982
Tower Hamlets	441	125	0	566
Wandsworth	568	636	186	1,390
Westminster	529	36	0	565
City of London	0	0	0	0
Outer London Region	9,156	4,392	4,655	18,203
Barking	379	0	38	417
Barnet	544	1,003	534	2,081
Bexley	437	5	45	487
Brent	437	159	72	668
Bromley	475	646	330	1,451
Croydon	608	320	698	1,626
Ealing	599	389	302	1,290
Enfield	550	56	354	960
Haringey	457	360	140	957
Harrow	412	134	396	942
Havering	514	0	303	817
Hillingdon	505	96	57	658
Hounslow	473	136	5	614
Kingston upon Thames	253	18	370	641
Merton	262	165	165	592
Newham	616	109	24	749
Redbridge	481	174	231	886
Richmond upon Thames	353	434	85	872
Sutton	338	176	299	813
Waltham Forest	463	12	207	682

Local authority	Places in local authority homes	Places in voluntary homes[1]	Places in private homes[1]	Total places in all homes[1]
Southern Region	13,658	7,759	26,655	48,072
Dorset	1,380	673	4,256	6,309
Hampshire	2,854	962	5,850	9,666
Isle of Wight	316	126	1,253	1,695
Kent	2,807	1,226	2,525	6,558
Surrey	2,016	1,845	1,962	5,823
East Sussex	1,491	1,527	5,465	8,483
West Sussex	1,602	1,135	4,086	6,823
Wiltshire	1,192	265	1,258	2,715
South Western Region	8,077	2,844	16,276	27,197
Avon	2,538	829	2,295	5,662
Cornwall	1,044	251	2,621	3,916
Devon	2,217	1,035	8,929	12,181
Gloucestershire	1,164	480	1,058	2,702
Somerset	1,114	249	1,373	2,736
England Total	114,189	33,974	106,108	254,271

[1] Includes homes exempt from registration under Section 1(5)(j) of the Registered Homes Act 1984.

EMPLOYMENT

Hotels (Standards)

60. **Mr. Cox:** To ask the Secretary of State for Employment if he has any plans to introduce minimum statutory standards for hotels.

Mr. Lee: No. Government regulation in this area would be costly. Bureaucratic, and unresponsive to the changing needs of the hotel industry and its customers. The national tourist boards are developing a voluntary classification scheme which has attracted widespread support. Consultations with the industry on the future shape of the scheme are continuing.

Labour Statistics

61. **Mr. Patnick:** To ask the Secretary of State for Employment by how much unemployment has fallen in inner city areas over the past year.

Mr. Lee: The number of unemployed claimants in inner city areas has fallen by almost 21 per cent. from 1,015,098 to 806,466 in the year to November 1988.

The comparison is affected by the change in the coverage of the unemployment count from September 1988, due to the new benefit regulations for young people aged under 18.

Mr. Allen: To ask the Secretary of State for Employment if he will meet the director of the Unemployment Unit to discuss the calculation of accurate unemployment totals; and if he will make a statement.

Mr. Lee: My right hon. Friend has no plans to do so and is satisfied that the official unemployment totals calculated by the Department of Employment are accurate.

Mr. Marshall: To ask the Secretary of State for Employment what is the latest estimate of the number of vacancies for skilled and semi-skilled workers in the Greater London area.

Mr. Lee: Information is not available in the form requested. However, a survey conducted in June 1988 which revealed around 150,000 vacancies in total in London, identified skilled and semi-skilled manual vacancies separately. The results have been published by this Department in a report, "The London Labour Market", a copy of which is in the Library.

Business in the Community

62. **Mr. Cran:** To ask the Secretary of State for Employment what plans he has to meet representatives from Business in the Community to discuss future plans for local enterprise agencies.

Mr. Lee: I recently met representatives of Business in the Community to discuss the opportunities for local enterprise agencies arising from the White Paper "Employment for the 1990s" published on 5 December. Officials of my Department are having more detailed discussions with Business in the Community and local enterprise agency directors, and I will be speaking on the subject in April at a conference of local enterprise agency chairmen organised by Business in the Community.

Construction Industry

Mr. Rooker: To ask the Secretary of State for Employment if he has any plans to seek to improve the safety record in the demolition section of the construction industry; and if he will make a statement.

Mr. Nicholls: New regulations are being prepared which provide for the management and co-ordination of health and safety on multi-contractor sites, increase the number of safety supervisors in smaller companies and amend the site notification procedure to identify sites where there are high risk activities. The introduction of regulations which would make the wearing of safety helmets compulsory on construction sites is also planned.

In addition to concentrating on the inspection of the more hazardous activities in the industry such as demolition and roofwork, Health and Safety Executive (HSE) inspectors will also be paying more attention to the quality of site management and its ability to manage health and safety.

Inspectors will be looking at the level of training and supervision that has been provided and the precautions that have been taken to control the risks posed by demolition activities and will continue to draw attention to

HSE published guidance on this subject. They will pursue their inquiries and any enforcement action to the highest levels in companies which do not measure up to the standards expected of them.

YTS

Mr. McLoughlin: To ask the Secretary of State for Employment whether he proposes to make any changes in the YTS in 1989-90.

Mr. Cope: The Government want to ensure that more trainees are able to gain vocational qualifications on completion of YTS training to enable them to get jobs. We want YTS to set an example of training based on achievement of standards of performance. YTS will therefore increasingly encourage the achievement of nationally recognised vocational qualifications and managing agents with particularly successful records. Paperwork will be simpler.

The Government's guarantee of an offer of a suitable place to all young people under 18 who do not have a job remains unchanged.

From April 1989, a new five-tier system of premium grants for special training will come into effect. These grants, payable over and above the basic YTS grant, will provide a more sensitive and selective approach to the funding of special training for groups of young people with particular needs. Each of the five levels of payment will have a value of £500 per filled place per year, giving a maximum of £2,500.

There are to be no other changes in YTS funding, or of the first and second year trainee allowances. These decisions reflect the Government's policy of ensuring suitable provision for young people with special training needs, while encouraging employers to contribute an increasingly larger share of the costs of YTS training.

Loan Guarantee Scheme

Mr. Mans: To ask the Secretary of State for Employment if he will make a statement about the future of the loan guarantee scheme.

Mr. Cope: I have recently announced the continuation of the loan guarantee scheme which was due to end on 31 March this year. In addition, the maximum loan available will be increased from £75,000 to £100,000.

There continues to be a demand for the LGS from firms that could not otherwise raise finance. On average in 1988, 180 loans per month were authorised. The survival rates of LGS borrowers have improved throughout the period that it has operated. We shall continue to keep under review the level of use of the scheme and whether firms could have obtained finance without using the LGS.

Mr. Leighton: To ask the Secretary of State for Employment what proportion of technical and vocational education initiative pupils stay on until 18 years of age.

Mr. Cope: In England and Wales, 21 per cent. of pupils who entered TVEI pilot projects stayed on until 18 in 1987; and 22 per cent. in 1988. In Scotland, where many pupils complete their highers at the age of 17, 13 per cent. of pupils stayed on until 18 in 1988.

Written Answers to Questions

Thursday 19 January 1989

FOREIGN AND COMMONWEALTH AFFAIRS

Conference on Security and Co-operation

Mr. Tony Lloyd: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will publish in the *Official Report* the finally agreed text of the conference on security and co-operation in Europe in Vienna; and if he will make a statement.

Mr. Waldegrave: The Vienna concluding document will be published as a White Paper, as will my right hon. and learned Friend the Foreign Secretary's speech at the concluding session of the Vienna CSCE meeting.

In the meantime, copies of both the document and the speech will be placed in the Library of the House and issued to members of the public on request.

Mr. Atkinson: To ask the Secretary of State for Foreign and Commonweath Affairs if he will make a statement on the terms of the concluding document of the Vienna CSCE review conference.

Mr. Waldegrave: I refer my hon. Friend to the answer that I gave to him on 11 January, at column *830*. The Vienna concluding document contains greatly improved commitments on human rights and contacts, including an important new mechanism for the regular review of human rights abuses, and provides for increased co-operation in economic, scientific, environmental, information, cultural and educational fields. It contains a substantial programme of follow up activities including an information forum in London in April/May 1989 and opens the way to negotiations in March on conventional arms control and confidence and security building measures.

Cyprus

Mr. Gardiner: To ask the Secretary of State for Foreign and Commonwealth Affairs whether the Government still consider, as indicated to the House on 23 October 1987, that the 1986 United Nations plan for a binational federal Government of Cyprus in which the two communities share power as equal political partners forms a good basis for settlement.

Mrs. Chalker: We continue to believe that the United Nations Secretary-General's draft framework agreement of March 1986 formed a good basis for a Cyprus settlement. But events have moved on. The leaders of the two communities, President Vassiliou and Mr. Denktash, accepted the Secretary-General's proposal last August that, without any pre-conditions, they should make a fresh attempt to negotiate a comprehensive settlement by 1 June 1989. Their talks continue, with the aim of agreeing the basis for a settlement in present circumstances. We have encouraged each side to negotiate constructively, taking the basic concerns of the other fully into account.

Iran

Mrs. Mahon: To ask the Secretary of State for Foreign and Commonwealth Affairs what reports he has received of executions in Iran in the last three months; and if he will list them.

Mr. Waldegrave: We have received regular press releases and reports of political executions from a variety of sources including Amnesty International.

We have also received reporting on this subject from our mission in Tehran.

We examine all such reports with great care.

Turkey

Mrs. Mahon: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations the Government have made to the Turkish Government concerning improvements in human rights in Turkey; and if he will make a statement.

Mr. Eggar: My right hon. Friend the Minister of State raised the subject of human rights with the Turkish ambassador on 12 December 1988. We continue to urge the Turkish Government to maintain the improvement in human rights there has been in recent years and to respect and abide by the terms of the relevant international human rights conventions to which Turkey is a signatory.

Foreign Compensation (China)

Mrs. Gillian Shephard: To ask the Secretary of State for Foreign and Commonwealth Affairs what progress is being made in implementing the Foreign Compensation (People's Republic of China) Order 1987.

Mr. Eggar: Very good progress is being made. 2,032 claims in respect of bonds and 989 claims in respect of property had been received by the Foreign Compensation Commission (which is being assisted with regard to the administrative aspects of the work by the private accountants Ernst and Whinney) by the two deadlines of 30 June and 31 August 1988 laid down in the 1987 order. Of these, 1,488 claims in respect of bonds and seven in respect of property had been determined by the commission by 13 January.

Adjudication of property claims takes time. The issues raised by many claims are complex. It is hoped, however, that the final distribution from the China fund can be made by late 1990.

In the meantime, my right hon. and learned Friend the Secretary of State has directed that an interim payment of 5 per cent. of the value assigned to a bond should be paid to successful claimants in respect of bonds as from the end of January.

PUBLIC ACCOUNTS COMMISSION

Parliamentary Questions

Mr. French: To ask the Member answering for the Public Accounts Commission how many oral parliamentary questions he has answered by written reply because the question was not reached at Question Time, for the most recent year for which figures are available.

Sir Peter Hordern: None, during 1988.

HOUSE OF COMMONS

Parliamentary Questions

Mr. French: To ask the Lord President of the Council how many oral parliamentary questions he has answered by written reply because the question was not reached at Question Time, for the most recent year for which figures are available.

Mr. Wakeham: Twenty two, during 1988. Fifteen of which I answered on behalf of my right hon. Friend the Prime Minister.

SOCIAL SECURITY

Departmental Job Dispersal

Mr. Allen: To ask the Secretary of State for Social Security what plans he has to move jobs in his Department to locations in the Nottingham, North constituency; and if he will make it his policy to inform the hon. Member for Nottingham, North of any developments.

Mr. Peter Lloyd: For our plans for relocating some work from sone London local social security offices I refer the hon. Member to the reply given to my hon. Friend the Member for Epping Forest (Mr. Norris) on 16 January, at columns *44-45*.

A team of officials are considering options for moving some headquarters work out of London and are investigating all possible locations which will allow us to improve efficiency. We shall make a full announcement of our conclusions in due course.

Maintenance Orders

Mr. Frank Field: To ask the Secretary of State for Social Services whether the arrangements for diversion of maintenance orders for women receiving income support are still as described in paragraphs 13.20-22, "Supplementary Benefits Handbook 1984."

Mr. Peter Lloyd: The arrangements are generally the same. There is a slight change in that claimants are no longer invited to arrange for the court to pass their court order payments to the Department, rather than direct to them, where the order is paid with complete regularity.

Unemployment Benefit

Mr. Ronnie Campbell: To ask the Secretary of State for Social Security how many people in Blyth Valley had their unemployment benefit stopped because they were considered not to be available for work in January 1988.

Mr. Peter Lloyd: I regret that information is not available in the form requested. Statistics on adjudication officers' decisions are compiled quarterly for the areas covered by adjudication offices, each of which cover a number of benefit offices. For the quarter ended 31 March 1988, the records for the adjudication office area of Newcastle, which includes the constituency of Blyth Valley, show that 246 adverse decisions on availability for work were given.

Mr. S. W. Brass

Mr. Heddle: To ask the Secretary of State for Social Security when his Department's Central Office at Longbarton, Newcastle, will provide the information requested by Mr. S. W. Brass of 58 Sandy lane, Rugeley, Staffordshire, on behalf of Mrs. D. E. Brass regarding non-receipt of her retirement pension for the weeks commencing 7 and 14 November, Reference 02707276 ZT.

Mr. Peter Lloyd: Non-payment of retirement pension in respect of Mrs. Brass for the weeks commencing 7 and 14 November 1988 has now been confirmed and immediate payment of the amount due will be made by the Cannock local office.

Children (Access Visits)

Mr. Kirkwood: To ask the Secretary of State for Social Security (1) what guidance is issued to local offices on payment of fares to a parent who is seeking to make an access visit to his or her child;

(2) whether financial help is available to a mother who has to travel long distances for an access visit to her child in order to comply with a custody order;

(3) what help is available to parents seeking help with transport costs in order to pay access visits to their children.

Mr. Peter Lloyd: A community care grant from the social fund may be awarded to a parent receiving income support to cover travelling costs to visit a child who is in the care of the other parent pending a custody decision. Once custody has been decided help can not be given.

Guidance and directions for the award of such payments appear in the "Social Fund Manual". A copy is in the Library.

NATIONAL FINANCE

Public Expenditure White Paper

Mr. Robert G. Hughes: To ask the Chancellor of the Exchequer when he expects to publish the 1989 public expenditure White Paper.

Mr. Major: The 1989 public expenditure White Paper will be published at 3.30 pm on Monday 30 January, and copies will be made available in the Vote Office.

West German Minister

Ms. Quin: To ask the Chancellor of the Exchequer when he last met his West German counterpart; and what was the content of their discussions.

Mr. Lilley: My right hon. Friend the Chancellor meets his counterparts in other countries from time to time to discuss a range of issues of mutual interest.

Interest Rates

Mr. McAllion: To ask the Chancellor of the Exchequer if he will make a statement on the current level of interest rates.

Mr. Lilley: Bank base rates are 13 per cent.

Crown Estate Commissioners

Mr. Barry Field: To ask the Chancellor of the Exchequer what matters were discussed when the Crown Estate Commissioners met him to present their annual report.

Mr. Lawson: I met the commissioners on 13 July 1988. We discussed the performance of the Crown Estate in 1987-88 and their broad programme for the future years. I regret that I cannot disclose the specific issues discussed as they are subject to commercial confidentiality.

Mortgage Interest Rates

Mr. Grocott: To ask the Chancellor of the Exchequer what information he has as to how many households have their mortgage interest payments adjusted annually.

Mr. Lilley: Figures released by the Building Societies Association in July 1988 showed that 37 per cent. of borrowers with the largest 14 building societies had their mortgage payments adjusted once a year. No information is available for banks and other mortgage lenders.

Labour Statistics

Mr. Hanley: To ask the Chancellor of the Exchequer what has been the growth of *(a)* self employment and *(b)* part-time employment in the United Kingdom since 1979.

Mr. Major: Between June 1979 and September 1988 the number of self-employed people in Great Britain rose by 60 per cent. to nearly 3 million. Over the same period, the part-time workforce in employment rose by 30 per cent. to over 6 million.

Mr. Patrick Thompson: To ask the Chancellor of the Exchequer in which regions adult unemployment has fallen over the past year.

Mr. Major: Adult unemployment has fallen in every region of the United Kingdom over the last year, and fastest in the west midlands, the north-west and Wales.

Mr. Barry Field: To ask the Chancellor of the Exchequer what has been the fall in the number of long-term unemployed aged 18 to 24 years since October 1986.

Mr. Major: The latest available figures for October 1988 show that the number of long-term unemployed aged between 18 and 24 has fallen by one half since October 1986.

Private Shareholders

Mr. Greg Knight: To ask the Chancellor of the Exchequer what is his latest estimate of the number of private shareholders in the United Kingdom.

Mr. Norman Lamont: The joint Treasury and stock exchange survey carried out in January and February 1988 estimated that approximately 9 million people own shares, 20 per cent. of the adult population. This represents a threefold increase since 1979.

Anti-Dumping Duties

Mr. Oppenheim: To ask the Chancellor of the Exchequer (1) how much in anti-dumping duties on electronic typewriters was collected by Her Majesty's Customs and Excise in the last year for which figures are available;

(2) how much in anti-dumping duties on daisy wheel printers was collected by Her Majesty's Customs and Excise in the last year for which figures are available;

(3) how much in anti-dumping duties on dot matrix printers was collected by Her Majesty's Customs and Excise in the last year for which figures are available;

(4) how much in anti-dumping duties on photocopiers was collected by Her Majesty's Customs and Excise in the last year for which figures are available;

(5) how much in anti-dumping duties on microchips was collected by Her Majesty's Customs and Excise in the last year for which figures are available.

Mr. Lilley *[holding answer 16 January 1989]:* The following information is in respect of duty collected in the 12 months to November 1988:

Category	*Anti-dumping duty (£000's)*
Electronic typewriters	238
Daisy wheel printers and dot matrix printers[1]	140
Photocopiers	5,186
Microchips	[2]

[1] Separate figures for daisy wheel and dot matrix printers are not available. Anti-dumping duty was imposed on dot matrix printers in May 1988 and on daisy wheel printers in July 1988.
[2] Anti-dumping duty is not levied on microchips.

ATTORNEY-GENERAL

Land Registration

Mr. Heddle: To ask the Attorney-General if he will investigate the reasons for the delay regarding registration No. WSX 131547; and when the district land registrar of Her Majesty's Land Registry, Weymouth, will conclude this matter.

The Attorney-General: The registration of title number WSX131547 was completed on 6 January 1989. Completion of the registration was delayed because replies to requisitions raised by the Land Registry in respect of prior applications, which affected the land in title number WSX131547, had not been received.

Latent Damage Act

Mr. Heddle: To ask the Attorney-General if he has any plans to monitor the working of the Latent Damage Act; and if he will make a statement upon the aspect of deliberate concealment.

The Attorney-General: The Lord Chancellor has no plans to do so at present since it is too early to say whether such an exercise is necessary.

The Latent Damage Act 1986 provides that the overriding time limit of 15 years in an action for negligence is not to apply where there has been deliberate concealment of any fact by the defendant. A defendant will therefore not be able to take advantage of his own wrongdoing by relying on the lapse of time.

Freehold

Mr. Heddle: To ask the Attorney-General when he plans to introduce legislation embodying the Law Commission working group's recommendations contained in "Commonhold Freehold Flats and Freehold Ownership of Other Independent Buildings"; and if he will make a statement on the position of existing flat leaseholders' rights to conversion to any such commonhold system.

The Attorney-General: The Lord Chancellor announced on 8 June 1988 that the Government have arranged for legislation to be prepared at the Law Commission giving effect to the recommendations made in the working group report (Cm. 179).

Decisions on the implementation of the recommendations, and the circumstances in which leaseholds of flats should be convertable into freeholds within commonholds are being considered and will be announced in due course.

PRIME MINISTER

Space Debris

Q53. **Mr. Kirkwood:** To ask the Prime Minister if she will take steps to mount a space mission to investigate the extent of space debris in the earth's orbit.

The Prime Minister: This is an area in which it is natural to work through the European Space Agency and where the United Kingdom and other member states are due shortly to consider a working party report. There are, however, no immediate United Kingdom or ESA plans for a space mission to study space debris.

Newport, Gwent

Q87. **Mr. Flynn:** to ask the Prime Minister if she intends to pay an official visit to the Duffryn area of Newport, Gwent.

The Prime Minister: I have at present no plans to do so.

Cabinet Ministers (Share Dealings)

Mr. Roberts: To ask the Prime Minister what are the guidelines for Cabinet Ministers' dealings in shares.

The Prime Minister: A memorandum by the then secretary of the Cabinet, which included the guidance given to Ministers on this matter, was submitted in evidence to the Royal Commission on standards of conduct in public life in 1975. A copy is in the Library. The current guidance is to all intents and purposes the same and continues to be based on the principle that Ministers must so order their affairs that no conflict arises, or appears to arise, between their private interests and their public duties.

Engagements

Mr. Barry Field: To ask the Prime Minister if she will list her official engagements for Thursday 19 January.

Mr. Harry Greenway: To ask the Prime Minister if she will list her official engagements for Thursday 19 January.

Mr. Sumberg: To ask the Prime Minister if she will list her official engagements for Thursday 19 January.

Mr. Cran: To ask the Prime Minister if she will list her official engagements for Thursday 19 January.

Mr. Gill: To ask the Prime Minister if she will list her official engagements for Thursday 19 January.

Mr. Stern: To ask the Prime Minister if she will list her official engagements for Thursday 19 January.

Mr. Evennett: To ask the Prime Minister if she will list her official engagements for Thursday 19 January.

The Prime Minister: This morning I presided at a meeting of the Cabinet and had meetings with ministerial colleagues and others. In addition to my duties in the House I shall be having further meetings later today, including one with the Premier of Quebec.

Government Legal Services

Mr. Key: To ask the Prime Minister whether Sir Robert Andrew's report of his review of the Government legal services is to be published; and if she will make a statement.

The Prime Minister: Last year I asked Sir Robert Andrew to undertake a review of Government legal services and to make recommendations on what legal services the Government need, how they can be provided most effectively and economically and what changes are needed in the management of legal staff so as to make best use of them. Sir Robert's report is being published today. Copies have been placed in the Library of the House. I am grateful to Sir Robert Andrew for the work he has put into the report.

Sir Robert Andrew concludes that the Government continue to need a wide range of legal services provided to a high standard and that the need for them is likely to go on increasing. He considers it likely that the bulk of these services will continue to be provided within Government, but Departments should decide on cost-effectiveness grounds whether to meet their needs in Government or outside. He suggests that some of the bodies providing services of a legal nature to the public might usefully become executive agencies and that the relocation of some work out of London should prove cost-effective. The Government accept these conclusions.

The report proposes some adjustments in organisation to improve the effectiveness of legal services. In the light of these recommendations, I have decided to make the following changes in England and Wales. Under the ministerial direction of the Attorney-General, the Treasury Solicitor will become the head of the Government legal service. As head of profession he will advise on the personnel management of lawyers across Departments, and will be supported in this by a new lawyers management unit. The present Law Officers Department will be renamed the Legal Secretariat to the Law Officers, and the legal departments for which the Attorney-General is the ministerial head (the Treasury Solicitor's Department, the Legal Secretariat to the Law Officers, the Crown Prosecution Service, and the Serious Fraud Office) will be known collectively as the Law Officers Departments. The Lord Chancellor's Department will take over responsibi-lity for the Statutory Publications Office from the Treasury Solicitor's Department, probably in April 1990.

The report makes a number of recommendations aimed at improving the management of lawyers. The Government accept these recommendations and agree that greater effort needs to be put into recruitment and that the areas of recruitment should be broadened. They believe that the Government legal service as a whole will benefit from more co-ordinated personnel management and from improved training and career management. The new lawyers management unit will have a key role in helping the Treasury Solicitor as head of profession work with Departments in implementing the report's recommendations.

Sir Robert Andrew also makes a number of recommendations to improve the pay of lawyers. The Government welcome his emphasis on the need for selectivity in considering special pay treatment for lawyers, which is consistent with the Government's policies on pay. The report also recognises the Government's comparatively greater difficulties of recruiting and retaining lawyers in London, which have already led to the establishment of special London pay scales for lawyers at grades 6 and 7 from April 1988.

Lawyers at grades 2 and 3 form part of the senior open structure, whose pay is decided by the Government on the recommendations of the Top Salaries Review Body. The Government are consulting the TSRB about the recommendations which affect these grades and will respond to this part of the report when they have received the TSRB's views.

Subject to consultations with the unions, the Government propose to respond to the recommendations of the pay of grades below the senior open structure as follows.

Around £2,500 a year will be added to the pay of all lawyers in grades 4 and 5 working in London. For grade 5 this will take the form of two points on the pay scale. Staff at grade 4 will receive a £2,500 allowance.

In addition, it is proposed that up to three points on the scale should be made available as personal pay points for certain grade 5 lawyers selected on the basis of their skills, experience, marketability and value to the Department. Broadly similar treatment will be applied to grade 4.

The Government regard it as important that all at grade 5 should be eligible for performance pay. For lawyers (including those in London) without personal pay points, up to four performance points will continue to be available. For those on the highest personal point, it is proposed that two should be available.

Lawyers in grades 5 to 7 are covered by the long-term pay agreement of July 1988, under which these grades will receive pay increases of 4 per cent. from 1 April 1989 and a further review from 1 August 1989 informed by a survey of pay levels in the private sector.

The Government do not propose to make personal pay points available at grades 6 and 7. But grade 6 lawyers in London will receive an additional scale point, worth around £1,100.

It is proposed to make these changes to pay in response to Sir Robert Andrew's recommendations from 1 April 1989.

THE ARTS

Museums Training

Mr. Hayes: To ask the Minister for the Arts what developments there have been on museums training following his statement on 17 March 1988.

Mr. Luce: In my statement of 17 March 1988 I welcomed the Museums and Galleries Commission working party report on museums training and career structure, which was published in July 1987.

I was pleased to announce that my Department, with the MSC, was providing support and financial assistance for a museums skills needs assessment study to identify key skills and competencies. This study, for which the principal agent is the Museums Association, is now almost completed and will result in the production of new modules for the training of those currently or prospectively working in museums.

In my 17 March statement I said that it was not my intention to set up a Museums Training Council with regional panels in the form recommended by the MGC report. I considered it appropriate that the primary responsibility for museums training should rest with the museums industry itself, and that the continuing developments in this area should be overseen and guided by a consortium representing the main sectors of the museums industry. I indicated that I would be consulting further about the composition of such a consortium.

I am pleased to announce that discussions with interested parties, including the representatives of museums interests on the steering committee for the training needs assessment study, have resulted in a proposal that the Museums Association should establish a museums training institute, which would be a subsidiary charitable company of the association. The museums training institute would be responsible for forming a view on the museum industry's training needs, identifying standards for occupations in the industry, reviewing the content and delivery of training, promoting the provision of training, providing training in selected areas and validating training courses. It is the intention that the board of the institute will consist of an independent chairman, members representing the Museums Association, the national, local authority and independent museums, the Museums and Galleries Commission, the area museum councils, and a number of independent members.

If this proposal is to be developed, as I hope it will be, it is important that the interested parties, including the museums industry and museums organisations, work together to ensure its success. The Office of Arts and Libraries will be contributing £25,000 towards the initial start-up costs of the museums training institute, and towards the preparation of a business plan. Looking beyond the information of the institute, I am prepared to provide limited funding on a pump-priming basis for a period of up to five years. I shall look to the museums industry and employers to contribute a progressively increasing share of the costs of the institute following the substantial public investment in the development of museums training by the Office of Arts and Libraries and the Training Agency.

In the past 18 months considerable progress has been made in the development of museum training. The analysis of key skills and competencies has provided a sound basis for further progress and I shall continue to take a close interest in progress towards the establishment of a lead industry body for the museums sector which will carry forward and develop these initiatives.

CIVIL SERVICE

Foreign and Commonwealth Office (Disbursements)

Mr. Tony Banks: To ask the Minister for the Civil Service, pursuant to his reply of 10 January, *Official Report*, column *482*, where information relating to the £209,756 of disbursements made by his Department to the Foreign and Commonwealth Office in 1987-88 is to be found; and in what form.

Mr. Luce: I have nothing further to add to the answer I gave to the hon. Member on 7 November 1988, at column *40*.

EDUCATION AND SCIENCE

Nursery Education

Mr. Harry Greenway: To ask the Secretary of State for Education and Science (1) what is his policy on the education of under-fives; and if he will make a statement;

(2) if he has any plans for earmarked grants for the development of education for the under-fives; and if he will make a statement.

Mrs. Rumbold: My right hon. Friend has no plans affecting the funding arrangements for the education of the under-fives. The Government will make a full statement of its policies on the education of the under-fives when responding to the report of the Education, Science and Arts Committee on educational provision for the under-fives, published on 11 January.

Expenditure (Late Claims)

Mr. Simon Hughes: To ask the Secretary of State for Education and Science (1) pursuant to his reply of 10 January, *Official Report*, column *483*, to the hon. Member for Southwark and Bermondsey, how late claims for 1987-88 expenditure by local education authorities are treated in relation to the allocations of grant expenditure between local education authorities for the current year; whether the allocations for the current year were set in the light of expected late claims by some authorities; and if he will make a statement;

(2) pursuant to his reply of 10 January, *Official Report*, column *483*, to the hon. Member for Southwark and Bermondsey, if he will publish a list of the late claims for 1987-88 made to date by local education authorities, showing the amount claimed by each authority; what further information is available to his Department about any other outstanding claims for that year; and if he will make a statement;

(3) when 1988-89 allocations under the local education authority training grants scheme were determined; what steps were taken to provide carry forward arrangements to compensate individual authorities for any failure to claim money under the scheme in 1987-88; and if he will make a statement.

Mrs. Rumbold: Claims submitted to date in the current financial year, which were due in the 1987-88 financial year, are as follows:

Local Education Authority	*Amount* £	*Claim for Quarter*[1]
Barnet	358,880	2
Barnsley	66,134	2
Barnsley	205,430	3
Croydon	159,675	3
Ealing	120,400	1
Ealing	121,800	2
Ealing	176,900	3
Hertfordshire	658,466	3
Salford	250,537	3
Waltham Forest	134,670	3
Wiltshire	222,940	2
Wiltshire	359,805	3

[1] Claims to cover estimated expenditure were due on the following dates:

Quarter 1	1 June	1987
Quarter 2	1 September	1987
Quarter 3	1 December	1987

In addition, Barnet, Harrow and Hillingdon LEAs did not submit separate claims for one or more of these quarters and Liverpool LEA has not yet submitted a claim for the third quarter.

Authorities were asked to make provisional end of year claims for expenditure incurred in 1987-88 as soon as possible after the end of the financial year. The following authorities have not yet done so:

Dorset, Liverpool, Sunderland and Waltham Forest.

The maximum amounts of expenditure in 1988-89 which would be grant-aided under the local education authority training grants scheme were notified provisionally to authorities in August 1987 and confirmed in December 1987. These amounts were based on proposals made by authorities and relative pupil and student numbers. They took no account of lateness of claims as eligible claims for 1987-88 will continue to be met from authorities' allocations for that year even when submitted late.

Cash Limits

Mr. Simon Hughes: To ask the Secretary of State for Education and Science if he will give details of the end year flexibility scheme for his Department's 1987-88 cash limits, showing *(a)* eligible expenditure, *(b)* maximum carry-forward and *(c)* actual carry-forward in each case.

Mrs. Rumbold: I refer the hon. Member to the reply given by my right hon. Friend the Chief Secretary to the Treasury on 21 July 1988, at columns *725-28*, to a question from my hon. Friend the Member for Hornchurch (Mr. Squire). The increases in provision for 1988-89 arising from capital underspend in 1987-88, allowed under the end-year flexibility scheme, were £2·180 million on class XII, vote 1, where the eligible expenditure was £43·606 million; and £0·370 million on class XII, vote 3, where the eligible expenditure was £153·640 million. In each case the carry-forward was the maximum permitted under the end-year flexibility scheme.

Mr. Simon Hughes: To ask the Secretary of State for Education and Science if he will give details of 1987-88 underspending of his Department's 1987-88 cash limits for items in class XII, vote 1, which were outside the end of year flexibility scheme showing *(a)* expenditure authorised in the Vote and *(b)* the amount underspent in each case and of the adjustments that have been made to expenditure plans for later years to compensate for the underspending in 1987-88.

Mrs. Rumbold: The cash limit for class XII, vote 1 in 1987-88 was £378·9 million. Expenditure was £348·5 million. Of the total underspend of £30·4 million, £25·6 million was accounted for by the level of claims for the LEA training grant scheme and £1·8 million by the level of claims for education support grants. The remaining underspend arose from a variety of causes across the Vote. The level of provision for the LEA training grant scheme and for education support grants in 1988-89 has been set to allow for claims arising in respect of earlier years.

Halls of Residence

Mr. Nigel Griffiths: To ask the Secretary of State for Education and Science (1) what arrangements the University Grants Committee is making to continue to meet the rating bills of halls of residence of universities in England, Wales and Scotland for the financial year 1989-90; and what representations he is making to the University Grants Committee to ensure that it does not cease to meet the costs of commercial rates in Scottish halls of residence while halls in England and Wales receive monies to cover their rates;

(2) if he will meet representatives of local authorities to discuss the impact on their revenues of any reduction in tourism arising out of the withdrawal of university halls of residence from commercial letting as a result of University Grants Committee funding changes accompanying the introduction of the community charge;

(3) what calculation he has made of the impact on tourism of the possible withdrawal of university halls of residence from commercial letting as a result of any reduction in University Grants Committee funding of the commercial rates paid by halls to local authorities;

(4) if he will meet representatives of local authorities to discuss the impact on their revenues of any reduction in tourism arising out of the withdrawal of university halls of residence from commercial letting as a result of University Grants Committee funding changes accompanying the introduction of the community charge.

Mr. Jackson: Rates paid in respect of university halls of residence are not currently reimbursed by the University Grants Committee. A decision by the Universities Funding Council not to reimburse the cost of business rates payable, after the introduction of the community charge, in respect of halls of residence used for commercial letting would effectively maintain the present position and therefore should not affect the commercial letting of university halls of residence or have an adverse impact on tourism or revenue received by local authorities.

Open University

Mr. Cohen: To ask the Secretary of State for Education and Science whether he has discussed with officials of the Open university the impact of the under supplementation against inflation; and if he will make a statement.

Mr. Jackson: An additional £12·9 million is being made available to the Open university over the next three years. Recurrent grant for 1989 of £68·4 million is over 7 per cent. higher than in 1988. Decisions on grant take full account of advice received from the Open university visiting committee, and of regular discussions with officers of the university.

WALES

Wrexham Water Works Company

Mr. Barry Jones: To ask the Secretary of State for Wales whether the Wrexham Water Works Company is above or below the £30 million assets line; and if he will make a statement.

Mr. Grist: The total assets less current liabilities are given in the company's annual report for 1987 as £5,528,000.

Community Care

Mr. Barry Jones: To ask the Secretary of State for Wales when he now proposes to implement the recommendation of the Griffiths report on community care; and if he will make a statement.

Mr. Grist: This report relates explicitly to England. My right hon. Friend is considering its implications for services in Wales, in the light of our separate strategies and initiatives to promote the development of effective community care. He will bring forward proposals as soon as possible.

EC Free Food Scheme

Dr. Thomas: To ask the Secretary of State for Wales (1) what is the total amount of *(a)* butter and *(b)* beef allocated to each county in Wales under the European Community free food scheme for 1988-89;

(2) what is the total amount of *(a)* butter and *(b)* beef distributed in each county in Wales under the European Community free food scheme for 1988-89 to date;

(3) how much *(a)* butter and *(b)* beef was allocated to Wales under the European Community free food scheme for 1988-89; and how much is undistributed at present.

Mr. Peter Walker: In Wales 176 tonnes of butter and 332 tonnes of beef were allocated to and distributed by designated organisations under the EC free food scheme in 1988. Figures are not available on a county basis. Local distribution arrangements were a matter for the designated organisations to determine within the rules of the scheme. Consultations on the scheme for 1989 will take place soon.

Dr. Thomas: To ask the Secretary of State for Wales from whom applications have been received in each county in Wales to distribute beef and butter in the 1988-89 free food scheme; and which of the applications have been granted.

Mr. Peter Walker: All nine organisations which applied for designation under the EC free food scheme in Wales had their applications accepted. A list of the organisations was placed in the Library of the House on 21 April 1988 by my right hon. Friend the Minister of State, Ministry of Agriculture, Fisheries and Food.

Water Act 1973

Mr. Wigley: To ask the Secretary of State for Wales if he will publish a list of orders made by him and his predecessors under section 29 of the Water Act 1973 requiring the Welsh water authority to seek a specified rate of return on its net assets, giving the date of each such order, and the date of return specified in that order.

Mr. Grist: The orders made under section 29 of the Water Act 1973 are as follows:

Statutory Instrument Number	*Effective dates*	*Rate of return per cent.*
1981/826	6 July 1981 to 31 March 1982	0·30
1982/1087	31 August 1982 to 31 March 1983	0·95
1983/782	13 July 1983 to 31 March 1984	1·20
1984/1470	24 October 1984 to 31 March 1985	1·25
1985/78	1 April 1985 to 31 March 1986	1·45
1985/1805	1 April 1986 to 31 March 1987	1·65
1986/1952	1 April 1987 to 31 March 1988	1·95
1987/2022	1 April 1988 to 31 March 1989	2·35

Mr. Wigley: To ask the Secretary of State for Wales on how many occasions since 31 March 1978 his Department made a charges option order under the provisions of section 19 of the Water Act 1973, giving the date of any such order and the location to which it applied.

Mr. Grist: None. The section has been replaced by section 62 of the Land Drainage Act 1976.

Breast Cancer Screening

Mr. Barry Jones: To ask the Secretary of State for Wales how many general practitioners have facilities for screening for breast cancer; and if he will make a statement.

Mr. Grist: In view of the specialised mammography equipment and radiological expertise required, breast screening in Wales is to be carried out by specialist units and not individual general practitioners.

OVERSEAS DEVELOPMENT

Disasters (Emergency Funds)

Mr. Caborn: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will give a breakdown of the amount diverted from the Government's overseas aid budget to provide emergency funds to the following countries in the wake of recent disasters *(a)* the Sudan, *(b)* Bangladesh, *(c)* Nicaragua, and other Latin American countries affected by Hurricane Joan, *(d)* Jamaica and *(e)* Mexico.

Mr. Chris Patten: The funds provided for these recent disasters were allocated from contingency provision within the overseas aid budget; none of the money was diverted from planned aid programme expenditure.

The amounts spent on emergency relief in the countries named in 1988-89 have been:

	£ million
(a) Sudan (floods, refugees etc)	12·4
(b) Bangladesh (floods)	2·5
(c) Nicaragua and Costa Rica (hurricane)	0·27
(d) Jamaica (hurricane)	0·55
(e) Mexico (hurricane)	0·015

Aid Statistics

Mr. Caborn: To ask the Secretary of State for Foreign and Commonwealth Affairs if Her Majesty's Government will set a timetable by which they will attain the United Nations recommendation that donor countries' aid to the Third world should constitute 0·7 per cent. of gross national product.

Mr. Chris Patten: Like previous administrations, Her Majesty's Government are not able to set a timetable for attaining this target. Progress towards the target depends on developments in the economy and other claims on resources. We have a substantial aid programme which is now growing in real terms.

Sir John Stanley: To ask the Secretary of State for Foreign and Commonwealth Affairs what are the estimated amounts of *(a)* principal and *(b)* interest due to be remitted to the Government by overseas aid debtor countries in 1989-90; and what were the amounts actually remitted for the last three years for which figures are available.

Mr. Chris Patten: In 1989-90, repayments of past aid loans due to Her Majesty's Government amount to £63,148,015 (principal) and £11,424,790 (interest). Actual receipts for the latest three financial years for which figures are available are:

	Principal £	*Interest* £
1987-88	53,121,271	9,463,464
1986-87	53,349,990	10,247,424
1985-86	56,077,690	11,139,158

Sir John Stanley: To ask the Secretary of State for Foreign and Commonwealth Affairs whether the planned overseas aid budget of £1,430 million in 1989-90 includes or excludes the estimated amounts of *(a)* principal and *(b)* interest due to be remitted to the Government by overseas aid debtor countries in that year.

Mr. Chris Patten: The planned overseas aid budget of £1,430 million in 1989-90 excludes any principal repayment or interest payment due to Her Majesty's Government from past aid loans in that year.

South Africa

Mr. Caborn: To ask the Secretary of State for Foreign and Commonwealth Affairs how much assistance has been granted by the EEC to the Church organisations in South Africa that have been subject to recent bomb and arson attacks; and what form this assistance has taken.

Mr. Chris Patten: The European Community has channelled some 22 mecu (over £14 million) through the South African Council of Churches and the South African Catholic Bishops Conference (SACBC) under the special programme of assistance for victims of apartheid which began in 1986. The United Kingdom's share of this total amounts to some £3 million. The EC programme has financed 70 separate projects implemented by many non-governmental organisations throughout South Africa. The EC has also approved projects to help replace some of the SACBC equipment destroyed, and to help provide new accommodation and facilities for a number of affected organisations, including Church groups.

Mr. Caborn: To ask the Secretary of State for Foreign and Commonwealth Affairs how much assistance has been given by Her Majesty's Government to the Church organisations in South Africa that have been subject to recent bomb and arson attacks; and what form this assistance has taken.

Mr. Chris Patten: Britain's contribution to the needs of the Church organisations in question has been through the share we contribute to the European Community's programme. In addition Britain has provided modest assistance to replace equipment for some of the other organisations based in the same buildings.

India (Water Project)

Mrs. Mahon: To ask the Secretary of State for Foreign and Commonwealth Affairs how much aid is being

provided to India for drilling rigs for the Indian Government's water project; and how much aid the Indian Government requested to finance the original programme.

Mr. Chris Patten: We were discussing with the Indian authorities finance for a water drilling project costing about £25 million. Unfortunately the project did not pass our appraisal, designed to ensure that it was likely to achieve sustainable benefits. We are considering alternative approaches with the Government of India.

Brazilian Rain Forests

Mr. Wray: To ask the Secretary of State for Foreign and Commonwealth Affairs what assistance the United Kingdom is giving to international efforts to halt the destruction of Brazilian rain forests; and what information he has on their effectiveness.

Mr. Chris Patten: We are among those who have raised this issue with the Government of Brazil. There have been reports that President Sarney is to seek international assistance on environmental matters; if these are correct, that would be a welcome development. The World bank already has under discussion a loan of up to $150 million to strengthen the Brazilian Government's national environmental programme. Environmental conditions attached to earlier World Bank and Inter-American Development bank loans have helped to increase awareness of the issues. As signatories of the international tropical timber agreement, both Brazil and the United Kingdom are pledged to encourage the development of international policies aimed at sustainable utilisation and conservation of tropical forests.

HOME DEPARTMENT

Speeding Offences

Dame Elaine Kellett-Bowman: To ask the Secretary of State for the Home Department how many speeding offences in which no other offence was alleged were proceeded against either by fixed penalties or through the courts by the Lincolnshire police in each of the last five years for which statistics are available; and what was the average for England and Wales in these years.

Mr. John Patten: The available information on all speeding offences dealt with by court proceedings or fixed penalty notices is published annually by police force area in "Offences relating to motor vehicles, England and Wales, Supplementary tables" (tables 16 and 20 of the issue for 1987); copies are in the Library. Information on how many of these offences were the only ones alleged on a particular occasion is not available. However, Home Office guidelines are that a fixed penalty notice should not be issued where an officer is also reporting other offences for consideration of summons, and it is believed that in the vast majority of cases a prosecution for speeding is not accompanied by a prosecution for another offence.

Prison Construction

Mr. Cox: To ask the Secretary of State for the Home Department what is *(a)* the original agreed contract price and *(b)* the current contract price for each of the new prisons under construction.

Mr. Douglas Hogg: Construction contracts are awarded on the basis of an accepted tender price excluding variations of price (VOP). The contract value (which is the current contract price) is adjusted during the course of the contract to take account of VOP. VOP is calculated from the NEDO (National Economic Development Organisation) formula which is a nationally recognised formula for the calculation of cost increases for projects under construction. In the case of two of the five prisons listed, adjustments have also been made to take account of the application of VAT to building contracts since June 1988.

Contract	*Original agreed main contract price —tender price (excluding VOP and VAT)* £ *millions*	*Current contract value (including VOP incurred to date and VAT)* £ *millions*
Brinsford Prison (awarded June 1987)	23·12	25·18
Bullingdoe Prison (awarded June 1988)	33·10	38·00
Lindholme II Prison (awarded September 1988)	31·23	40·98
Milton Keynes Prison (awarded December 1988)	57·17	71·96
Whitemoor Prison (awarded February 1988)	28·85	31·27

There are two other new prisons currently under construction. Advance works are taking place at Lancaster Farms young offender institution, where the main contract has not yet been awarded. At Woolwich prison work is proceeding on the basis of a construction management contract. This involves a number of indivdual contract packages for the completion of the project instead of a single lump sum contract. It is not possible to provide comparable estimated cost figures as all the individual contract packages have not yet been let.

Mr. Cox: To ask the Secretary of State for the Home Department what is the number of complaints made by boards of visitors as to the standard of workmanship and delays in completion of all major modernisation programmes of prison building work; and if he will make a statement.

Mr. Douglas Hogg: Since 1 January 1988 letters have been received from three boards of visitors about delays in the completion of major modernisation programmes at existing prison establishments. It is our objective to proceed as fast as is practicable with the programmes already under way and with those planned.

Albany Prison, Isle of Wight

Mr. Cox: To ask the Secretary of State for the Home Department what the present number is of empty cells in the Albany prison, Isle of Wight.

Mr. Douglas Hogg: On Monday 16 January there were nine unoccupied cells in the living accommodation at Her Majesty's prison, Albany.

Remand Prisoners

Mr. Cox: To ask the Secretary of State for the Home Department what was the number of remand prisoners being held in police station cells on 9 January; and if he will make a statement.

Mr. Douglas Hogg: On Monday 9 January, 152 prisoners, most of whom would have been on remand, were held in police cells in England and Wales. This is 571 fewer than a month previously. Efforts to secure reductions are continuing.

Leeds Prison

Mr. Irving: To ask the Secretary of State for the Home Department what is the estimated cost, and the expected completion date, of the building programme to redevelop Leeds prison.

Mr. Douglas Hogg: It is expected that work on the redevelopment of Her Majesty's prison Leeds will be completed by 1997. The estimated cost at 1988 price levels is approximately £48 million, including VAT.

Feltham Remand Centre

Mr. Irving: To ask the Secretary of State for the Home Department what was the cost of building Feltham remand centre.

Mr. Douglas Hogg: The final cost of building Her Majesty's young offenders institution and remand centre Feltham is likely to be in the order of £29 million subject to the determination of a number of outstanding claims.

British Summer Time

Mr. Redmond: To ask the Secretary of State for the Home Department whether he will make a statement on the response he has received to his consultation document regarding British summer time; and whether he has yet reached any conclusions.

Mr. Douglas Hogg: A consultation note was sent to Government Departments last year with a request that they seek the views of interested bodies on the options set out in that note for future summer time arrangements.

The results of this survey are being studied and will form the basis of a consultation document to be published in the near future with the intention of stimulating wider public debate on the matter.

Sunday Trading

Sir Bernard Braine: To ask the Secretary of State for the Home Department if he has received the consultative document entitled "The Rest Proposals", published by the Keep Sunday Special Organisation in connection with the reform of the Shops Act 1950.

Mr. Renton: Yes. We are considering these together with the other proposals we have received.

Nigerian Prisoners

Mr. Cox: To ask the Secretary of State for the Home Department what is the number of Nigerian citizens currently serving sentences in Her Majesty's prisons on immigration offences.

Mr. Douglas Hogg: According to the records held centrally, which may be incomplete, on 30 November 1988 no Nigerian citizens were serving sentences in Prison Service establishments in England and Wales for offences under the Immigration Act 1971.

Mr. Cox: To ask the Secretary of State for the Home Department what is the number of Nigerian citizens currently held in prisons in England and Wales pending a Home Office decision on deportation or permission to stay in the United Kingdom.

Mr. Renton: According to information available centrally, a total of 36 Nigerian citizens were detained as at 31 December 1988 under Immigration Act powers in Prison Service establishments in England and Wales. These include those being dealt with under deportation powers, as illegal entrants and after being detained at ports of entry.

Prison Works (Vacancies)

Mr. Cox: To ask the Secretary of State for the Home Department what was the number of vacancies for prison works craftsmen or women at each of the London prisons on 1 January.

Mr. Douglas Hogg: Vacancies for civilian craftsmen or women at the London prisons as at 1 January are set out in the following table.

Prison	*Complement*	*Vacancies*
Brixton	(24)	2
Holloway	(15)	2
Pentonville	(15)	2
Wandsworth	(19)	12
Wormwood Scrubs	(18)	11

Prisons (London)

Mr. Cox: To ask the Secretary of State for the Home Department how much money has already been allocated in the current financial year for repair or modernisation at each of the London prisons.

Mr. Douglas Hogg: The amount of money allocated for the current financial year to each of the London prisons is as follows:

	£
Brixton	1,288,000
Feltham	1,312,000
Holloway	267,000
Latchmere House	195,000
Pentonville	3,140,000
Wandsworth	1,125,000
Wormwood Scrubs	2,057,000
Total	9,384,000

Prison Hospitals

Mr. Cox: To ask the Secretary of State for the Home Department when a senior member of the prison department last visited each of the London prison hospitals; and on what dates the visits took place; what reports of general conditions within those hospitals were made to his Department; and if he will make a statement.

Mr. Douglas Hogg: The last visits by senior members of the Prison Department to the hospitals of prison service establishments in the London area were as follows:

Establishment	*Date of visit*	*Officer visiting*	*Whether report made of hospital conditions*
Ashford	9 January 1989	Regional Principal Medical Officer	No
Brixton	2 December 1988	Regional Principal Medical Officer	No
Feltham	28 August 1988	Regional Principal Medical Officer	No
Holloway	13 December 1988	Director Prison Medical Services	No
Pentonville	6 December 1988	Regional Principal Medical Officer	No
Wandsworth	15 July 1988	Regional Principal Medical Officer	No
Wormwood Scrubs	13 January 1989	Director Prison Medical Services	Yes

The Director of Prison Medical Services, following his visit to the temporary hospital facility at Wormwood Scrubs prison, has reported that he supports a decision by the managing principal medical officer to close the facility in the interests of health and hygiene. Consideration is being given to means of remedying the defects identified. Provision for a fully equipped hospital is included in the urgent redevelopment scheme for this establishment. Building is scheduled to start in two years' time.

Proxy Votes

Sir Michael McNair-Wilson: To ask the Secretary of State for the Home Department if he will seek to amend the law to enable one person to attest the proxy vote of more than one other person in elections.

Mr. Douglas Hogg: We hope shortly to issue a consultation paper on absent voting, which will explore the various options for change, including that mentioned by my hon. Friend.

Shotgun Licences

Mr. Stern: To ask the Secretary of State for the Home Department if he will make a statement on the arrangements for the granting of shotgun licences to minors.

Mr. Douglas Hogg: Under section 28 of the Firearms Act 1968 it is open to a chief officer of police to refuse to grant a shotgun certificate if he has reason to believe that an applicant is prohibited by the Act from possessing a shotgun, or cannot be permitted to possess one without danger to the public safety or to the peace. In relation to shotguns there are no specified age restrictions, but age is one factor which the chief officer may take into account in reaching a decision.

New, stricter controls for the issue of shotgun certificates will come into force under the Firearms (Amendment) Act 1988 later this year. The Act changes the emphasis so that a chief officer has to be satisfied that the applicant can be permitted to possess a shotgun without danger to the public safety or to the peace. It also contains a new provision to the effect that a certificate shall not be issued if the chief officer is satisfied that the applicant does not have a good reason for possessing, purchasing or acquiring a shotgun.

Burglaries

Mr. Oppenheim: To ask the Secretary of State for the Home Department how many burglaries were committed in Derbyshire in 1983; and how many were committed in the last year for which figures are available.

Mr. John Patten: The information is published annually in table S3.1 of "Criminal statistics, England and Wales, Supplementary Tables, Volume 3", a copy of which is in the Library.

Football Matches (Arrests)

Mr. Pendry: To ask the Secretary of State for the Home Department how many arrests took place at Luton police station of Luton Town supporters following the Ipswich Town v Luton Town Littlewoods cup tie on 17 November 1987; and under the name of which club these arrests appear in the 1987-88 season arrest totals.

Mr. Douglas Hogg: Fifty-two Luton supporters were arrested in connection with damage to a coach on which they were returning to Luton from Ipswich after this match. All were subsequently released without charge. None of these arrests was included in the totals of arrests at football grounds compiled by the Association of Chief Police Officers.

Pirate Decoders

Mr. Fisher: To ask the Secretary of State for the Home Department whether the proposed Independent Television Commission will have responsibility for policing pirate decoders.

Mr. Renton: No.

Football Matches (Policing Costs)

Mr. Harry Barnes: To ask the Secretary of State for the Home Department whether, pursuant to the answer of 19 December 1988 on football statistics, *Official Report*, columns *56-60*, he will publish similar tables to the 1987-88 English Football League season showing the costs of policing matches and the costs per spectator at each ground, with clubs being listed in the order of those with the cheapest costs per spectator.

Mr. Douglas Hogg: This information is not collected from individual forces by the Association of Chief Police Officers.

DEFENCE

Challenger Tank

Mr. Allen: To ask the Secretary of State for Defence what impact he expects his announcement on the Challenger tank will have on jobs in the Nottingham travel-to-work area.

Mr. Sainsbury: Subject to Vickers Defence Systems winning the production contract for the Challenger 2 Mk

II there will clearly be a beneficial effect on employment opportunities generally, especially when the downstream effects on subcontractors are taken into consideration. It is, of course, for the companies concerned to decide precisely where this work will be carried out. However, traditionally Royal Ordnance, Nottingham has been involved in the manufacture of tank main armament.

Mess Stewards

Mr. Sean Hughes: To ask the Secretary of State for Defence (1) how many Royal Marine service men are permanently assigned as stewards to Royal Marine messes; and whether those service men who are not permanently assigned as mess stewards and occasionally act as waiters at officers' messes volunteer for these duties;

(2) whether those service men who are not permanently assigned as mess stewards and occasionally act as waiters at officer' messes receive additional pay for fulfilling such duties; and what are the general criteria concerning the use of servicemen who are not permanently assigned as mess stewards as waiters at mess nights.

Mr. Neubert: Royal Marine service men are not permanently assigned as stewards. Within the corps steward billets are filled by volunteers, who serve a normal draft, or by others for a period normally not exceeding six months. Acting as waiter at an officers' mess may form part of a steward's duties and this does not attract additional pay. As far as possible only volunteers perform waiters' duties at mess nights.

Chipmunk Aircraft

Mr. Barry Field: To ask the Secretary of State for Defence how many Chipmunk aircraft the RAF operates; what is their average age; how much per hour they cost to fly; what is the availability of spares; what plans the RAF has to replace the Chipmunks; if he will list the aeroplanes that have been considered as suitable replacements; and whether the RAF has flown the ARV Super Two manufactured at Sandown. Isle of Wight.

Mr. Archie Hamilton: The Royal Air Force operates a total of 77 Chipmunk aircraft. Their average age is 35 years. Their basic operating cost (including spares and servicing to normal RAF standards) is about £120 per hour; the availability of spares is satisfactory, and on current plans, the Chipmunk is expected to remain in RAF service until about the turn of the century. The RAF has not flown the ARV Super Two, though it has been used at the Empire test pilots school at the Aeroplane and Armament Establishment, Boscombe Down in the training of student test pilots.

Royal Arsenal Sports and Recreation Association

Mr. Cartwright: To ask the Secretary of State for Defence what steps he is taking to ensure the continuation of the Royal Arsenal Sports and Recreational Association after the construction of the east London river crossing.

Mr. Sainsbury: The Ministry of Defence has no formal responsibility for the Royal Arsenal Sports and Recreational Association. Part of the Manor Way sports ground will be lost as a result of the construction of the east London river crossing, but sufficient land will remain to constitute a viable sports ground. We shall of course be discussing with the association whether it wishes to retain most of the site on licence from MOD for recreational purposes.

Pindar Project

Mr. O'Neill: To ask the Secretary of State for Defence what is the estimated date when the Pindar project will be completed; what requirements it is expected to fulfil when it is fully operational; and what is its total estimated cost.

Mr. Sainsbury: Project Pindar is a facility to improve the effectiveness of higher levels of command and control. It is not the practice to disclose the planned completion dates or estimated costs of projects which are not yet in service.

Boxer System

Mr. O'Neill: To ask the Secretary of State for Defence what is the estimated date on which the Boxer system is expected to be operational; what requirements it is expected to fulfil; and what is its total estimated cost.

Mr. Sainsbury: I refer the hon. Member to paragraph 317 and table 3 of volume 1 of the "Statement on the Defence Estimates 1988". The Boxer 2 communications bearer system will provide a nationwide secure and survivable communications system using new fibre-optic technology. It is not the practice to disclose the planned completion dates or estimated costs of projects which are not yet in service.

Fastnet Project

Mr. O'Neill: To ask the Secretary of State for Defence what is the estimated date on which the Fastnet project is expected to be completed; what requirements it is expected to fulfil when it is fully operational; and what is its total estimated cost.

Mr. Sainsbury: Fastnet is a phased programme to replace and upgrade the Army's aging telephone exchange system with modern digital equipment. It is not the practice to disclose the planned completion dates or estimated costs of projects which are not yet in service.

Opcon System

Mr. O'Neill: To ask the Secretary of State for Defence what is the estimated date on which the Opcon system is expected to be operational; what requirements it is expected to fulfil; and what is its total estimated cost.

Mr. Sainsbury: The Opcon system has been in successful operational use since 1986. It is an automated message handling system and database for use by Commander in Chief's maritime headquarters at Northwood. It is based on commercial ADP equipment, and the capital cost of the equipment was of the order of £40 million.

Mapper System

Mr. O'Neill: To ask the Secretary of State for Defence what is the estimated date on which the Mapper system is expected to be operational; what requirements it is expected to fulfil when it is fully operational; and what is its total estimated cost.

Mr. Sainsbury: The Mapper system, also known as the United Kingdom land forces automated management information system (AMIS), provides information technology facilities to the HQ UKLF linking with nine District Headquarters and other key agencies, including the HQ BAOR and the MOD, to assist in the planning and execution of operations during the transition to war and on peacetime exercises. The system also provides an electronic mail, word processing and management information facility.

The system was first installed in mid-1985 and is continually being enhanced and expanded to meet the evolving HQ UKLF requirement for better command and control in the UKLF theatre, in support of home defence and NATO reinforcement.

Total procurement costs to date for the installation and subsequent enhancements and expansions of the system have been in the order of £9 million.

Battlefield Helicopters

Mr. O'Neill: To ask the Secretary of State for Defence (1) what troop carrying capacity for battlefield helicopters has been considered by the airmobility working group;

(2) when the report of the airmobility working group will be completed.

Mr. Sainsbury: We have no record of an airmobility working group within the Ministry of Defence.

Guided Weapons (Expenditure)

Mr. O'Neill: To ask the Secretary of State for Defence what percentage of the £624 million variation between expenditure and grant of item J6 (Guided Weapons) noted on page 14, Appropriation Accounts 1987-88, HC 17-1 was caused by *(a)* over-provision arising from the provisional allocation of carry forward from 1986-87 and *(b)* slower progress.

Mr. Sainsbury: Some 96 per cent. of the £624 million variation on Item J6 (Guided Weapons), noted on page 14 of the Appropriation Account 1987-88, related to the provisional allocation of the carry forward from 1986-87 and the remaining 4 per cent. was caused by slower progress.

Nuclear Safety

Mr. McFall: To ask the Secretary of State for Defence if he will make it his policy to facilitate the release of information on nuclear safety to the general public living in the Rosyth dockyard area.

Mr. Archie Hamilton: The Rosyth public safety scheme is available in public libraries in the Rosyth area. All future revisions will also be made available to the public. In addition, the Rosyth local liaison committee provides a forum for exchanges of information between the Royal Navy and the community on nuclear safety matters.

Mr. McFall: To ask the Secretary of State for Defence what representations he has made to the United States Navy authorities following reported incidents involving the discharge of radioactive coolant from United States Navy submarines into Scottish waters.

Mr. Archie Hamilton: None. Her Majesty's Government are satisfied that United States practice in United Kingdom waters, which has been governed by a written arrangement since 1958, has always remained within established national and international standards on release of radioactivity.

Mr. McFall: To ask the Secretary of State for Defence what steps he is taking to avoid future accidental or deliberate discharges of radioactive coolant into Scottish waters from *(a)* Royal Navy and *(b)* United States Navy submarines.

Mr. Archie Hamilton: Our operating, maintenance and safety standards for submarine nuclear reactors are exacting, and we are satisfied that the practice of the United States Navy is equally rigorous. Royal Navy submarines are never authorised to discharge significant levels of radioactivity into the sea. We are assured that the same is true of United States nuclear-powered warships in United Kingdom waters.

Mr. McFall: To ask the Secretary of State for Defence when his Department's contingency plans for an accident involving a nuclear-powered or nuclear-armed submarine in the Clyde or Rosyth areas were last revised; and if he will make a statement.

Mr. Archie Hamilton: All Ministry of Defence contingency plans for accidents involving nuclear reactors or nuclear weapons are kept constantly under review. Exercises are held regularly to test our plans.

Mr. McFall: To ask the Secretary of State for Defence if he will take immediate action to withdraw the existing ROSPUBSAFE scheme and replace it with a safety scheme based on full consultation with local community representatives.

Mr. Archie Hamilton: A review of the Rosyth public safety scheme, in full consultation with local authorities and emergency services, has been in progress for some time. The existing scheme will not be withdrawn until the revision is issued.

Army Stables

Mr. Marlow: To ask the Secretary of State for Defence what measures are taken to enforce the ruling relating to the stabling in Army stables of privately-owned horses set out in his answer to the hon. Member for Northampton, North on 13 January, *Official Report*, column *783*.

Mr. Neubert: The costs of stabling privately owned horses in Army stables are recovered from the owners each month on the presentation of a bill by the unit concerned. Failure to settle the bill promptly would result in appropriate action being taken against the individual concerned; this could include the removal of the horse from official premises.

EMPLOYMENT

Community Programme

Mr. Allen: To ask the Secretary of State for Employment how many of the individuals in Nottingham who were on community programme schemes when employment training was introduced are now *(a)* still on community programme schemes, *(b)* on an employment

training scheme, *(c)* in work, *(d)* unemployed and *(e)* in any other relevant category, both as a number and as a percentage.

Mr. Nicholls: At the end of August 1988, there were about 1,800 people on the community programme in Nottingham. On 12 January 1989, 800 people remained on the programme. Information on the destinations of the 1,000 people leaving the community programme is not available, although some of the participants would have transferred to employment training.

Employment Training

Ms. Walley: To ask the Secretary of State for Employment if he will give the lastest available figures of how many of the employment training programme's filled places are *(a)* extended placements from the community programme, *(b)* new public authority placements, *(c)* new placements in the voluntary sector and *(d)* new placements in the private sector: (i) nationally and (ii) in north Staffordshire.

Mr. Nicholls: The information is not available.

Ms. Walley: To ask the Secretary of State for Employment what is the number of filled places on the employment training programme *(a)* nationally and *(b)* in north Staffordshire.

Mr. Nicholls: At 6 January 1989 there were 111,000 trainees on employment training in Great Britain. Figures are not separately available for north Staffordshire, but there were approximately 2,100 filled places in Staffordshire as a whole on the same date.

Ms. Short: To ask the Secretary of State for Employment how many applications for the ET child care allowance have been received by his Department; how many have been granted and refused; how much has been paid out in child care allowances; and how many ET trainees are currently receiving child care allowances.

Mr. Nicholls: The information requested is not available. Information on the number of employment trainees for whom child care payments are made will be regularly collected from March, with the first results available at the end of April 1989.

Ms. Short: To ask the Secretary of State for Employment what new arrangements he has made for claiming back the 100 per cent. advance funding given to ET training managers; how many training managers have applied for deferment because paying back the advances would cause them severe financial hardship; and if he will make a statement.

Mr. Nicholls: Repayments of advances for the first three months of ET operations commenced from 1 January 1989. However, where a training manager can demonstrate that this would cause substantial cash flow difficulties, they may now defer the start of the repayments for two months, although the advances still have to be repaid over the period of their contract. Information on the number of training managers taking up this option is not collected separately and could be obtained only at disproportionate cost.

Mr. Leighton: To ask the Secretary of State for Employment how many people transferred from the community programme to employment training.

Mr. Nicholls: By the end of November 1988, the latest date for which information is available, a total of about 11,000 people had transferred from the community programme to employment training.

Jobstart Allowance

Ms. Short: To ask the Secretary of State for Employment how many applications for the jobstart allowance have been received; how many have been granted and refused; how many are currently receiving the allowance; and if he will give a breakdown of the wages of the jobs covered by successful applications.

Mr. Lee: In the period from July 1986 to November 1988, 36,791 people applied for jobstart allowance, 27,844 were accepted and 8,947 were rejected because they were not eligible. There are currently 3,966 people receiving the allowance.

The information requested about the wages of the jobs covered by successful applications is not readily available and could be obtained only at disproportionate cost.

Training Agents (Investigation)

Mr. Illsley: To ask the Secretary of State for Employment whether he will list the training agents currently under investigation by his Department with details of the reason for such investigation.

Mr. Nicholls: No training agents in employment training are under investigation by Training Agency officials. All training agents and training managers are subject to financial and operational monitoring.

Mining Regulations

Mr. Ronnie Campbell: To ask the Secretary of State for Employment how many miners should be present in a development roadway with only one means of entry and egress under current mining regulations.

Mr. Nicholls: Section 24 of the Mines and Quarries Act 1954 prohibits the employment of more than nine persons in a place from which there are not two separate means of egress unless a notice of exemption has been given by the inspector for the district.

Qualifications

Mr. McLeish: To ask the Secretary of State for Employment (1) if he will give, based on the preliminary findings of the 1988 labour force survey *(a)* the total number of people of working age and *(b)* the percentage with (i) A level or equivalent or higher, (ii) O level or equivalent, (iii) below O level and (iv) no vocational or educational qualification for each standard English region, Wales and Scotland;

(2) if he will give, based on the preliminary findings of the 1988 labour force survey, the total number of graduates in employment as a percentage of all in employment in each of the standard English regions, Wales and Scotland;

(3) if he will give based on the preliminary findings of the 1988 labour force survey, the total numbers of graduates in employment in each of the standard English regions, Wales and Scotland.

Mr. Lee: Results from the 1988 labour force survey are not yet available.

High Moor Colliery (Accident)

Mr. Harry Barnes: To ask the Secretary of State for Employment if he will give details of the rescue operation at High Moor colliery on 13 January leading to the freeing of 10 trapped miners.

Mr. Nicholls: The widely reported operation involved overcoming the hazard presented by a fall of roof extending over a length of approximately 30 metres, resulting in the need to mount the recovery in potentially hazardous conditions.

The rescue operation at High Moor, which led to the freeing of the 10 trapped men, demonstrated the traditional expertise and bravery of miners in dealing with such a hazardous situation. The co-operative efforts of all concerned, led by the colliery manager and colliery TU officials, to save life even at great personal risk, was the main factor in the success of the operation.

Mr. Harry Barnes: To ask the Secretary of State for Employment if he will make a statement of the medical and other types of assistance which were given to the 10 miners who were rescued following an accident at High Moor colliery on 13 January.

Mr. Nicholls: During the operation the full range of medical services provided by the south Yorkshire area of British Coal were readily available at the mine, and a mine nursing sister was present underground to give any necessary assistance.

After the trapped men were freed and brought to the surface, they were examined at the colliery medical centre before being allowed home. No major injuries were suffered by any of the men.

Mine rescue teams with specialised rescue equipment made a rapid response to the emergency. A district inspector from the Health and Safety Executive's mine and quarries inspectorate was underground during the rescue. A principal district inspector was also at the mine to assist in the organisation of the rescue, together with senior officials of both British Coal and the trade unions.

Mr. Harry Barnes: To ask the Secretary of State for Employment if he will give details of the action he has taken to ensure the safety of operations at High Moor colliery following the accident on 13 January in which 10 miners were trapped following a collapse of 30 m of the roof in its main gate heading.

Mr. Nicholls: The Health and Safety Executive's mines and quarries inspectorate began its investigation on 16 January 1989. Due to the need to ensure safe conditions for this investigation it will be some time before the cause of the roof collapse can be established. Any action necessary as a result of the investigation will be taken by the Health and Safety Executive.

Mr. Harry Barnes: To ask the Secretary of State for Employment if he will list accidents and other reportable incidents at High Moor colliery since 1985.

Mr. Nicholls: The information tabled is for the last four calendar years.

	Fatal	*Major injuries*	*Dangerous occurrences*	*+3-day accidents*
1985	—	2	1	—
[1]1986	—	5	—	[1]85
1987	—	8	2	53
1988	1	4	—	29

[1] The introduction of the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations on 1 April 1986 required the recording of "plus three-day" accidents. The 1986 figure for these accidents represents a nine-month period only.

Tourism

Mr. Allen McKay: To ask the Secretary of State for Employment what period will be allowed for consultation by interested bodies following publication of the report on the review of tourism before any Government action is taken.

Mr. Lee: A wide range of individuals and organisations have been consulted during the preparation of the review team's report.

Mr. Allen McKay: To ask the Secretary of State for Employment when he expects to publish the report on the review of tourism.

Mr. Lee: My right hon. Friend has no plans to publish the report.

Mr. Allen McKay: To ask the Secretary of State for Employment if he will take steps to ensure the continuing existence and uprating of section 4 grant aid assistance for the promotion of tourism.

Mr. Lee: A review of tourism policy by my Department was announced by my right hon. Friend in July. The section 4 scheme of assistance is being considered as part of this review.

Mr. Nigel Griffiths: To ask the Secretary of State for Employment what calculation he has made of the impact on tourism of the possible withdrawal of university halls of residence from commercial letting as a result of any reduction in University Grants Committee funding of the commercial rates paid by halls to local authorities.

Mr. Jackson: I have been asked to reply.

Rates paid in respect of university halls of residence are not currently reimbursed by the University Grants Committee. A decision by the Universities Funding Council not to reimburse the cost of business rates payable, after the introduction of the community charge, in respect of halls of residence used for commercial letting would effectively maintain the present position and therefore should not affect the commercial letting of university halls of residence or have an adverse impact on tourism or revenue received by local authorities.

Parliamentary Questions

Mr. French: To ask the Secretary of State for Employment how many oral parliamentary questions he has answered by written reply because the question was not reached at Question Time, for the most recent year for which figures are available.

Mr. Nicholls: In 1988, a total of 829 oral questions were tabled to the Secretary of State for Employment, of which 719 received a written reply. These figures do not include oral questions which were subsequently withdrawn, unstarred or transferred to other Departments.

Benefit Offices

Mr. Paice: To ask the Secretary of State for Employment how many part-time unemployment benefit offices there are; how long they are open; and whether he will make a statement.

Mr. Lee: There are at present 318 small, part-time benefit offices which are open for between one hour and several mornings each week. In the light of falling unemployment and the smaller number of people now requiring the services of the employment service, we have been considering whether there is still a need to retain all of these. We are, as a result, proposing the closure of 43 part-time offices in areas where demand for their services is low and there is alternative provision. None of the offices concerned is open for more than eight hours a week.

The employment service is keen to offer an effective service to the public, and particularly to people who are unemployed. This can best be achieved in offices which are large enough to offer a comprehensive range of facilities and by postal signing. It is usual when we consider closure of small part-time offices to write to hon. Members in whose constituencies the offices are, to explain the proposals in detail, and I am doing so in this case.

SCOTLAND

Set-aside Scheme

66. **Mr. Home Robertson:** To ask the Secretary of State for Scotland if there is any provision in the set-aside scheme to assist farmworkers whose employment is reduced or lost as a result of the scheme.

Mr. Michael Forsyth: I refer the hon. Member to the reply which I gave him on 15 December, at column 672.

Glasgow District Court

Mr. Dewar: To ask the Secretary of State for Scotland if he will give the average time between the lodging of a plea of not guilty and the resultant trial diet in the Glasgow district court for the latest available period for which this figure is available; and if he will give the same information for the same period for cases going for trial before a stipendiary magistrate.

Mr. Rifkind: The average time for cases dealt with in November 1988 was 14 weeks for Glasgow district court, excluding the stipendiary magistrate's court, and 25 weeks for cases heard by a stipendiary magistrate.

Mr. Dewar: To ask the Secretary of State for Scotland if he will give the number of cases in which trial diets are set in Glasgow district court for the latest period for which figures are available and the percentage of those cases where a plea of guilty was presented when the trial was called.

Mr. Rifkind: Figures are not available in the precise form requested, but in 1987, 63 per cent. of the 13,368 persons called to court in Glasgow district court pled guilty at some stage in the proceedings.

Mr. Dewar: To ask the Secretary of State for Scotland if he will give the number of cases called in Glasgow district court for the latest year in which figures are available and the same figures three and five years ago.

Mr. Rifkind: The information requested is given in the table:

Persons called to court: Glasgow District Court

Year	*Number*
1984	16,704
1986	14,892
1987	13,368

Council House Sales

Mr. Andrew Welsh: To ask the Secretary of State for Scotland if he will list for each local government area the number of council houses sold to tenants under the Housing Acts; and if he will express this as a proportion of the total housing stock in each such area.

Lord James Douglas-hamilton: The available information is set out in the table.

Local authority houses sold to sitting tenants from 1 April 1979 to 30 September 1988

Area	*Houses sold to sitting tenants from 1 April 1979 to 30 September 1988*	*Percentage of stock sold to sitting tenants*[1]
Scotland	95,023	10·63
Borders		
Berwickshire	521	18·18
Ettrick and Lauderdale	941	18·89
Roxburgh[2]	913	14·57
Tweeddale[2]	270	16·58
Central		
Clackmannan	1,143	11·84
Falkirk	4,250	12·68
Stirling	1,680	12·79
Dumfries and Galloway		
Annandale and Eskdale[2]	989	19·95
Nithsdale	1,610	18·74
Stewartry	632	24·83
Wigtown	879	18·67
Fife		
Dunfermline	4,196	18·09
Kirkcaldy	4,620	17·37
North East Fife[2]	1,988	24·85
Grampian		
Aberdeen	3,721	9·72
Banff and Buchan[2]	2,158	17·06
Gordon	1,291	21·18
Kincardine and Deeside	666	18·37
Moray	2,147	20·24
Highland		
Badenoch and Strathspey	288	26·89
Caithness[2]	690	16·04
Inverness	1,107	15·78
Lochaber	515	15·30
Nairn	212	19·12
Ross and Cromarty	671	10·73
Skye and Lochalsh	140	20·00
Sutherland	226	13·06
Lothian		
East Lothian	2,621	16·13
Edinburgh[2]	7,228	12·71
Midlothian	2,308	17·54
West Lothian	2,130	9·45
Strathclyde		
Argyll and Bute	950	11·45
Bearsden and Milngavie	369	20·20
Clydebank	944	7·98
Clydesdale	608	6·29

Area	*Houses sold to sitting tenants from 1 April 1979 to 30 September 1988*	*Percentage of stock sold to sitting tenants*[1]
Cumbernauld and Kilsyth	460	10·49
Cumnock and Doon Valley[2]	639	6·17
Cunninghame	2,496	10·59
Dumbarton[2]	854	6·51
East Kilbride	324	19·95
Eastwood	426	21·00
Glasgow	8,055	4·60
Hamilton	1,991	8·71
Inverclyde	1,543	7·69
Kilmarnock and Loudoun	1,620	8·91
Kyle and Carrick	2,977	16·23
Monklands[2]	1,396	4·89
Motherwell[2]	1,941	4·86
Renfrew	4,076	10·32
Strathkelvin	1,623	14·81
Tayside		
Angus	2,332	16·00
Dundee	2,668	6·65
Perth and Kinross	2,923	17·93
Orkney Islands[2]	243	16·76
Shetland Islands	331	13·66
Western Isles	483	20·21

[1]Stock as at 30 September 1979.
[2]Complete figures are not available for this period, due to outstanding returns.

Rating Reform

Mr. Andrew Welsh: To ask the Secretary of State for Scotland if, in respect of the local authority areas of Tayside region, Angus district, Dundee district and Perth and Kinross district, he will list the details of the figures he used to calculate *(a)* the estimate of the total revenue expenditure, *(b)* the amount of revenue support grant, *(c)* the amount of non-domestic rates, *(d)* the amount attributable to the poll tax, *(e)* the amount of revenue balances he expects each to use and *(f)* the effective number of registerd persons for each.

Mr. Lang: The Secretary of State has not calculated the figures mentioned under *(a)*, *(d)* and *(e)*. These are matters for the local authorities concerned. Details of calculations of *(b)*, *(c)* and *(f)* are given in the "Report on the Revenue Support Grant (Scotland) Order 1988", a copy of which has been placed in the House of Commons Library.

Mr. Andrew Welsh: To ask the Secretary of State for Scotland (1) if he will list the full details of how the calculations were arrived at and the assumptions which were made in calculating *(a)* the poll tax for Tayside region, *(b)* the water poll tax for Tayside region, *(c)* the district poll tax for Angus district, *(d)* the district poll tax for Dundee district and *(e)* the district poll tax for Perth and Kinross district;

(2) if he will list the full details of how he calculated the total amount of poll tax payable in each district in Scotland; and if he will make a statement.

Mr. Lang: For Scotland as a whole the 9·8 per cent increase means that if local authorities increase their expenditure by no more than 6 per cent., plus allowances for the cost of community charge and school board administration, the amount raised in community charges need be no more than that raised in domestic rates this year. The first stage of the calculation of a community charge for each area was therefore to calculate the personal community charge for each local authority, which would raise the same amount as domestic rates did this year. It was assumed that exemptions and losses in collection for community charges would be at a level corresponding to present reliefs and losses for domestic rates.

The resulting community charge figure for each area was then adjusted to take account of the extent to which the individual authorities' grant increase was larger or smaller than the average for the class of authority.

The community water charge was calculated as the community charge equivalent to this year's domestic and public water rates, increased for inflation.

The approach was applied to all local authority areas in Scotland.

Mylnefield Research Establishment

Mr. Andrew Welsh: To ask the Secretary of State for Scotland if he will list the representations he has received regarding the future of the Mylnefield research establishment; and if he will make a statement on its future.

Mr. Michael Forsyth: My right hon. and learned Friend has received 11 letters from growers and others, including one from my hon. Friend the Member for Tayside, North (Mr. Walker) expressing concern about proposed reductions in Government funding of near market horticultural R and D, on the possible outcome of a review currently in hand on the organisation of horticultural R and D throughout Great Britain, and the implications for the future of the Scottish crop research institute at Mylnefield. No final decisions have been made on the future levels of public expenditure on horticultural R and D, or on the organisation of this work, but the continued existence of the Scottish crop research institute is not in question. Horticultural R and D accounts for around £820,000 out of the institute's current budget of £5,650,000.

Football Matches (Arrests)

Mr. Pendry: To ask the Secretary of State for Scotland if he will detail for the 1987-88 season the total number of arrests within Scottish league grounds during league and cup matches as a percentage of total attendances.

Mr. Michael Forsyth: The overall figure is 0·0163 per cent. Details for individual grounds are not held centrally.

Employment Training

Mr. McLeish: To ask the Secretary of State for Scotland what was the number of employment training places filled in September, October, November and December of 1988 for each regional and island council area.

Mr. Lang: This information is not available in the form requested except at disproportionate cost.

However, as a result of an earlier exercise filled employment training places were calculated by region as at 25 November 1988. The results are shown in the table.

Filled places on 25 November 1988

Region	*Number*
Borders	157
Central	1,008
Dumfries and Galloway	442
Fife	1,826
Grampian	802
Highlands and Islands	644
Lothian	3,079
Strathclyde	10,432
Tayside	1,183
Total	19,573

Mr. McLeish: To ask the Secretary of State for Scotland what is the total number of places in employment training *(a)* authorised and *(b)* filled for each of (i) private sector, (ii) local government, (iii) public sector and local government and (iv) voluntary sector.

Mr. Lang: This information cannot be provided other than at disproportionate cost.

Parliamentary Questions

Mr. French: To ask the Secretary of State for Scotland how many oral parliamentary questions he has answered by written reply because the question was not reached at Question Time for the most recent year for which figures are available.

Mr. Rifkind: In the 1987-88 parliamentary Session, approximately 362. It is not possible to extract from this figure the number of questions withdrawn on the day on which they were due for answer.

Motorways (Crash Barriers)

Mr. Salmond: To ask the Secretary of State for Scotland what proportion of motorway in *(a)* Scotland, *(b)* the United Kingdom and *(c)* England has central reservation crash barriers; and if he has any plans to increase the proportion of motorway in Scotland which has such barriers.

Lord James Douglas-Hamilton: 28 per cent. of trunk road motorway in Scotland currently has central reserve safety fencing. I understand that the English motorway network is fully equipped with central reserve fencing, except where the carriageways are widely separated, and that the position is the same in Wales and Northern Ireland. Our policy is to achieve this position in Scotland as quickly as resources and opportunities permit.

Mr. David Marshall: To ask the Secretary of State for Scotland on how many miles of existing motorway in Scotland crash barriers will be provided by the end of *(a)* 1989, *(b)* 1990 and *(c)* 1991

Lord James Douglas-Hamilton *[holding answer 16 January 1989]:* It is Scottish Office policy to instal central reserve safety fencing on all new sections of motorway. So far as existing motorway is concerned, central fencing will be provided as quickly as resources and opportunities permit until all sections have been completed. The work is ongoing and I would not wish to speculate over annual rates of progress.

Hospital Buildings (Sale)

Mr. Foulkes: To ask the Secretary of State for Scotland what are the current arrangements in force regarding the application of funds raised by the sale by health boards of hospital buildings surplus to their requirements.

Mr. Michael Forsyth: I refer the hon. Member to the answer which I gave to my hon. Friend the Member for Eastwood (Mr. Stewart) on 11 November, at column *345*.

TRADE AND INDUSTRY

Business Premises (Greater London)

Mr. Steinberg: To ask the Chancellor of the Duchy of Lancaster if he has any information on the change in numbers of *(a)* greengrocers', *(b)* butchers', *(c)* bakers', *(d)* estate agents' and *(e)* building societies' trading premises in the Greater London area over the last 10 years.

Mr. Forth: The following is the information:

Heading	*End 1979*	*End 1987*
Greengrocers	1,092	1,004
Butchers	1,148	1,073
Bakers	570	712
Property Owning Etc.[1]	1,837	2,575
Other Financial Institutions[2]	796	1,256

[1] Includes estate agents.
[2] Includes building societies.

Separate figures are not available for estate agents or for building societies. The figures for bakers include those classified to manufacturing and retail bread and flour confectionery.

GATT

Sir Richard Body: To ask the Chancellor of the Duchy of Lancaster what consultation he had with consumer organisations before the recent GATT mid-term review in Montreal; and if there are to be any consultations with such groups as a result of the breakdown of the review.

Mr. Alan Clark: My officials regularly consult consumer organisations about the GATT round of trade negotiations. Such a meeting was held shortly before the Montreal mid-term ministerial meeting and another will take place next week.

Fireworks (Injuries)

Dame Janet Fookes: To ask the Chancellor of the Duchy of Lancaster if he is yet able to announce the statistics for fireworks injuries for 1988.

Mr. Forth: Information from most but not all hospitals has now been received, and the usual reminders are being sent. Busy hospitals are of course doing us a favour in providing the figures. We hope to announce the firework injury statistics, as usual, some time in March.

Japanese-owned Businesses

Mr. Amos: To ask the Chancellor of the Duchy of Lancaster how many Japanese-owned businesses have located in *(a)* the south east, *(b)* the north east, *(c)* the north west, *(d)* the south west, *(e)* Scotland and *(f)* south Wales, for the most recent year period for which figures are available.

Mr. Forth: Comprehensive statistics on foreign-owned businesses are not available, but the numbers of Japanese-owned manufacturing companies known to have located between January 1979 and December 1988, in the stated regions, are as follows:

	Number
(a) South East	14
(b) North East	10
(c) North West	4
(d) South West	2
(e) Scotland	11
(f) South Wales	9

Mr. Amos: To ask the Chancellor of the Duchy of Lancaster how many Japanese-owned businesses have located in the United Kingdom in the most recent 10-year period for which figures are available.

Mr. Forth: Comprehensive statistics on foreign-owned businesses are not available, but the DTI is aware of 79 Japanese manufacturing companies that have set up in the United Kingdom between January 1979 and December 1988.

Water

Mr. Spearing: To ask the Chancellor of the Duchy of Lancaster what other information, other than that contained in the Water Bill and the forthcoming amendments, notice of which was given on 11 January, he will be sending to, or he expects to be requested by, the Commission of the European Economic Community in respect of prospective legislation relating to take over bids and golden shares in the water industry.

Mr. Forth: None. Responsibility for the Water Bill lies with the Secretary of State for the Environment.

European Single Market

Mr. Thurnham: To ask the Chancellor of the Duchy of Lancaster if he will make a statement on progress towards completing the European single market in 1992.

Mr. Alan Clark: We are continuing to make rapid progress towards the goal of completing the single market by the 1992 target date. This was emphasised in the report produced by the European Commission in November, assessing the position at the half-way point in the single market programme.

Over 50 separate measures aimed at removing barriers to trade in Europe were agreed during the Greek Presidency which ended in December. This brings the total number of single market measures agreed to date to some 275, including 128 from the Commission's White Paper programme.

The Government are strongly committed to the completion of the single market: it will provide major opportunities for business and benefits for consumers.

TRANSPORT

Heavy Goods Vehicles (Tests)

Mr. Gareth Wardell: To ask the Secretary of State for Transport if he will place in the Library a detailed analysis for each of the past five years of all roadside tests carried out by his Department's engineers on heavy goods vehicles specifying where and when these tests occurred; and what were the results.

Mr. Peter Bottomley: Information on the results of roadside spot checks is contained in the vehicle inspectorate's annual report and accounts 1987-88. Specific information on the results of roadside checks in each traffic area is contained in the annual reports of the licensing authorities for the five years up to 1987-88. Copies of these reports are in the House Library. Information on the results of individual checks could be provided only at disproportionate cost.

Borough Junction, London

Mr. Redmond: To ask the Secretary of State for Transport what action he is taking with British Rail in respect of the Borough junction which serves the London termini of Cannon street, Charing Cross and London bridge, to ensure that there will be no repeat at this junction of the recent incident at Clapham junction.

Mr. Portillo: Statutory responsibility for the safe operation of its services rests with British Rail. I know, however, that in the light of the findings of its internal inquiry into the Clapham accident, it initiated urgent investigations to confirm that signalling systems elsewhere on its lines are in order. I understand that London bridge signal box, which controls operations at Borough junction, has been checked as part of this exercise.

Public Utilities Street Works Act 1950

Mr. Batiste: To ask the Secretary of State for Transport what steps he is taking to update and amend the Public Utilities Street Works Act 1950 in line with the recommendations of the Horne committee.

Mr. Peter Bottomley: We have accepted most of the recommendations in the Horne report. Work is progessing well, in collaboration with the highway authorities and utilities, to produce specifications for reinstatements, a code of practice for diversionary works, arrangements for training and certification of workmen and a computerised street works register. Proposals for legislation are being drawn up with the benefit of advice from the street works advisory committee. A Bill will be introduced as soon as a suitable opportunity can be found.

Oil Pollution

Mr. Barry Field: To ask the Secretary of State for Transport what steps are being taken to identify the vessel responsible for the oil pollution in the English channel.

Mr. Portillo: Samples of beached oil and contaminated bird feathers have been obtained from various locations along the south coast. These are being analysed by the Laboratory of the Government chemist to try to determine in the first instance whether the pollution stemmed from a single incident or a series of incidents, and the precise nature of the oil involved. Whether or not further action will be possible will depend on the results obtained.

Mr. Barry Field: To ask the Secretary of State for Transport what were the patrol patterns of the anti-oil pollution aircraft over the Christmas and new year holiday periods.

Mr. Portillo: Anti-oil-pollution aerial surveillance patrols took place over the North sea on 24 and 31 December, and over the English Channel on 27 December, 30 December and 5 January.

Railway Stations

Mr. Steinberg: To ask the Secretary of State for Transport if he will estimate how many people in mainland Britain live more than 10 miles from the nearest railway station.

Mr. Portillo: This information is not available.

A38 (Saltash)

Mr. Robert Hicks: To ask the Secretary of State for Transport why the A38 Saltash road is to be closed to traffic; what is the period when it will be closed; and if he will make a statement.

Mr. Peter Bottomley: Contrary to recent erroneous press reports, the A38 Saltash tunnel will be closed from 0001 hours to 12 noon on Sunday 22 January 1989 only, for the first of its planned regular maintenance services. This comprises washing the tunnel walls and lighting, changing lighting tubes and bulbs and minor routine maintenance. We expect to close the tunnel overnight at three-monthly intervals to undertake this regular maintenance.

British Transport Police

Mr. Tony Banks: To ask the Secretary of State for Transport, pursuant to his reply of 10 January, *Official Report*, column *624*, if he will state the form in which information of incidents reported to British Transport police is kept.

Mr. Portillo: Information is held by the British Transport police on its central computer on a police divisional basis. Information by individual railway stations is not readily available. The hon. Member should approach the BTP for further information.

Channel Tunnel Terminal

Mr. Tony Banks: To ask the Secretary of State for Transport if he will ask British Rail to make available to right hon. and hon. Members their assessment of Stratford as a possible location for the second London terminal of the Channel tunnel.

Mr. Portillo: I will pass on the hon. Member's request.

Road Accidents

Mr. Beith: To ask the Secretary of State for Transport whether he will list the road traffic accidents involving death or serious injury which have taken place on the A1 in Northumberland in the past three years.

Mr. Peter Bottomley: The road traffic accident figures for the period 1 January 1986 to 31 December 1988 are as follows:

Year	*Fatal*	*Serious*	*Total*
1986	5	24	29
1987	5	29	34
1988	5	24	29
	—	—	—
	15	77	92

Tyre Treads

Mr. Tony Lloyd: To ask the Secretary of State for Transport what research has been done on the effect of low tyre tread depth on tyres to road grip.

Mr. Peter Bottomley *[holding answer 17 January 1989]:* The following reports by the Transport and Road Research Laboratory have been placed in the Library:

Results on wet cornering done in 1985;

Supplementary report 672 published in 1981 on straight line grip;

Leaflet 593 published in 1979—Vehicle Defects and their Contribution to Accidents.

Mr. Tony Lloyd: To ask the Secretary of State for Transport what percentage of road accidents are caused by insufficient tyre tread.

Mr. Peter Bottomley *[holding answer 17 January 1989]:* Well-maintained and properly inflated tyres are important for road safety. Our standards for tyre-tread depth were drawn up with particular regard to necessary adhesion and safety. Accident surveys have shown that although vehicle defects were a main cause in under 10 per cent. of accidents, faulty tyres featured in nearly a third of these. The main problems were blow-outs and wrong pressures. Inadequate tyre depth was a factor in less than 0·8 per cent. of the cases.

Air Services (North America-Manchester)

Mr. Tony Lloyd: To ask the Secretary of State for Transport if he will make a statement on the progress of negotiations for direct services between North America and Manchester International airport.

Mr. Peter Bottomley *[holding answer 16 January 1989]:* At the most recent negotiations on greater access for US carriers to serve Manchester airport, held in London between 4 and 6 January 1989, the two sides could not reach a mutually acceptable conclusion.

The Government recognise the importance of these additional services into Manchester airport and are therefore seeking further discussions.

Transport Infrastructure

Mr. Tony Lloyd: To ask the Secretary of State for Transport what moneys have been received from the European Community specifically for transport infrastructure investment since 1980; and what projects such moneys have been used to finance.

Mr. Portillo *[holding answer 17 January 1989]:* About £930 million is expected to have been received by the Department from the European Community between 1980-81 and 1988-89 to finance transport infrastructure investment, as follows:

Recent major projects included in totals	*£ million*
National roads	
Newcastle Western bypass, A38 Manadon-Tamar Bridge, A30 Marsh Mills-Manadon	430

Recent major projects included in totals	*£ million*
Rail	
East coast main line electrification, Windsor rail link in Manchester	220
Local roads	
Manchester/Salford inner relief route, Bradford City ring road, A456 Bewdley bypass, A30 Penzance primary distributor road	180
Ports	50
Bus stations, airports etc.	50

HEALTH

South East Thames RHA

Mr. Robin Cook: To ask the Secretary of State for Health how much rental is being paid annually for the office accommodation in Randolph house, Wellesley road, Croydon; if he will break the figure down into rental per square foot; to whom the rent is being paid; and when was the last time that the area rented was *(a)* used by any South East Thames regional health authority staff and *(b)* fully used by South East Thames regional health authority staff.

Mr. Freeman: South East Thames regional health authority pays a gross rent of £525,000 annually for office accommodation in Randolph house. The net rent, after taking into account accommodation which has been sub-let, is £304,400. This equates to just under £7 per square foot. Rent is paid to Sun Life Properties Ltd. as required by the terms of the lease, which expires on 16 August 1990, and the terms of the lease do not allow sub-letting at a lower rent. The accommodation was fully utilised by regional health authority staff until April 1984 and vacated by them in July 1984.

Leptospirosis

Mr. Redmond: To ask the Secretary of State for Health if he will list by year for the last five years by district health authority the number of cases of leptospirosis, Weil's disease, that have been reported; how many were fatal; and if he will make a statement.

Mr. Freeman: Cases of infectious diseases are notified by the doctor in attendance to the proper officer for each local authority area. Notifications of leptospirosis are therefore not generally available at the district health authority level. However, the table shows the number of notifications of leptospirosis (including Weil's disease) for regional health authorities for the latest five years available. Evidence from the identifications of the disease by the public health laboratory service indicates that there is undernotification and that perhaps only about one in three cases is formally notified. Also given are the number of deaths registered with underlying cause of death assigned as leptospirosis for RHA of usual residence. From the registration of the death alone, it is not possible to determine whether the case had been formally notified.

Numbers of (a) notifications of and (b) deaths registered with underlying cause as: Leptospirosis (including Weil's disease)
ICD (9)[1] 100 *Regional Health Authority 1983-1987*

	1983	*1984*	*1985*	*1986*	*[2]1987*
(a) Notifications					
RHA Area of notification					
Northern	—	—	3	1	2
Yorkshire	1	—	2	1	2
Trent	4	3	2	1	3
East Anglian	1	2	2	—	1
North West Thames	2	—	3	2	2
North East Thames	—	—	1	2	1
South East Thames	2	—	—	—	—
South West Thames	2	1	—	1	1
Wessex	1	2	1	2	5
Oxford	2	1	1	1	—
South Western	2	5	5	8	2
West Midlands	1	2	2	1	2
Mersey	—	—	1	—	2
North Western	2	2	3	1	2
(b) Deaths					
RHA of usual residence					
Northern	—	—	—	—	—
Yorkshire	—	—	—	—	—
Trent	—	—	—	1	—
East Anglian	—	—	—	—	—
North West Thames	—	—	—	—	—
North East Thames	1	—	—	—	1
South East Thames	—	—	—	—	—
South West Thames	—	—	—	—	—
Wessex	—	—	—	—	—
Oxford	—	—	—	—	—
South Western	—	—	1	—	—
West Midlands	—	—	1	—	—
Mersey	—	—	—	—	—
North Western	—	—	—	—	—

[1] International Classification of Diseases 9th Revision.
[2] Provisional.
Note: Figures for deaths from 1986 exclude those at age under 28 days.

Organ Transplants

Mr. Brazier: To ask the Secretary of State for Health if he will publish comparable figures on *(a)* the United Kingdom's heart transplant programme and *(b)* that in other countries in the European Community.

Mr. Freeman: For details of the United Kingdom heart transplant programme I refer my hon. Friend to the statement made by my right hon. and learned Friend the Secretary of State for Health on 14 December 1988 at column *602*. I regret that we do not collect statistics on heart transplantation in other countries in the European Community.

Diet

Mr. Adley: To ask the Secretary of State for Health if he will make a statement on the nation's health in relation to dietary matters.

Mr. Freeman: The nation's nutritional health can best be assured if people eat a balanced diet, not too much or too little of any food.

There is evidence that some people do not eat a balanced diet. For instance the Government accept that the current rates of cardiovascular disease might be lessened if people's intakes of fat and particularly saturated fatty acids, were to be reduced.

Further information about the national diet is emerging from the results of the dietary and nutritional survey of British adults, undertaken by OPCS in association with the Department of Health and the Ministry of Agriculture, Fisheries and Food, which are now being analysed.

Hospital Cleaning

Mr. Wray: To ask the Secretary of State for Health what type of information is centrally gathered by his Department regarding the impact in National Health Service hospitals in *(a)* England, *(b)* Scotland and *(c)* Wales of the privatisation of cleaning services; and whether such information refers to (i) the present standards of cleaning works, (ii) savings for health boards in England, Scotland and Wales and for the United Kingdom as a whole and (iii) working conditions of the cleaning staff of such private contractors.

Mr. Mellor: Since the launch of the competitive tendering initiative in 1983, health authorities in England have been required to put their cleaning services out to tender. Information collected centrally, following the initiative, concerned the progress made by authorities in implementing the policy, the award of contracts and the savings generated. Virtually all domestic services have now been tendered with about 80 per cent. of the tenders being won in-house. Savings on these services total over £80 million.

No information is held centrally on standards, which is a matter for health authorities, or on conditions of service for staff of private contractors, which is a matter for the companies concerned and their employees.

Information about Scotland and Wales is a matter for my right hon. and learned Friend the Secretary of State for Scotland and my right hon. Friend the Secretary of State for Wales.

Post-operative Treatment

Ms. Walley: To ask the Secretary of State for Health what National Health Service post-operative treatment is available, similar to that found in other European countries; in which areas post-operative treatment can be obtained under the National Health Service; and if he will make a statement.

Mr. Freeman: Any post-operative treatment which the responsible doctors deem to be clinically necessary is normally provided on the National Health Service. If the hon. Member knows of difficulties which have been experienced with any particular form of such treatment perhaps she would let me know.

Nurses' Pay

Mrs. Gillian Shephard: To ask the Secretary of State for Health what was the median level of earnings for nurses expressed as a proportion of average earnings in each year from 1983-84 to the most recent available date.

Mr. Mellor: We cannot derive the information requested from the data on earnings which are held centrally.

Cancer Screening

Mr. Harry Greenway: To ask the Secretary of State for Health if he will make a statement on his further plans for the screening of women for cervical cancer.

Mr. Freeman: Comprehensive guidance to health authorities and family practitioner committees on cervical cancer screening services was issued in January 1988. All district health authorities in England have now implemented computerised call and recall systems. All women aged 20 to 64 are to be invited for screening by March 1993—unless their general practitioner has indicated that they should be excluded—and recalled at least every five years. We shall continue to monitor progress.

Mrs. Ray Michie: To ask the Secretary of State for Health what representations he has received concerning the psychological effects on patients of the current system of cervical cancer screening.

Mr. Freeman: None. Nevertheless we recognise the importance of minimising the anxieties women might have about participation in the cervical cancer screening programme. We have asked health authorities to aim their local health education programmes at encouraging women to respond positively to their screening invitations and to ensure that women who require treatment following their test are offered counselling and support.

Midwives (Cornwall and Isles of Scilly)

Mr. Matthew Taylor: To ask the Secretary of State for Health what representations he has received regarding the regrading of midwives in the Cornwall and Isles of Scilly health authority.

Mr. Mellor: The Department has received some 50 written representations, including a petition from the Cornwall branch of the Royal College of Midwives.

Salaries

Mr. Ian Taylor: To ask the Secretary of State for Health what discretion is allowed to regional health authorities in determining clinical and nursing salary scales.

Mr. Mellor: The salaries of nurses employed in the National Health Service are determined by reference to national salary scales, with appropriate supplements for staff working in London. These are set in the light of the recommendations of the independent nurses pay review body and health authorities currently have no discretion to vary these salary scales.

Protection Orders (Northumberland)

Mr. Ronnie Campbell: To ask the Secretary of State for Health how many children were regarded as under protection orders on a month to month basis in Northumberland in 1988.

Mr. Mellor: Information about the number of children removed to a place of safety is collected centrally on an annual basis only. The number in 1988 in Northumberland was 25 and is given in the provisional feedback "Children removed to a place of safety, year ending 31 March 1988, England"; copies are available in the Library of the House.

School Nurses (Statistics)

Mr. Cousins: To ask the Secretary of State for Health how many nurses are engaged in educational medicine and the care of children in hospitals; and if he will give similar figures for the last five years.

Mr. Mellor: The total number of nursing staff employed in the school health service in England at 30 September each year from 1983 to 1987 was:

Year	Wholetime equivalents
1983	2,890
1984	2,910
1985	2,920
1986	2,810
1987	2,790

Note: These figures exclude nursing staff employed in special schools.

Mr. Cousins: To ask the Secretary of State for Health how many nurses in educational medicine and the care of children in schools were in each grade before and after the recent grading review.

Mr. Mellor: We do not hold this information centrally.

Certificate of School Nursing

Mr. Cousins: To ask the Secretary of State for Health what pay enhancements were offered to nurses acquiring the certificate of school nursing in each of the last five years, and before and after the recent grading review.

Mr. Mellor: The new clinical grading structure is designed to recognise and reward the possession of post basic nursing qualifications, including the certificate of school nursing. The Department's guidance to health authorities is that the minimum grade appropriate for posts which require first level registration and the school nursing certificate is scale E.

Possession of the certificate was not a factor in grading prior to the introduction of the new structure. No additional allowances are or were payable to those who have acquired the certificate.

Listeriosis

Mr. Hinchliffe: To ask the Secretary of State for Health if, in any of the notified cases of listeriosis in 1987 and 1988, there was any evidence of a vector other than food.

Mr. Freeman: Three of the 546 listeria cases reported to the public health laboratory service in 1987 and 1988 were microbiologically confirmed as being food associated. No vector was identified in the other cases.

Food Poisoning

Mr. Hinchliffe: To ask the Secretary of State for Health what action he is taking to reduce the incidence of food poisoning.

Mr. Freeman: Apart from regular liaison with the food industry and enforcement agencies, action is being taken on a number of fronts. The Department of Health and the Ministry of Agriculture, Fisheries and Food have a number of studies under way on a range of subjects; the public health laboratory service, in addition to its routine monitoring of laboratory reports, also has in train a number of specific studies. The Department is working with the manufacturing and retail sectors of the food industry on the prevention and control of contamination in foods.

On a wider front, the Department is jointly responsible with the Ministry of Agriculture, Fisheries and Food for the Food Act and legislation made under it. A review of both the Act and the food hygiene regulations is under way. We are considering what further action is necessary.

Elderly Persons' Homes (Calderdale)

Mrs. Mahon: To ask the Secretary of State for Health what was the total cost, and to which Government Departments, of funding private and voluntary homes for the elderly in Calderdale in each year from 1979.

Mr. Freeman: Private and voluntary homes are not funded directly by the Government.

Mrs. Mahon: To ask the Secretary of State for Health how many places there were in *(a)* local authority elderly persons homes and *(b)* private homes for elderly persons in Calderdale in each year since 1979.

Mr. Freeman: The information readily available for the period relates to the number of places in homes for elderly people and younger physically handicapped people. Information for the years ending 31 March 1981 to 1986 is published in "Residential Accommodation for Elderly and Younger Physically Handicapped People: All Residents in Local Authority, Voluntary and Private Homes Year ending 31 March 1981 to Year ending 31 March 1986 England", a copy of which is available in the Library. The information for the year ending 31 March 1980, and provisional information for the year ending 31 March 1987, is given in the table.

Number of places in residential care homes in Calderdale local authority for elderly people and for younger physically handicapped people, as at 31 March, 1980 and 1987

Year	Local authority homes	Voluntary homes	Private homes	All homes
1980	656	91	131	878
1987[1]	702	32	438	1,172

[1] Provisional.

Operations (Waiting Lists)

Mrs. Mahon: To ask the Secretary of State for Health how many people waiting for operations *(a)* nationally and *(b)* in Calderdale, have been removed from waiting lists because they became ill, in each year since 1979.

Mr. Mellor: We do not collect the information requested centrally.

Private Health Sector (Calderdale)

Mrs. Mahon: To ask the Secretary of State for Health how many private beds were available, and how many consultant hours were worked, in the private health sector in Calderdale in each year since 1979.

Mr. Mellor: The only available information centrally is given in the table.

Number of beds in private hospitals, homes and clinics registered under section 33 of the Registered Homes Act 1984—Calderdale health authority

Year	Total beds
1982	141
1983	145
1984	168
1985	272
1986	340

Cook-Chill Food

Mr. Hinchliffe: To ask the Secretary of State for Health what steps his Department has taken to ensure the public can safely consume cook-chill food from supermarkets that store such food in systems that contravene his Department's 1980 guidelines.

Mr. Freeman: This Department, in consultation with the Ministry of Agriculture, Fisheries and Food and the food industry, is drawing up guidelines for cooked-chilled manufactured food sold from retail outlets. The proposed guidelines will cover storage and display conditions and will take account as appropriate of the recommendations in the Department's existing guidelines on pre-cooked chilled catering foods.

Mr. Hinchliffe: To ask the Secretary of State for Health what action he is taking following the publication of the results of a survey into food hygiene in National Health Service hospitals in England and Wales undertaken by the Institution of Environmental Health Officers which indicated that the cook-chill processes in 19 per cent. of the hospitals surveyed between 1 April 1987 and 31 March 1988 did not comply with his Department's 1980 guidelines.

Mr. Freeman: Health authorities have been asked to provide information on standards of hygiene in their kitchens including those involving cook-chill and this will be carefully considered for further action.

Mr. Hinchliffe: To ask the Secretary of State for Health (1) how many members of the Yorkshire regional health authority have declared a pecuniary interest in cook-chill catering; and when these interests were declared;

(2) how many members of the Wakefield district health autority have declared a pecuniary interest in cook-chill catering; and when these interests were declared.

Mr. Freeman: None. But as recorded in the DHA minutes, one member of Wakefield health authority gave notice on 25 November that he had received an invitation to join/advise a company specialising in 100 per cent. sterile food. I understand the company currently operates on the continent but has plans to undertake marketing trials in the United Kingdom.

Mrs. Mahon: To ask the Secretary of State for Health what advice he is giving to Calderdale health authority on cook-chill in the light of the recent new evidence on listeria.

Mr. Freeman: The advice contained in the 1970 guidelines on cook-freeze catering, as amended by the guidelines on pre-cooked chilled foods published in 1980, is still operational. As my right hon. and learned Friend the Minister of Health said in his reply of 14 December to the hon. Member for Stoke-on-Trent, South (Mr. Ashley) at column *601* we are satisfied that provided these guidelines are carefully followed, microbiologically sound food will be produced.

Mr. Hinchliffe: To ask the Secretary of State for Health, if it is possible for cook-chill food to be supplied from the private sector to National Health Service hospitals with food production units within the requirements of his Department's 1980 guidelines on cook-chill food.

Mr. Freeman: I refer the hon. Member to my reply to him on 17 January at column *114*

Mr. Hinchliffe: To ask the Secretary of State for Health if, pursuant to his answer to the hon. Member for Wakefield of 16 January 1988, the public health laboratory service of cook-chill food has included food supplied to hospital patients.

Mr. Freeman: The public health laboratory service survey referred to in my reply of 16 January at column *43* includes cook-chill food supplied by NHS hospitals.

Water Fluoridation

Mr. Fatchett: To ask the Secretary of State for Health (1) what action his Department intends to take in the light of the proposals by the Severn-Trent water authority to give notice to terminate the agreement by which fluoridated water is supplied from the Elan valley reservoir to Birmingham, Solihull and adjacent areas unless by 1 February his Department and the Water Authorities Association resolve the current dispute over the terms of the indemnity granted to water suppliers;

(2) what are the terms of the indemnity granted to water suppliers who have previously agreed to requests for fluoridation schemes; how the indemnity offered to water suppliers for new schemes has been implemented since the Water (Fluoridation) Act 1985; how such indemnities were implemented before that Act; and what extensions to the existing indemnity have been offered to the Water Authorities Association in recent negotiations with his Department.

Mr. Freeman: I refer the hon. Member to my reply to the hon. Member for Birmingham, Perry Barr (Mr. Rooker) on 16 January at columns *41-42* which said that a copy of the terms of the indemnity for water undertakers had been placed in the Library. The only major change to the indemnity since the passage of the Water Fluoridation Act 1985 has been the withdrawal of cover in the event of a legal challenge to the powers of water undertakers to add fluoride to the water supply. This is because the Act itself removed any doubt about these powers.

We are considering the terms of the indemnity following representations from the Water Authorities Association.

Cyclotron (Expenditure)

Mr. Fearn: To ask the Secretary of State for Health on what grounds he made his decision to spend £6 million on a cyclotron to be sited at St. Thomas's hospital; and if he will make a statement.

Mr. Mellor: On 7 June 1988 Ministers approved a grant of £6 million to the Cyclotron trust as a contribution towards the charitable funds it is raising to install a Cyclotron at St. Thomas's hospital. The decision was made on the understanding that the Neutron therapy the cyclotron can provide, can give relief from the effects of certain cancers. Ministers decided to support the voluntary fund raisers in order to make such treatment more widely available to NHS patients.

Hospital Pharmacists and Pharmacy Technicians

Mr. Fearn: To ask the Secretary of State for Health if he will list, by regional health authority the number of vacant posts in 1988 for hospital pharmacists grade 1 and grade 2 and pharmacy technicians.

Mr. Mellor: We do not collect this information centrally.

ENVIRONMENT

Housing Finance

Mr. Allen: To ask the Secretary of State for the Environment if he will make available to hon. Members any evidence collected from local authorities which supports his answer of 19 December, *Official Report*, column *42*, that his proposals on housing finance will not significantly affect council house rents either in Nottingham or nationally.

Mr. Trippier: My earlier reply explained that my right hon. Friend's proposals for capital expenditure and finance were not expected to have any impact on council house rents. We have made separate proposals on housing finance, suggesting new machinery for subsidising local authority housing revenue accounts. The effect these proposals will have on council rents will depend partly on the way we choose to operate the system year by year, and partly on the decisions taken by individual local authorities, who will retain ultimate responsibility for setting their own rents.

Water Act 1973

Mr. Wigley: To ask the Secretary of State for the Environment (1) if he will list the directions made by his Department under section 30 of the Water Act 1973 since the implementation of the Act, giving the date of each such direction, the authority to which it applied and the nature of the change to which the direction referred;

(2) what directions he has made for the charges schemes under the provisions of section 31(3) of the Water Act 1973 since that Act came into force, giving the date and the authorities subject to such directions in each instance.

Mr. Moynihan: No directions were given under section 30(5) and none have been given under section 3(4) of the Public Utility Transfers and Water Charges Act 1988 which has replaced it.

No directions have been given under section 31(3).

Mr. Wigley: To ask the Secretary of State for the Environment on what dates since the implementation of the Water Act 1973 he has made regulations under section 32(2) of that Act with respect to the installation of meters.

Mr. Moynihan: No regulations were made under section 32(2) of the Water Act 1973, which was repealed by the Public Utility Transfers and Water Charges Act 1988. Two sets of regulations have been made under section 5 of the 1988 Act: the Water (Meters) Regulations 1988 No. 1048 and the Water (Meters) (Amendments) Regulations 1988 No. 1288. These were made on 14 June 1988 and 25 July 1988 respectively.

Alexander Fleming House

Mr. Heddle: To ask the Secretary of State for the Environment (1) if he will publish details of any plans to carry out a scheme of refurbishment to Alexander Fleming house, London SE1;

(2) if he has any plans to list Alexander Fleming house, Elephant and Castle, London SE1 under the Town and Country Planning Acts as a building of architectural significance.

Mr. Chope: Alexander Fleming house is a leased building and the landlord has yet to take a final decision about a major refurbishment. I have no plans to list this building under the Town and Country Planning Acts.

Housing Starts

Mr. Heddle: To ask the Secretary of State for the Environment if he will publish in the *Official Report* the figures for private sector housing starts for each year since 1979.

Mr. Trippier: Figures of private sector housing starts appear in table 6.1(a) of "Housing and Construction Statistics, 1977-1987", a copy of which is available in the Library.

Inner City Regeneration

Mr. Heddle: To ask the Secretary of State for the Environment what steps he proposes to take to encourage local authorities to use simplified planning zones to facilitate private sector investment in inner city regeneration.

Mr. Chope: My Department has already issued advice on the preparation of SPZ schemes (PPG5), on the statutory procedures (circular 25/87), and on the application of environmental assessment procedures in these areas (circular 24/88). Promotional literature has been widely circulated to local planning authorities, businesses and other organisations involved in regenerating inner city areas. SPZ schemes have already been established at Derby and Corby and other schemes in preparation include those at Birmingham, Enfield, Rotherham, Cleethorpes and Glanford/Scunthorpe.

Economic Development Projects

Mr. Boateng: To ask the Secretary of State for the Environment if the proposed new economic development power will contain restrictions to prevent local authorities assisting in providing wages or salaries for staff in economic development projects.

Mrs. Virginia Bottomley: Restrictions on the use of the new power will be set out in regulations on which we shall consult local government. The Government do not believe that local authorities should be giving long-term direct subsidies to wages and salaries of private-sector firms.

Water (Privatisation)

Mr. John Evans: To ask the Secretary of State for the Environment what plans his Department has developed to ensure adequate investment in the sewage system infrastructure after the privatisation of the water supply industry.

Mr. Moynihan: Capital programmes costing £900 to £1,000 million have been developed by water authorities, aimed at bringing substandard sewage treatment works into compliance with their discharge consents by March 1992. It will be for the proposed National Rivers Authority to ensure that these programmes are satisfactorily implemented, and to monitor the performance of sewage treatment works to ensure an acceptable standard of continuing performance.

Housing (New Towns)

Mr. Soley: To ask the Secretary of State for the Environment whether the Government intend to continue with the management agency agreement to take over the running of all housing in new towns.

Mr. Trippier: The management of their rented housing stock is entirely a matter for new town development corporations. The decision to offer a management agency agreement to anyone is taken by the board of the development corporation. The Government have no standing in these matters.

Fire Service and Civil Defence

Mrs. Mahon: To ask the Secretary of State for the Environment how much in percentage terms ratepayers pay for their fire service in each of the fire and civil defence authority areas outside London.

Mrs. Virginia Bottomley: In 1987-88 the precept incomes of fire and civil defence authorities expressed as percentages of rates paid by all ratepayers in each metropolitan area are as follows:

Area	*per cent.*
Greater Manchester	4·3
Merseyside	2·9
South Yorkshire	3·9
Tyne and Wear	4·4
West Midlands	3·4
West Yorkshire	4·8

Estate Action

Mr. Greg Knight: To ask the Secretary of State for the Environment what is the increase in provision for the Estate Action programme for 1989-90.

Mr. Trippier: The Estate Action provision for 1989-90 has been increased by £40 million to £190 million, which is 36 per cent. more than the current year's provision.

Sites of Special Scientific Interest

Mrs. Ann Taylor: To ask the Secretary of State for the Environment when was the last time a code of guidance as to sites of special scientific interest was issued.

Mrs. Virginia Bottomley: The code of guidance was issued in November 1982. A revised code is in preparation and it is expected to be submitted for approval by Parliament later this year.

Water

Ms. Walley: To ask the Secretary of State for the Environment which of the 31 water supplies subject to action programmes agreed by his Department now comply with the European Community drinking water directive limiting the levels of aluminium in the water supply; and if he will make a statement.

Mr. Moynihan: Two of the 31 drinking water supplies subject to remedial programmes for aluminium now comply with the European Community drinking water directive. These are Tunstall (Northumbrian water authority) and parts of Halifax served by Thrum Hall treatment works (Yorkshire water authority).

Most of the remaining 29 supplies should comply by 1990.

Rents and Rates

Mr. Simon Hughes: To ask the Secretary of State for the Environment if he will publish a table showing the projected rise in local authority *(a)* rents and *(b)* rates for each year between 1988-89 and 1990-91 in current prices and 1987-88 prices.

Mr. Trippier *[holding answer 18 January 1989]:* We cannot say what local authorities will choose to do in future years. For 1988-89, however, local authorities in England increased their rents by an average of £1·57 per week over the previous year. (£1·48p at 1987-88 prices). The average increase in general rates in 1988-89 was 17·10p in the £, or 16·09p at 1987-88 prices.

Lowermoor Water Treatment Works

Dr. Cunningham: To ask the Secretary of State for the Environment how many requests for a drinking water derogation order were made to his Department by the South West water authority with respect to the incident at Lowermoor water treatment works on 6 July 1988; and on what dates they were received.

Mr. Ridley *[holding answer 18 January 1989]:* South West water authority submitted to my Department on 3 August 1988 an application for an emergency derogation under article 10 of the EC drinking water directive. Letters from SWW dated 15 August, 31 August and 14 September requested extension of its application.

I refer the hon. Member to the reply my hon. Friend the Minister for Water and Planning gave to my hon. Friend the Member for Cornwall, North (Mr. Neale) on 17 January, [*Official Report* Vol. 145, col. 147].

Pollution

Mr. Malcolm Bruce: To ask the Secretary of State for the Environment if he will give for the latest available year and for each of the previous five years the volume of chemical waste and the volume of waste material dumped off the British coast.

Mr. Donald Thompson: I have been asked to reply.

I refer the hon. Member to the replies that I gave on 10 January to the two questions from the hon. Member for Cynon Valley (Mrs. Clwyd) concerning industrial waste, dredge spoil and sewage sludge at columns *527-28*.

AGRICULTURE, FISHERIES AND FOOD

Bees

12. **Mr. Allen:** To ask the Minister of Agriculture, Fisheries and Food what recent representations he has received regarding bee diseases.

Mr. Donald Thompson: During 1988, I received representations from twelve beekeeping associations and from 15 individual bee interests about bee diseases and related matters.

Food (Microbiological Research)

13. **Dr. Moonie:** To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on his Department's programme of microbiological research into food produced in the United Kingdom.

Mr. Ryder: The Ministry of Agriculture, Fisheries and Food undertakes an extensive programme of research in food microbiology, hygiene related methodology development, costing about £1·9 million in the current financial year. The research is carried out at many establishments including universities, the Food Research Institute, and research associations. The programme of research is aimed at improving the safety and quality of food for the community. A list of individual projects within this programme has already been given in my reply of 22 December 1988 to the right hon. Member for Stoke-on-Trent, South (Mr. Ashley).

Green Pound

14. **Mr. Kirkwood:** To ask the Minister of Agriculture, Fisheries and Food what representations he has made to the European Economic Community regarding devaluation of the green pound as part of the 1989 price proposals.

Mr. MacGregor: Following United Kingdom pressure during the 1988 price fixing, the Council and the Commission agreed that the completion of the internal market required the progressive dismantlement of all MCAs, and monetary gaps. The Commission is committed to making proposals for further steps, and I expect to see the 1989-90 price proposals shortly.

46. **Mr. Marland:** To ask the Minister of Agriculture, Fisheries and Food if he has assessed the likely impact of the green pound rate changes which come into effect on 18 January on farm incomes.

Mr. MacGregor: The green pound devaluations agreed at the 1988 price fixing came into effect on 1 January this year. Taken on their own, they would increase aggregate farm income (the value of United Kingdom agricultural output) by some £120 million in a full year.

Horticulture (Market Research)

15. **Mr. Cran:** To ask the Minister of Agriculture, Fisheries and Food what representations he has received concerning the level of research and development funding in near market research in horticulture.

Mr. Ryder: We have received representations on the level of funding for near market research in horticulture from all the main organisations with an interest in horticultural research as well as from other interested parties.

Common Agricultural Policy

16. **Mr. McKelvey:** To ask the Minister of Agriculture, Fisheries and Food what recent discussions he has had with the National Farmers Union about the common agricultural policy.

Mr. MacGregor: I meet representatives of the National Farmers Union frequently to discuss agricultural matters.

Eggs

18. **Mr. Tony Lloyd:** To ask the Minister of Agriculture, Fisheries and Food what is his estimate of the United Kingdom's present capacity for production of hens' eggs.

Mr. Ryder: It is not possible to make a precise estimate of the United Kingdom's total capacity for production of hens' eggs. In 1988, approximately 12 billion hens' eggs were produced in the United Kingdom, but this may not have reflected the use of all the capacity for production that was available.

19. **Mr. Bradley:** To ask the Minister of Agriculture, Fisheries and Food if he will make a statement about the number of egg laying poultry that have been culled under his scheme announced on 19 December.

Mr. Ryder: Latest available information is that some 200,000 birds have been culled so far under the slaughter of hens scheme.

21. **Mr. Clelland:** To ask the Minister of Agriculture, Fisheries and Food if he will make a statement about the future of egg production in the United Kingdom.

28. **Mr. Morley:** To ask the Minister of Agriculture, Fisheries and Food if he will make a statement about the future of egg consumption in the United Kingdom.

Mr. Ryder: The two schemes which my hon. Friend the Minister announced on 19 December have helped to restore stability to the egg market. The further measures to improve animal health and hygiene in the egg industry should enable public confidence to be restored in eggs as a safe and nutritious food. Egg producers should now be able to use their commercial judgment to draw up their future plans.

34. **Mr. Ashley:** To ask the Minister of Agriculture, Fisheries and Food on what date he expects salmonella in poultry to be so reduced as to permit old and young people to eat eggs safely again and other people to use them in mayonnaise and similar products.

Mr. Ryder: I regret that it is not possible to give a precise answer. Salmonella infection is a highly complex issue involving a great number of factors. It would be misleading to state that it can definitely be eradicated. No country to our knowledge has salmonella-free flocks, but we are working urgently to tackle the problem at every point in the production chain to reduce incidence. In the meantime, consumers should continue to follow the chief medical officer's advice about the use of eggs.

37. **Mr. Alan W. Williams:** To ask the Minister of Agriculture, Fisheries and Food what is his latest estimate as to the true extent of infection by salmonella enteritidis in eggs and poultry in Britain.

Mr. Ryder: It is not possible to make a precise estimate as to the extent of infection by salmonella enteritidis in eggs or in poultry. As far as eggs are concerned, I agree with what my right hon. Friend the Secretary of State for Health told the House on 5 December 1988 at column *19*, that the risk to any individual is small and the risk to the healthy adult small indeed. As for poultrymeat, thorough thawing of frozen poultry, thorough cooking of poultry and proper handling of poultrymeat in the kitchen should remove any risk.

40. **Mr. Strang:** To ask the Minister of Agriculture, Fisheries and Food what estimate he has made of the number of jobs likely to be lost in the poultry industry as a result of the culling of 4 million hens under the proposals he announced on 19 December 1988.

Mr. Ryder: The schemes which my right hon. Friend announced on 19 December to assist the disposal of surplus eggs and to help the industry to reduce the size of the laying flock have helped to stabilise the market and to restore a degree of confidence.

I have no firm information about the number of people who may have lost employment in egg production and packing plants following the sudden drop in demand which occurred last month. I regret if any jobs have been lost and hope that with the recovery of the market they will soon be restored.

It would be quite wrong to suggest that the Government's schemes have been responsible for job losses. Quite clearly, the schemes have helped to sustain employment in the industry.

48. **Mr. Ron Davies:** To ask the Minister of Agriculture, Fisheries and Food if he will give his estimate of the size of the United Kingdom laying hen flock at the present date.

Mr. Ryder: The annual agricultural census at June 1988 recorded a total of 37·1 million laying fowls in the United Kingdom. In addition, it is estimated that there are a further 250,000 laying fowls on those very small holdings which are not required to make annual returns under the census. The census results will be published shortly.

51. **Mr. Sean Hughes:** To ask the Minister of Agriculture, Fisheries and Food when he most recently met representatives of the United Kingdom poultry industry to discuss the emergency measures to assist egg producers.

Mr. Ryder: I refer the hon. Member to the reply given by my right hon. Friend to the hon. Member for Rother Valley (Mr. Barron) earlier today.

59. **Mr. Tim Smith:** To ask the Minister of Agriculture, Fisheries and Food how much compensation he now estimates will be paid to egg producers following his statement of 19 December.

Mr. Ryder: The latest available information is that up to £2·6 million will be paid in the United Kingdom for the destruction of eggs under the eggs industry scheme and about £800,000 for the culling of hens under the slaughter of hens scheme.

64. **Mr. Colvin:** To ask the Minister of Agriculture, Fisheries and Food what were the total imports of foreign eggs to the United Kingdom in December 1988 and 1987.

Mr. Ryder: In December 1987, 55,700 boxes of eggs in shell (containing 360 eggs/box) were imported into the United Kingdom. The provisional figure for December 1988 is 21,575 boxes.

Mr. Adley: To ask the Minister of Agriculture, Fisheries and Food what evidence he has of the quality of British eggs and those of the other 11 European Economic Community countries.

Mr. Ryder: All hens' eggs marketed in the European Community must comply with Council regulation 2772/75 and Commission regulation 95/69 which lay down common requirements for quality, weight, labelling and marking throughout the production chain.

Mr. Adley: To ask the Minister of Agriculture, Fisheries and Food how many eggs have been tested for salmonella since the statement of the former Under-Secretary of State for Health, the hon. Member for Derbyshire, South (Mrs. Currie); what the results have been; and if he will make a statement.

Mr. Ryder: The information is not available in the form requested. However, during the period 23 November to 13 January a total of 9,425 eggs from 320 flocks or units were tested for salmonella by Ministry of Agriculture officials. None were found to be infected. The PHLS has, of course, continued to monitor outbreaks of food poisoning some of which may be related to eggs.

Bovine Spongiform Encephalopathy

17. **Mr. Campbell-Savours:** To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the incineration of bovine spongiform encephalopathy infected cattle carcases.

Mr. Donald Thompson: Incineration is a safe and effective method of disposing of carcases of cattle suspected of having BSE.

20. **Mr. Cousins:** To ask the Minister of Agriculture, Fisheries and Food how many cases of bovine spongiform encephalopathy were identified in December 1988; and if he will make a statement.

Mr. Donald Thompson: In December 1988, 339 cases of BSE were confirmed by the laboratory examination of brain tissue.

31. **Mr. Foulkes:** To ask the Minister of Agriculture, Fisheries and Food what discussions he has had with the British Veterinary Association about the control of bovine spongiform encephalopathy.

Mr. Donald Thompson: Ministry officials have frequent discussions with the British Veterinary Association on a range of topics, including BSE.

Farm Walls and Hedges

22. **Mr. Andrew F. Bennett:** To ask the Minister of Agriculture, Fisheries and Food if he will list the amount of money paid out by his Department as grants for maintenance, repair or construction of farm walls and hedges, for each of last three years and for the current year.

Mr. Ryder: The amount of grant paid in England each year since 1985 for repair or construction of walls and the planting of hedges and hedge laying was:

	£ million
1985	0·75
1986	0·87
1987	1·97
[1]1988	1·26

[1] To June.

Routine maintenance operations are not grant aided.

Beef Cattle

23. **Mr. Livsey:** To ask the Minister of Agriculture, Fisheries and Food what representations he has received about present prices for beef cattle; and if he will make a statement.

Mr. Donald Thompson: I have received no recent representations about prices for beef cattle. Throughout 1988 prices have been markedly above those for 1987. Producers' expectations of higher prices have also been reflected in prices for calves and store cattle.

Vegetables (Pesticides)

24. **Mr. Hardy:** To ask the Minister of Agriculture, Fisheries and Food what steps he is taking to revise the official standards in regard to pesticide and other chemical residues in vegetables.

Mr. Ryder: The use of all pesticides is rigorously controlled in the United Kingdom by the Control of Pesticides Regulations 1986. In addition to those controls on use, the House recently approved the setting of over 800 statutory maximum residue levels for pesticide residues in fruit and vegetables. These MRLs will be revised as and when appropriate.

Beef and Sheepmeat

25. **Mr. Amos:** To ask the Minister of Agriculture, Fisheries and Food what is the progress to date of his discussion with the European Community on the future of the beef and sheepmeat regimes.

Mr. Donald Thompson: The Council of Ministers has only briefly discussed proposals from the EC Commission for a review of the sheepmeat regime. Little progress has been achieved in these discussions. Regarding beef, no decision on the proposed reform of the regime was reached at the December Agriculture Council. The existing arrangements have therefore been extended until 5 March with a view to discussions continuing.

Dairy Farming

26. **Mr. Knox:** To ask the Minister of Agriculture, Fisheries and Food when he is next due to meet the president of the National Farmers Union to discuss the dairy sector.

Mr. Donald Thompson: My right hon. Friend the Minister and I have regular contacts with the president of the National Farmers Union to discuss issues affecting the farming industry.

Food (Purity)

27. **Mr. Flynn:** To ask the Minister of Agriculture, Fisheries and Food what new initiatives he intends to take to improve the purity of food.

Mr. Ryder: Both the nutritional value and the safety of food are kept under close and continuous review by an expert advisory committee, whose most recent report, entitled "Food Surveillance 1985 to 1988" was published last November. The report is available in the Library of the House.

Intervention Stock

29. **Mr. Andrew Mitchell:** To ask the Minister of Agriculture, Fisheries and Food whether he expects falls in the level of intervention stocks in the coming year.

Mr. Donald Thompson: Intervention stock levels are influenced by a wide range of factors, notably harvest size, market demand and EC support arrangements. The measures agreed by the European Council in February 1988 exert downward pressure on surplus production and thus help to limit intervention.

Livestock Sector

30. **Mr. Geraint Howells:** To ask the Minister of Agriculture, Fisheries and Food what plans he has to help the livestock sector of the industry during the coming year; and if he will make a statement.

Mr. Donald Thompson: I shall continue to make appropriate provision to support the livestock sector during 1989. Actual levels of support will be dependent upon the outcome of this year's price-fixing negotiations; and, in the beef and sheep sectors, the results of the current negotiations on the future of the relevant CAP regimes.

Agricultural Research

32. **Mr. Hunter:** To ask the Minister of Agriculture, Fisheries and Food if he will make a further statement on the future of agricultural research.

Mr. Ryder: I refer my hon. Friend to the reply given to my hon. Friend the Member for Dorset, North (Mr. Baker) on 1 December 1988 at column *324*.

Board of Agriculture

33. **Mr. Favell:** To ask the Minister of Agriculture, Fisheries and Food whether his Department plans to mark the centenary of the creation of the Board of Agriculture.

Mr. MacGregor: A number of celebratory events have been planned for 1989. The principal ones are: the launch in January of a centenary appeal for the Save the Children Fund; the publication in March of a specially commissioned history of the Ministry; a reception at Lancaster house to be attended by Her Majesty the Queen; and a major exhibition of the Ministry's work in Hyde park in May as part of the festival of food and farming.

Deer (Tuberculosis)

35. **Mr. Grocott:** To ask the Minister of Agriculture, Fisheries and Food what action he is taking to prevent the spread of tuberculosis in farmed deer; and if he will make a statement.

Mr. Donald Thompson: I refer the hon. Member to the announcement I made in the House on 15 December 1988 at columns *674-75*.

53. **Ms. Mowlam:** To ask the Minister of Agriculture, Fisheries and Food what discussions he is having with the Deer Farmers Association about tuberculosis in farmed deer.

Mr. Donald Thompson: In my announcement to the House on 15 December 1988 (*Hansard* columns *674-75)* I explained the discussions I was having with the British Deer Farmers Association. I met the Association again on 21 December to discuss these matters further. My officials have also written to a wide range of organisations with an interest in deer farming, inviting their comments on the proposed new measures.

65. **Mr. Haynes:** To ask the Minister of Agriculture, Fisheries and Food what estimates he has for the extent of tuberculosis in farmed and wild deer.

Mr. Donald Thompson: Since the beginning of 1986 tuberculosis in farmed deer has been confirmed in six out of an estimated 250 deer farming premises in Great Britain. Since 1971 only eight wild deer have been found to have been infected with tuberculosis out of a total of 734 carcases inspected in connection with official operations in areas where there is a high risk of infection from badgers.

The extent of tuberculosis in farmed deer will become more clear when legislation, to be introduced shortly, will make the disease notifiable in farmed deer.

EC Conversion Grants

36. **Mr. McWilliam:** To ask the Minister of Agriculture, Fisheries and Food when he intends to meet representatives of the National Farmers Union to discuss the new European Community conversion grants.

Mr. MacGregor: My Department is in regular touch with the union on the Commission's most recent proposals.

Mr. Ray McSharry

38. **Mr. George Howarth:** To ask the Minister of Agriculture, Fisheries and Food (1) when he intends to meet the new European Community Agriculture Commissioner, Mr. Ray McSharry;

(2) when he plans to meet the new European Community Commissioner for Agriculture.

Mr. MacGregor: I expect to meet Mr. McSharry at the meeting of the Agriculture Council on 23-24 January.

Country Landowners Association

41. **Mr. Hind:** To ask the Minister of Agriculture, Fisheries and Food when he last met the president of the Country Landowners Association; and what matters were discussed.

Mr. Ryder: I refer my hon. Friend to the reply I gave to my hon. Friend the Member for Leicestershire, North, West (Mr. Ashby) on 1 December 1988 at column *325.*

British Poultry Federation

42. **Mr. Hanley:** To ask the Minister of Agriculture, Fisheries and Food when he last met the president of the British Poultry Federation; and what matters were discussed.

Mr. Ryder: My right hon. Friend the Minister met the president of the British Poultry Federation on 5 May 1988 at the lunch following the federation's annual general meeting. They discussed a number of issues of interest to the industry.

GATT (Agricultural Trade)

43. **Mr. McLoughlin:** To ask the Minister of Agriculture, Fisheries and Food what progress he expects to be made in the general agreement on tariffs and trade discussions on agricultural trade over the next few months following the mid-term review in Montreal.

Mr. MacGregor: It was agreed in Montreal that a further meeting of senior trade policy officials should take place in Geneva in April to resolve the outstanding issues and bring the mid-term review of the GATT negotiations to a positive conclusion. Meanwhile, the director general of the GATT will be holding bilateral consultations with the major participants in the negotiation and agriculture will be one of his main concerns.

The Government will be working with our partners in the Community to resolve the differences of view, notably with the United States, over how to carry forward reform of agricultural trade policies so that the April meeting can agree a clear and detailed framework for the subsequent conduct of the negotiation. All parties to the negotiation will need to take a flexible and constructive approach for progress in this direction to be achieved.

Women's Farming Union

44. **Mr. Jack:** To ask the Minister of Agriculture, Fisheries and Food when he last met the chairman of the Women's Farming Union; and what matters were discussed.

Mr. MacGregor: I met the chairman of the Women's Farming Union on 23 November 1988 when I addressed the union's annual general meeting on various subjects, including the opportunities and challenges facing the marketing boards.

Countryside Commission

45. **Dr. Twinn:** To ask the Minister of Agriculture, Fisheries and Food when he next intends to meet the chairman of the Countryside Commission; and what issues he expects will be discussed.

Mr. Ryder: I met the chairman of the Countryside Commission on 7 November, when we had a very useful discussion on a wide variety of issues. I expect to have similar meetings in future whenever we have matters of mutual concern to tackle.

Poultry Feed

47. **Miss Emma Nicholson:** To ask the Minister of Agriculture, Fisheries and Food if he has any plans to stop the use of recycled animal protein in poultry feed; and if he will make a statement.

Mr. Donald Thompson: I have no plans to do so. The Diseases of Animals (Protein Processing) Order 1981 requires all protein material for animal feeding stuffs to be manufactured free from salmonella. My officials routinely inspect all premises producing such protein to ensure that this requirement is met.

In addition, discussions are under way between my officials and representatives of the animal feedingstuffs industry to consider the application of the present controls and any further measures which may be needed to reduce salmonella contamination in feeding stuffs.

Set-aside Scheme

49. **Mr. Nicholas Baker:** To ask the Minister of Agriculture, Fisheries and Food what discussions he has had with his European counterparts about the setting up of an effective set-aside scheme.

Mr. Richard Ryder: Set-aside is operating effectively in the United Kingdom and I understand that the majority of member states have now introduced schemes. I welcome the European Commission's declared intention to open infraction proceedings under the treaty against member states which had not, by the end of 1988, met their obligations to apply set-aside schemes.

Potato Marketing Board

50. **Mr. Harris:** To ask the Minister of Agriculture, Fisheries and Food when he last met the chairman of the Potato Marketing Board; and what matters were discussed.

Mr. Ryder: Ministers meet the chairman of the board from time to time when necessary to discuss various aspects of the potato marketing arrangements.

Farming (Diversification)

52. **Mr. Riddick:** To ask the Minister of Agriculture, Fisheries and Food what action his Department proposes to take to help farmers understand the impact of their attempts to diversify their business.

Mr. Ryder: On 9 January we launched "Planning Permission and the Farmer", which has been prepared jointly by MAFF, DOE and the Welsh Office and can be obtained through HMSO bookshops. This guide explains how the planning system works; describes some of the relevant provisions of planning legislation, and how to find out whether or not a project is likely to need planning permission; and suggests what can be done before, during and making a planning application to present a convincing case. Copies of a free leaflet will be sent with the February edition of the ADAS divisional bulletins. Any farmer in England and Wales who does not receive an ADAS bulletin and wishes to obtain a copy of the leaflet should contact their local divisional office. The leaflet will contain a brief description of the guide and also explain how to obtain a copy. Copies of the guide and the leaflet will be placed in the Vote Office.

Wool Board

54. **Mr. Patnick:** To ask the Minister of Agriculture, Fisheries and Food when he last met the chairman of the Wool Board; and what matters were discussed.

Mr. Donald Thompson: I met the chairman of the British Wool Marketing Board on 24 October 1988 to inform him of the Government's intention to abolish the guarantee price agreements for wool.

Small Farmers Association

55. **Mr. Conway:** To ask the Minister of Agriculture, Fisheries and Food when he next intends to meet the chairman of the Small Farmers Association; and what issues he expects will be discussed.

Mr. Ryder: I have no plans to do so at present, though I have frequent contact with all sections of the farming community.

Unpasteurised Milk

56. **Mr. Martlew:** To ask the Minister of Agriculture, Fisheries and Food if he will ban the retail sale of unpasteurised milk.

Mr. Donald Thompson: I have no such plans at present.

Farm Woodland Scheme

57. **Mr. Charles Wardle:** To ask the Minister of Agriculture, Fisheries and Food if he will indicate what the initial reaction of farmers has been to the farm woodland scheme; and whether he expects his Department's uptake targets to be met.

Mr. Ryder: There has been a good level of interest shown by farmers in the farm woodland scheme. However, the scheme only opened on 1 October 1988 and it is too early to say whether the maximum total areas for planting over the three-year experimental period will be reached. My right hon. Friend will be issuing more details on the pattern of uptake later this month.

Environmentally Sensitive Areas

58. **Mrs. Gillian Shephard:** To ask the Minister of Agriculture, Fisheries and Food how farming practices have changed in areas of the United Kingdom covered by ESA's since the scheme's inception.

Mr. Ryder: Farmers participating in ESAs agree to use farming practices which conserve the environmental features of the area. It is too early to make a full assessment of the effects of the scheme but I expect to publish a report shortly which will explain how the scheme is intended to affect farming practices in each area and indicate progress made so far.

GATT (Review)

60. **Mr. Knowles:** To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the outcome of the general agreement on tariffs and trade mid-term review in Montreal.

Mr. MacGregor: I refer my hon. Friend to the statement made to the House on 12 December 1988 by my right hon. Friend, the Chancellor of the Duchy of Lancaster, at column 400.

Cod Quotas

61. **Mr. David Porter:** To ask the Minister of Agriculture, Fisheries and Food what representations he has had about the 1989 North sea cod quotas; and if he will make a statement.

Mr. Donald Thompson: I took full account of the views of the Members of this House and the industry when I gave

my agreement to the total allowable catch (TAC) for cod in 1989 at the December Fisheries Council. I made quite clear that this agreement was subject to the TAC being reviewed if the biological assessment of the Advisory Committee on Fisheries Management in May 1989 indicates that this might be appropriate.

Tenant Farmers Association

62. **Mr. Summerson:** To ask the Minister of Agriculture, Fisheries and Food when he last met the chairman of the Tenant Farmers Association; and what matters were discussed.

Mr. Ryder: Although I have not yet met the chairman of the Tenant Farmers Association, I am glad to say that I shall be addressing the association's annual conference in February. In the meantime, the Department is in regular touch with the association on a wide range of issues.

Common Agricultural Policy

63. **Mr. Steinberg:** To ask the Minister of Agriculture, Fisheries and Food what discussions he has had with European Community Agriculture Ministers about the future of the common agriculture policy.

Mr. MacGregor: I refer the hon. Member to the reply I gave my hon. Friend the Member for Norfolk, South-West (Mrs. Shephard) on Tuesday 20 December 1988 about Agriculture Council discussions on a number of Commission proposals including the reform of the beef and sheepmeat regimes. These discussions continue.

European Community Farm Animal Convention

Mr. Ron Davies: To ask the Minister of Agriculture, Fisheries and Food what evidence he has as to disparity in practice in implementing the EEC farm animal convention in member states of the Community.

Mr. Donald Thompson: I take it that the hon. Member is referring to the European convention on the protection of animals kept for farming purposes, elaborated in the Council of Europe rather than the European Community. It contains very general provisions, which contracting parties are free to implement in their own way, and I have no information about disparities in the steps they have taken.

Farm Animals (Definition)

Mr. Ron Davies: To ask the Minister of Agriculture, Fisheries and Food (1) what representations he has received concerning the proposed designation of farm animals as sentient under the treaty of Rome;

(2) what plans he has to propose to the Council of Ministers that the treaty of Rome be amended in order to designate farm animals as sentient creatures;

(3) what plans he has to press for a reappraisal of the status of farm animals within the EEC in the context of a single European market in 1992.

Mr. Donald Thompson: I am aware of suggestions that farm animals should be given a new status under the treaty, but have received no representations about this. It is clear, however, that the treaty already provides power to adopt farm animal welfare measures, and the European Commission is working on a number of new regulations within the context of the single European market. I therefore see no need to press for a change in the status of farm animals.

Slaughterhouses

Sir Richard Body: To ask the Minister of Agriculture, Fisheries and Food what proportion of slaughterhouses in the United Kingdom conform to EEC standards for meat export; what proportion conform to United States Department of Agriculture standards for meat export; and what steps are being taken to raise United Kingdom slaughterhouse standards to the appropriate levels.

Mr. Donald Thompson: Approximately 10 per cent. of red meat slaughterhouses are currently approved for export to other EC member states. At present, these account for nearly 40 per cent. of the national throughput. All licensed poultry slaughterhouses have to comply with the relevant EC directive.

As yet, no red meat slaughterhouses have formally applied for USDA approval although a number of companies have expressed an interest. One poultrymeat establishment has applied for, and been granted, approval to export to US.

Officials of my Department are ready to advise all slaughterers on the conditions necessary for intra-Community trade or for export to the USA of any other country.

Chlorine

Mr. Dalyell: To ask the Minister of Agriculture, Fisheries and Food what action he is taking on the three reports he is studying on the effects of chlorine on food and drink.

Mr. Ryder: I assume that the question refers to the possible occurrence of dioxins in food as a result of migration from paper-based packaging materials made from wood pulp bleached with chlorine.

The data currently available indicate that the levels of dioxins in feed are extremely small and do not pose a hazard to health. However, as I indicated in an earlier answer to the hon. Member, my Department is presently carrying out a thorough investigation into this issue, including a programme of laboratory analysis. When the reports referred to are completed, we shall decide what further action is necessary.

River Pollution

Mr. John Evans: To ask the Minister of Agriculture, Fisheries and Food what was the number of incidents of river pollution caused by farms' slurry in 1988.

Mr. Ryder: This information is not yet available, but will be contained within the 1988 report on water pollution from farm waste being compiled jointly by my Department and the Water Authorities Association. I will write to the hon. Member at the time of publication.

Agrochemicals

Mr. Boswell: To ask the Minister of Agriculture, Fisheries and Food what current restrictions there are on tank-mixes of agrochemicals which farmers may apply to their crops; and if he will make a statement.

Mr. Ryder: Ministers responsible for the control of pesticides have recently agreed that certain tank-mixes of pesticides should be prohibited. I refer my hon. Friend to the revised consent on use of pesticides which will be published in the *London Gazette* tomorrow.

Food Acts

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food what plans he has to seek to amend the Food Acts; and if he will make a statement.

Mr. MacGregor: In October 1987 my hon. Friend the Parliamentary Secretary announced, on behalf of our colleagues in the Department of Agriculture for Scotland, DHSS and DHSS (Northern Ireland) our intention to update and streamline food legislation. Since then officials have been holding consultations with a wide variety of interested organisations to consider revisions to existing legislation. Consultations are now at an advanced stage and officials will shortly be reporting back to Ministers. Of course, the timing for the introduction of any new legislation must be subject to the other pressures on the parliamentary timetable.

Rats (Farms)

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food what advice he is giving to farmers to control rats in their farm buildings; and if he will make a statement.

Mr. Ryder: Advice on rat control in farm buildings is provided by the Ministry's Agricultural Development and Advisory Service. Rat control is needed in order to prevent dangerous structural damage to electrical cables and buildings, to prevent damage to or contamination of stored foodstuffs and, particularly, to reduce risks of diseases being spread to people and livestock.

Farmers should be aiming to remove any existing rats and to reduce the likelihood of further infestations. ADAS can provide advice on effective rat control practices including the appropriate choice of anti-coagulant pesticides, proper surveying of infestations, correct baiting procedures and measures for protecting non-target species. Additionally, farmers are advised on suitable preventative action including proofing of buildings and removal of harbourages. Ministry advisory publications on the subject are: "Keeping rats and mice out of farm buildings" (leaflet 627) "Control of rats on farms" (leaflet 608).

Listeria

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food if he will list the research projects he is funding into listeria monocytogenes and the research establishments where these projects are undertaken; and if he will make a statement.

Mr. Ryder: My Department is funding research projects on listeria monocytogenes. These projects form part of the extensive on-going research programme on food safety which my Department undertakes.

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food what action he is taking to reduce the incidence of listeria monocytogenes in raw poultry; and if he will make a statement.

Mr. Ryder: I refer the hon. Member to the answer given to my hon. Friend the Member for York (Mr. Gregory) on 17 January 1989 at column 159.

Mr. Hinchliffe: To ask the Minister of Agriculture, Fisheries and Food when he will be in a position to report on the results of his Department's studies into the temperature sensitivity of listeria monocytogenes.

Mr. Ryder: My Department expects to receive a report of this work next month.

Mr. Hinchliffe: To ask the Minister of Agriculture, Fisheries and Food if he will provide details of the studies commissioned by his Department into the temperature sensitivity of listeria monocytogenes.

Mr. Ryder: We have a substantial research project in hand on the heat treatment required to kill listeria monocytogenes in a variety of foods, in particular white poultry meat, red meat and carrots. Results of this work will enable us to ensure that the cooking conditions used in the manufacture of these foods are appropriate and allow adequate safety margins to be maintained.

Sheepmeat Regime

Mr. Beith: To ask the Minister of Agriculture, Fisheries and Food what assessment he has made of the implication for sheep farming in *(a)* Northumberland and *(b)* similar areas of current proposals for the European Economic Community sheepmeat régime.

Mr. Donald Thompson: It is not possible to evaluate in precise details how the proposals would affect Northumberland or other areas in the locality.

Sites of Special Scientific Interest

Mrs. Ann Taylor: To ask the Minister of Agriculture, Fisheries and Food if he will list his statutory duties with regard to the provision of advice and information to owners and occupiers of sites of special scientific interest.

Mr. Ryder: Under section 33 of the Wildlife and Countryside Act 1981, I am required to prepare, jointly with other Ministers, a code of guidance on sites of special scientific interest for the benefit of the relevant authorities and for persons affected, that is, owners and occupiers of land in SSSIs.

I have many other powers and duties to advise and inform owners and/or occupiers of agricultural land, which will include those that occupy land in SSSIs.

US Secretary for Agriculture

Mr. Bellingham: To ask the Minister of Agriculture, Fisheries and Food when he met the new United States Secretary for Agriculture; and what matters were discussed.

Mr. MacGregor: I have met Mr. Yeutter, the Agriculture Secretary-designate, on a number of occasions in his capacity as United States trade representative, most recently at the mid-term meeting of the GATT round negotiations in Montreal in December. I look forward to meeting him in new capacity at an early date.

Food and Farming Year

Mr. John Marshall: To ask the Minister of Agriculture, Fisheries and Food what plans his Department has to take part in the Hyde Park festival of food and farming, to celebrate Food and Farming Year.

Mr. MacGregor: We are preparing a major exhibition for this festival, with the title "Our Land, Our Food". It will include the Ministry's own centenary exhibition, with the emphasis on quality and safety, and will demonstrate the inextricable links between the agriculture and fishing industries and food consumers.

Chickens (Feedstuffs)

Mr. Wray: To ask the Minister of Agriculture, Fisheries and Food if he will list each one of the plants processing and producing feeding stuffs for chickens which has been the subject of inspection by health officials, and indicate where such inspections took place, for each year since 1980.

Mr. Donald Thompson *[holding answer 17 January 1989]:* My officials routinely visit and inspect plants producing animal protein for incorporation into animal feedingstuffs including feedingstuffs for chickens, and take samples of their products for laboratory testing. Information on the identity of plants is held by my Department in order to carry out these operations as provided for by statute. It would be wrong to disclose such data for purposes other than those for which it was collected.

Free Food Scheme

Dr. Thomas: To ask the Minister of Agriculture, Fisheries and Food what is the total amount of *(a)* butter, and *(b)* beef allocated to each region of England under the European Community free food scheme for 1988-89, the total amount distributed to date and the total amount still undistributed.

Mr. Ryder: The allocation of produce in England for 1988, which was made to designated organisations rather than on a regional basis was 1,677 tonnes of butter and 570 tonnes of beef, all of which has been withdrawn from intervention store for distribution. The arrangements for local distribution is a matter for the organisations. For 1989, the Commission has recently notified member states of their allocations. In the United Kingdom up to 4,075 tonnes of butter and 2,975 tonnes of beef is available within a financial allocation of about £14·5 million. We expect to be consulting designated organisations soon.

Dr. Thomas: To ask the Minister of Agriculture, Fisheries and Food if he will list *(a)* the total number of applications and *(b)* the local authorities which made applications to distribute beef and butter under the European Community free food scheme for 1988-89 in each region of England.

Mr. Ryder: Excluding parish councils, there are approximately 400 local authorities in England, of which seven applied to participate in the surplus food scheme.

Salmonella

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food whether there is a minimum acceptable percentage of salmonella contamination in poultry carcasses; and if he will make a statement.

Mr. Donald Thompson: It is desirable that any bacterial contamination should be kept to a minimum, although salmonella is destroyed if poultry is cooked properly. Two codes of practice have been introduced for poultry breeders and hatcheries to minimise the risk of transmission of salmonella. In my reply to my right hon. Friend the Member for Suffolk, Central (Mr. Lord) on 18 January I set out the further measures I am proposing to reduce the risk of transmission through breeding stock. Statutory hygiene controls are designed to avoid contamination during processing.

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food how many investigations of salmonella species in poultry flock have been carried out in each of the last five years; and if he will make a statement.

Mr Donald Thompson: The Zoonoses Order 1975 requires that all isolations of salmonella from food poisoning animals are reported. Since April 1988, in response to the emerging human health problem associated with salmonella enteritidis, all reports of this salmonella have been investigated. The number of investigations carried out in flocks of fowls in each of the last five years is as follows:

	Number
1984	3
1985	3
1986	4
1987	5
1988	[1]182

[1]. provisional

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food which species of salmonella have been found in the ovaries of poultry; and if he will make a statement.

Mr. Donald Thompson: Of the very many known salmonella species only the following species have been isolated from ovaries of poultry:

Salmonella typhimurium
Salmonella typhimurium var Copenhagen
Salmonella enteritidis
Salmonella heidelberg
Salmonella menston
Salmonella gallinarum
Salmonella pullorum

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food what assessment he has made of the effectiveness of vaccinating poultry against salmonella species; and if he will make a statement.

Mr. Donald Thompson: A vaccine can only be effective against an individual species of salmonella, of which there are many hundreds. Vaccines are available against salmonella pullorum and salmonella gallinarum; both have been virtually eradicated from this country but the vaccines are used in other countries with some degree of success. Vaccines are not available for the control of other species of salmonella.

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food what research his Department is carrying out into *(a)* the identification of salmonella species in poultry and *(b)* the vaccination of poultry against salmonella species; and if he will make a statement.

Mr. Donald Thompson: My Department is currently funding a number of research projects including the development of a quick and simple blood test to detect salmonella enteritidis in live birds and the investigation of factors determining intestinal colonisation by salmonella. This includes studies of oral and systemic immunisation of poultry against salmonella.

Research work on the development of a salmonella enteritidis vaccine is being carrid out under a commercial contract at the central veterinary laboratory of my Department.

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food under what criteria egg producers are able to label eggs salmonella free; and if he will make a statement.

Mr. Donald Thompson: As it is not feasible for the health status of individual eggs to be tested in a way which does not destroy them, claims that eggs offered for sale are free from salmonella may be open to legal challenge.

Written Answers to Questions

Friday 20 January 1989

TRANSPORT

Security (Heathrow)

Mr. Prescott: To ask the Secretary of State for Transport if he will make a statement on airport security at Heathrow.

Mr. Channon: I refer the hon. Member to the answer that I gave to the right hon. Member for Manchester, Wythenshawe (Mr. Morris) on 16 January at column 23.

Britannia Bridge

Ms. Gordon: To ask the Secretary of State for Transport what is the estimated cost of reconstruction of the Britannia bridge, on the Commercial road (A13) at Limehouse; what are the likely dates of commencement and termination of the works; what is the estimated period when three traffic lanes will be in operation; and what are the estimated additional costs of providing *(a)* four traffic lanes throughout the period, and *(b)* tidal flow facilities for the three-lane time span.

Mr. Peter Bottomley: The estimated cost is £510,000. The works should start in February 1989 and take about eight months. A fourth lane will be provided in the summer.

Site restrictions and the need to maintain safety make it impracticable either to provide a fourth lane for the whole works period or to operate tidal flow facilities.

Civil Airports

Mr. David Marshall: To ask the Secretary of State for Transport if he will list in the *Official Report* the names and addresses of the companies or individuals who own each of the civil airports in the United Kingdom.

Mr. Peter Bottomley: There is no comprehensive list. The names of those owning most United Kingdom civil airports of any significance are shown in the Aerodrome Owners Association handbook 1988. I will arrange for copies to be placed in the Library.

East London River Crossing

Mr. Cartwright: To ask the Secretary of State for Transport whether he has yet received a response from the consultants for the east London river crossing to his request for a redesign of the cable-stayed bridge over the Thames; and when he now expects work on the scheme to be started.

Mr. Channon: The consultants report on the review of the design of the bridge is due by the end of this month. The start of works will depend on the outcome of the review.

Mr. Cartwright: To ask the Secretary of State for Transport if he will make a statement about Greenwich London borough council's application to the High Court to quash the orders in respect of the east London river crossing.

Mr. Channon: The London borough of Greenwich application to the High Court was heard on 19 December 1988. The decision, given on 20 December, was not in its favour.

EDUCATION AND SCIENCE

Teacher Vacancies

Mr. Ian Taylor: To ask the Secretary of State for Education and Science if he will list by region and number of vacancies currently existing in secondary schools for *(a)* mathematics teachers and *(b)* science teachers.

Mr. Butcher: In January 1988 (the latest date for which figures are available) the numbers of vacancies in maintained secondary schools for full-time mathematics and science teachers were:

Region	*Mathematics*	[1] *Science*
North	4	4
Yorkshire and Humberside	14	18
North West	21	33
East Midlands	10	15
West Midlands	11	20
East Anglia	3	4
Greater London	71	90
Other South East	56	63
South West	15	16
England	205	263

[1] Science includes chemistry, physics, biology, other specific sciences, and combined, integrated or general science.

Local Pay Additions

Mr. Sean Hughes: To ask the Secretary of State for Education and Science what is the number of staff in his Department, by grade, in receipt of local pay additions outside London and the south east economic planning region; what are the different amounts paid to staff, by grade; whether this figure varies due to location; what qualifying period of scale-related criteria is used; and whether this varies by location.

Mrs. Rumbold: No DES staff outside the London and south-east are in receipt of local pay additions. Inside London and the south-east additions are as follows:

£300 : AOs and AAs on entry to the grade
£400 : AOs and AAs after completing one year in the grade
£500 : AOs and AAs after completing two years in the grade
£300 : typing and secretarial staff in Inner London in addition to the previous £400 special allowance
£450 : typing staff in Croydon and Isleworth

Records of Achievement

Mr. Pawsey: To ask the Secretary of State for Education and Science how he intends to proceed with the report on the national steering committee on records of achievement.

Mr. Kenneth Baker: My right hon. Friend the Secretary of State for Wales and I are jointly publishing the records of achievement national steering committee report today. Copies have been placed in the Libraries of both Houses.

We have asked the School Examinations and Assessment Council to consider next steps in the context of its wider remit to advise on assessment and reporting in support of the national curriculum.

The test of the letter is as follows:

P. Halsey Esq. CB LVO
Chairman & Chief Executive
School Examinations and
Assessment Council
Newcombe House
45 Notting Hill Gate
London W11 3JB

RECORDS OF ACHIEVEMENT

In my letter to you of 28 September last I invited SEAC to advise the Secretary of State for Wales and me on the arrangements for the provision of information on the assessment of pupils under Section 22 of the Education Reform Act 1988, taking account of the report of the Records of Achievement National Steering Committee (RANSC) once available; and to advise us more generally on the development, implementation and operation of the National Curriculum assessment system.

2. RANSC have now reported: I enclose a copy of their Report. I write on behalf of the Secretary of State for Wales and myself to indicate our initial reactions to the Report; and to invite SEAC to consult on its recommendations and, in the light of those consultations, to advise on the next steps in the context of my letter of 28 September. I would be grateful for the Council's advice by the end of June.

3. RANSC's remit was to report on the experience gained in developing Records of Achievement on the ground and on the implications for introducing such records for all pupils in secondary education in England and Wales; and to prepare draft national guidelines for such records and recording systems. Since the Committee embarked on their work, the context has changed considerably. With the passage of the Education Reform Act, we now have in prospect the introduction of a National Curriculum with its associated assessment and reporting arrangements. Meanwhile, Records of Achievement have been developed in a variety of forms across secondary schools in the majority of LEAs. The Committee have sought to relate that development work to the new context afforded by the National Curriculum.

4. I would be grateful if SEAC would now take forward this work. In doing so, the Council should bear the following considerations in mind.

5. RANSC offer guidelines on the form and content of documents to be given to pupils at 16-plus. They also advocate the production of similar documents through the earlier years of secondary education. The Committee's remit did not extend to primary schools. Subject to your advice, I envisage that there will need to be a consistent basis for the presentation of national assessment results for pupils at each of the key ages of 7, 11, 14 and 16; and that annual if not more frequent reports to parents should include information about pupils' progress in a form to be prescribed in Regulations under Section 22. I look to the Council for advice on whether:

(a) we should use the Regulations under Section 22 to prescribe the format of a document summarising each individual pupil's achievements at the age of 16;

(b) such Regulations should cover the reporting of subjects and activities beyond the National Curriculum; and

(c) the form and content of reports for (i) primary and (ii) secondary age pupils prior to the age of 16 should be similarly prescribed.

6. RANSC also offer advice on the process leading to the preparation of such documents. Much of what they recommend is accepted good practice by teachers. I would see it as for each LEA and for each school to determine its own procedures to underpin the preparation of Records of Achievement.

7. RANSC recommend the establishment of accreditation machinery for Records of Achievement. Bearing in mind the cost and complexity involved, it is not clear to me that any accreditation machinery separate from the support structure needed for the national assessment system is justified.

8. RANSC recommend 1990 as the date by which secondary schools should have schemes which comply with national guidelines; and 1995 as that by which all pupils at 16-plus should receive summary documents complying with the guidelines. I confirm that it is the Government's intention to see early progress on Records of Achievement in all secondary schools. I look to the Council for advice on what should be the precise timetable for the implementation of national requirements, taking account of the need to develop appropriate arrangements for primary schools, and of the timetable for the introduction of National Curriculum assessments.

9. There are issues on which I would expect that SEAC will wish to consult the NCC and CCW. I am therefore sending copies of this letter to Duncan Graham and Hywel Evans.

ATTORNEY-GENERAL

Solicitors

Mrs. Gorman: To ask the Attorney-General what action the Government are proposing to ensure that the Law Society implements the recommendations made in the 13th annual report of the lay observer 1987 that solicitors should account to their clients for interest on moneys held on behalf of their clients.

The Attorney-General: The 13th report of the lay observer was published and laid before Parliament on 28 July 1988. Since then the Law Society has made new deposit interest rules. The rules set out a specific timetable for the minimum time certain sums of money may be held before payment of interest need be made. The rules also include an obligation on a solicitor to account for any sum of money exceeding £10,000 held for less than one week, if it is fair and reasonable in all the circumstances that such interest should be paid. The rules do not extend to solicitors acting as stakeholders, or to money held by solicitors as trustees, since the relevant primary legislation does not permit this.

Infant Life Preservation Act 1929

Mr. Cash: To ask the Attorney-General when was the last prosecution under the Infant Life Preservation Act 1929.

The Attorney-General: The last prosecution conducted by the Director of Public Prosecutions under the Infant Life Preservation Act 1929 was in 1987. I regret that in my written answer to my hon. Friend the Member for Batley and Spen (Mrs. Peacock) on 15 December 1988 at column *600* I erroneously stated that the last prosecution conducted by the director under the Act was in 1980.

PRIME MINISTER

Human Rights

Mr. Atkinson: To ask the Prime Minister if she will say what further improvements in human rights performance in the Soviet Union will satisfy the criteria of Her Majesty's Government for attending a human rights conference in Moscow in 1991.

The Prime Minister: We have agreed in principle to a Moscow human rights conference in 1991, provided that

recent progress in the Soviet human rights performance is maintained and consolidated, but obviously much remains to be done. If we are to attend such a conference the promised changes in Soviet criminal legislation must have been implemented, including the abolition or amendment of the political and religious articles; there must be effective guarantees of free speech, freedom of religion and freedom to emigrate, as well as of genuine judicial independence; there must be no political or religious prisoners and no long-term refuseniks; the Moscow conference must be held under exactly the same conditions as the CSCE meetings in the West; there must be no going back on the improvements which have already taken place and which made it possible for us to agree in principle to a Moscow conference.

All this assumes that nothing has happened in the meantime seriously to undermine the greatly improved state of East-West relations.

Parliamentary Questions

Mr. French: To ask the Prime Minister how any oral parliamentary questions she has answered by written reply because the question was not reached at Question Time for the most recent year for which figures are available.

The Prime Minister: According to the available records I gave 179 such replies in 1988.

Buildings (Cleaning Grants)

Mr. Cohen: To ask the Prime Minister whether she will initiate and co-ordinate a programme of Government grants or tax relief to enable the outsides of buildings to be regularly kept clean; and if she will make a statement.

The Prime Minister: No.

Cabinet Office (Staff)

Mr. Sean Hughes: To ask the Prime Minister what is the number of staff in the Cabinet Office, by grade, in receipt of local pay additions outside London and the south-east economic planning region; what are the different amounts paid to staff, by grade; whether this figure varies due to location; what qualifying period of scale-related criteria is used; and whether this varies by location.

The Prime Minister: None.

Irish Citizens

Mr. Marlow: To ask the Prime Minister if she will list those benefits available to Irish citizens in terms of financial, educational, migrational and other services available through local or central Government agencies which are not available to other European Economic Community nationals; which of these benefits are not reciprocally available to United Kingdom citizens within the Republic of Ireland; and if she will publish an estimate of the numbers and costs of British citizens receiving these benefits in the Republic of Ireland and Irish citizens receiving these benefits in the United Kingdom.

The Prime Minister *[holding answer 13 January 1989]:* I cannot answer for arrangements made by individual local authorities. As far as central Government is concerned, there are no benefits available to Irish citizens which are not available to the citizens of other EC member states. Irish nationals, but not other EC nationals, are permitted to vote in elections in the United Kingdom. This provision is now reciprocal. There are no available statistics about the numbers involved.

Citizenship is not a condition for the payment of social security benefits. Contributory benefits are awarded on the basis of the claimant's contribution record, and other benefits are available to those who meet the conditions of eligibility provided that they are legally present in the United Kingdom.

TRADE AND INDUSTRY

EC (Consumer Policy)

Sir Richard Body: To ask the Chancellor of the Duchy of Lancaster if there have been any further EEC Commission reports on the integration of consumer policy in the other common policies since the submission to the EEC Council of COM(87)616 final; on what occasions since December 1987 the EEC Council has discussed this topic; what conclusions were reached; and if he will make a statement.

Mr. Forth: At its last meeting, on 7 June 1988, the Consumer Council considered the Commission's first report (COM(87)616 final) on progress towards implementation of the 1986 resolution on taking the consumer interest into account in other policy areas. The council agreed conclusions which called on the Commission to step up its efforts and to report further to the council by June 1989.

Japanese-owned Businesses

Mr. Amos: To ask the Chancellor of the Duchy of Lancaster how many Japanese-owned businesses which have located in the United Kingdom during the most recent 10-year period for which figures are available have located *(a)* in green field sites; *(b)* on derelict land; *(c)* within inner city areas and *(d)* other.

Mr. Forth *[holding answer 19 January 1989]:* Comprehensive statisics on foreign-owned businesses are not available, but the numbers of Japanese-owned manufacturing companies which have set up in the United Kingdom between January 1979 and December 1988, in the stated types of locations, are as follows:

	Number
(a) in greenfield sites:	39
(b) on derelict land:	0
(c) within inner city areas:	4
(d) other:	38

Some Japanese manufacturers have more than one production site.

Mr. Amos: To ask the Chancellor of the Duchy of Lancaster how much central Government assistance has been spent to encourage Japanese-owned businesses to local in *(a)* the south-east, *(b)* the north-east, *(c)* the north-west, *(d)* the south-west, *(e)* Scotland and *(f)* south Wales for the most recent 10-year period for which figures are available.

Mr. Forth *[holding answer 19 January 1989]:* Information in respect of the regional development grant

schemes spent to encourage Japanese-owned manufacturing companies to locate in the United Kingdom is available only at disproportionate cost. However, the amount of regional selective assistance paid or offered to Japanese manufacturers between January 1979 and December 1988, in the stated regions, is as follows:

Regions	*£ millions*
(a) South East:	nil
(b) North East:	54·6
(c) North West:	0·3
(d) South West:	1·02
(e) Scotland:	18·3
(f) South Wales:	20·6

NASDIM

Mr. Nicholas Winterton: To ask the Chancellor of the Duchy of Lancaster how much time elapsed between the recognition of NASDIM membership on 31 December 1983 as an alternative to licensing by his Department and the establishment of the system in which his Department automatically contacted NASDIM when he received new applications for licensing under the terms of the financial services legislation.

Mr. Newton *[holding answer 16 January 1989]:* My Department automatically contacted NASDIM over new applications for licences under the Prevention of Fraud (Investments) Act 1958 from 1 January 1985. In the intervening year there was regular although not automatic contact between my Department and NASDIM concerning licence applications.

Mr. Nicholas Winterton: To ask the Chancellor of the Duchy of Lancaster whether the application in 1984 by Barlow Clowes for licensing by his Department was received during that period when his Department did not as a matter of course seek to notify NASDIM of new applicants; and if he will make a statement.

Mr. Newton *[holding answer 16 January 1989]:* The first papers concerning Barlow Clowes and Partners licence applications were received by my Department on 7 November 1984. Although at that date it was not the Department's practice automatically to consult NASDIM, the Department maintained contact with NASDIM on the progress of the application in the period following that date until licences were issued in October 1985.

Mr. Nicholas Winterton: To ask the Chancellor of the Duchy of Lancaster if he will make a statement explaining why his Department *(a)* went for a period without contacting NASDIM as a matter of course about new applications received for licences under the financial services legislation and *(b)* subsequently decided to establish a system of such contacts.

Mr. Newton *[holding answer 16 January 1989]:* It was my Department's practice before 1 January 1985 to consult NASDIM when the circumstances of a particular case made it appear desirable to do so. On 1 January 1985, a procedure was adopted whereby NASDIM was consulted automatically. This was because NASDIM's membership and activities had expanded significantly during 1984.

Barlow Clowes

Mr. Nicholas Winterton: To ask the Chancellor of the Duchy of Lancaster if he will call for a full report through the Securities and Investments Board from all self-regulatory organisations into the numbers and names of their members who have been suspended from membership following dealings with Barlow Clowes companies, giving the reasons for those suspensions.

Mr. Newton *[holding answer 16 January 1989]:* This is a matter for the Securities and Investments Board and the self-regulating organisations.

Mr. Nicholas Winterton: To ask the Chancellor of the Duchy of Lancaster if, at their next meeting with the Securities and Investments Board, officials of his Department will ask for a report on the scale of the business between Christine Leach, a council Member of FIMBRA, and the Barlow Clowes companies.

Mr. Newton *[holding answer 16 January 1989]:* This is a matter for the Securities and Investments Board and the self-regulating organisations.

Self-regulatory Organisations

Mr. Nicholas Winterton: To ask the Chancellor of the Duchy of Lancaster if at his next meeting with the Securities and Investments Board he will ask for a list of the officers and members of the governing body of that organisation and of all the self-regulatory organisations which it has authorised; and if he will make that information available in the *Official Report*.

Mr. Newton *[holding answer 16 January 1989]:* The members of the Securities and Investments Board and its senior management were set out in the board's report, laid before Parliament under section 117(2) of the Financial Services Act on 28 July 1988. Since that date Professor Budd has left the board and Mr. D. Fellows and Mr. G. Ross Russell have been appointed to the board. The arrangements for publishing details of the members of the governing bodies of recognised self-regulating organisations and of the staff of those organisations are matters for the SIB and the organisations concerned.

Mr. Nicholas Winterton: To ask the Chancellor of the Duchy of Lancaster what information he has concerning the numbers of officers or council members of self-regulatory organisations who have been suspended from membership of those organisations.

Mr. Newton *[holding answer 16 January 1989]:* This is a matter for the Securities and Investments Board and the self-regulating organisations.

Mr. Nicholas Winterton: To ask the Chancellor of the Duchy of Lancaster whether he will call for a report from the Securities and Investments Board into the different treatment received from self-regulatory organisations by companies or individuals who did business with the Barlow Clowes companies.

Mr. Newton *[holding answer 16 January 1989]:* This is a matter for the Securities and Investments Board and the self-regulating organisations.

Mr. Nicholas Winterton: To ask the Chancellor of the Duchy of Lancaster whether he will take steps to prevent

an individual partner, proprietor or director of a trading entity suspended from membership of a self-regulatory organisation from continuing to operate in the financial services industry through his position as a partner, proprietor or director of a second trading entity licensed by the same or another self-regulatory organisation; and if he will make a statement.

Mr. Newton *[holding answer 16 January 1989]:* It is open to the Securities and Investments Board and the recognised self-regulating organisations to refuse authorisation to, or withdraw from, a business on the grounds of matters concerning a director, partner, controller or employee of that firm. Those matters may include the fact that such an individual has been subject to regulatory action by the same or another regulator or was connected with a firm subject to such action. In addition, the SIB has powers under section 59 of the Financial Services Act to prohibit individuals from being employed in connection with investment businesses by an authorised or exempted person. The way in which these powers are exercised is a matter for the Securities and Investments Board and the self-regulating organisations concerned.

Mr. Nicholas Winterton: To ask the Chancellor of the Duchy of Lancaster what provision his Department makes to ensure that an individual who invested funds through a financial services company which has subsequently been suspended from membership of a self-regulatory organisation can continue to receive advice about that investment.

Mr. Newton *[holding answer 16 January 1989]:* It is open to any regulatory body operating under the Financial Services Act, when it suspends a firm regulated by it, to impose conditions concerning services provided to existing clients. Whether such conditions are imposed, and what form they take, are matters for the body concerned to judge according to the circumstances of a particular case.

Financial Services

Mr. Nicholas Winterton: To ask the Chancellor of the Duchy of Lancaster whether his Department will be represented on the new committee established under the chairmanship of Christine Leach to consider education of FIMBRA members and competence testing in the financial services industry.

Mr. Newton *[holding answer 16 January 1989]:* No.

Mr. Nicholas Winterton: To ask the Chancellor of the Duchy of Lancaster whether his Department was consulted about the appointment of Christine Leach to the chairmanship of the joint committee of the Chartered Insurance Institute, the College for Financial Planning and the Life Assurance Association to consider education of FIMBRA members and competence testing in the financial services industry.

Mr. Newton *[holding answer 16 January 1989]:* No.

NORTHERN IRELAND

Armagh Girls' High School

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland when the royal school, Armagh, will vacate the premises of the former Armagh girls' high school; what his plans are for the future use of these premises; and if he will make a statement.

Dr. Mawhinney: The anticipated date for vacating the premises of the former Armagh girls' high school is June 1990. The southern education and library board has plans to use the vacated premises to accommodate Armagh secondary school.

Foreign Language Teaching

Mr. Beggs: To ask the Secretary of State for Northern Ireland if he will list the total number of Northern Ireland secondary schools in which foreign language teaching is available, showing the number of schools which offer French, German, Italian Spanish and Russian.

Dr. Mawhinney: The information is as follows:

	Number
French	245
German	80
Spanish	73
Italian	16
Russian	3

Roads

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland how many motor accidents there were in 1988 on the Ballyrainey road, Nowtownards; why the surface of the road is not cleaned; what is its average width; how many 40-foot lorries travel along it as shown by recent traffic surveys; and what proposals he has to improve this roadway.

Mr. Needham: Two "damage only" and one personal injury accident were recorded on the Ballyrainey road during 1988. The road surface is being cleaned as roadside drainage work is completed. The average width of the carriageway is 4·7m and recent traffic surveys have shown that between 19 and 70 40-foot lorries travel along this road on a working day.

The Department of the Environment's roads service is currently carrying out drainage and verge reconstruction work.

Training School (Jordanstown)

Mr. Beggs: To ask the Secretary of State for Northern Ireland what steps he has taken to ensure that there is no conflict of interest within the Department of the Environment, Northern Ireland regarding an application No. 0175 for planning permission in respect of the proposed residential training school-depot at Jordanstown from the Northern Ireland Fire Authority, for which the transportation section of the Department of the Environment has responsibility; and if he will make available to objectors a copy of the report on the noise levels carried out by Dr. Crawford for the Northern Ireland Fire Authority when this is received by the Department of Environment planning service.

Mr. Needham *[holding answer 12 January 1989]:* None. There is no conflict of interest within the Department of Environment (Northern Ireland) in respect of a planning application from the Northern Ireland Fire Authority (NIFA) for a residential training school in Jordanstown. This application is being handled in accordance with normal planning procedures.

The release of the report on noise levels to objectors is a matter for NIFA.

Housing Associations

Rev. Martin Smyth: To ask the Secretary of State for Northern Ireland what capital expenditure has been authorised to be undertaken by each invididual housing association which is currently receiving Government grant aid in Northern Ireland in the eight months ended 30 November 1988: and if he will make a statement.

Mr. Needham *[holding answer 13 January 1989]:* The amount of new capital expenditure authorised for each individual housing association in the eight-month period ended 30 November 1988 was:

	£
Abbeyfield (Northern Ireland) Development Society Ltd.	224,565
Ballynafeigh Housing Association Ltd.	68,203
Baptist Union of Ireland Housing Association Ltd.	148
Belfast Community Housing Association Ltd.	15,970
Belfast Improved Houses Ltd	774,120
Ben Madigan Housing Association Ltd.	1,505
Botanic Housng Association Ltd.	22,500
Broadway Housing Association Ltd.	36,000
James Butcher Housing Association (Northern Ireland) Ltd.	79,550
Church of Ireland Housing Association (Northern Ireland) Ltd.	42,900
Clonard Housing Association Ltd.	20,540
Connswater Housing Association Ltd.	18,526
Covenanter Residential Association Ltd.	6,101
Craigavon and District Housing Association Ltd.	559,704
Craigavon Housing Association Ltd.	103,895
Derry Housing Association Ltd.	210,797
Dungannon and District Housing Association Ltd.	960,252
Fold Housing Association	870,624
Gosford Housing Association (Armagh) Ltd.	20,943
Grove Housing Association Ltd.	14,080
Habinteg Housing Association (Ulster) Ltd.	240,000
Hearth	10,122
Latharna Housing Association Ltd.	51,100
Malone Housing Association Ltd.	6,633
Masonic Housing Association (Northern Ireland) Ltd.	15,121
Newington Housng Association (1975) Ltd.	551,433
Nih Housing Association Ltd.	63,593
Open Door Housing Association (Northern Ireland) Ltd.	147,067
Presbyterian Housing Association (Northern Ireland) Ltd.	776,269
Royal British Legion Housing Association (Northern Ireland) Ltd.	141,873
St. Matthews Housing Association Ltd.	10,578
Students Housing Association Co-op Ltd.	3,329,650
Tennent Street District Housing Association Ltd.	39,030
Triangle Women's Housing Association Ltd.	40,940
Ulidia Housing Association Ltd.	59,611
Willowfield Parish Church Housing Association Ltd.	20,341
Woodvale and Shankill Housing Association Ltd.	232,500

Nine registered housing associations did not receive any authorisation for new capital expenditure during this period. Capital expenditure of £31·47 million will be incurred by housing associations during 1988-89. This expenditure is related to projects approved over the last few years, but now under construction, in addition to projects approved during 1988-89.

Fair Employment

Mr. McNamara: To ask the Secretary of State for Northern Ireland if he will implement the recommendations contained in paragraphs 15.5 to 15.110 and 15.112 to 15.123 of the Standing Advisory Commission on Human Rights' report on fair employment, Cm. 237; and if he will make a statement.

Mr. Viggers *[holding answer 16 January 1989]:* The Fair Employment (Northern Ireland) Bill contains provisions which reflect the main recommendations of the SACHR report on fair employment in Northern Ireland. The Bill's provisions will implement, in whole or in part, well over half the 123 recommendations. In addition, the Government have broadly accepted a number of recommendations whose implementation does not require legislation.

DEFENCE

GEC—Siemens (Plessey Bid)

Mr. Barry Field: To ask the Secretary of State for Defence if, in considering his evidence on the GEC—Siemens proposed bid for the Plessey company, he will seek assurances from the predator companies that their proposed collaboration with Plessey will not jeopardise his Department's range of choice in defence procurement.

Mr. Sainsbury: As my hon. Friend will appreciate, the proposed bid has been referred to the Monopolies and Mergers Commission. All interested parties, including the MOD, have been asked for their view and we shall, of course, take into account all relevant factors before making our submission to the MMC.

Defence Procurement Contracts

Mr. Barry Field: To ask the Secretary of State for Defence what is his policy with regard to maximising competition in the letting of defence procurement contacts.

Mr. Sainsbury: As part of our commercial approach to defence procurement, we use competitive tendering, wherever practicable, in the letting of contracts. The proportion by value of contracts let on a competitive basis in 1986-87 was 53 per cent., reflecting a sustained improvement on the 38 per cent. of contracts let in this way in 1983-84. Where work has to be placed without the benefit of competition, we negotiate taut contract terms and conditions. On all contracts, whether competitive or not, we also encourage our prime contractors to make maximum use of competition in placing work. On all contracts over £1 million in value we review with the prime contractor his plans for sub-contract competition.

ELF Transmitter Station, Glengarry Forest

Mr. Andrew F. Bennett: To ask the Secretary of State for Defence what area, in hectares, will be covered by the ELF transmitter station at Glengarry Forest.

Mr. Sainsbury: This will not be known until the summer of 1989 when the results of surveys to determine the position of the ELF demonstrator aerial will have been evaluated.

SCOTLAND

Beef and Veal

Mr. Wilson: To ask the Secretary of State for Scotland which Scottish local authorities were in receipt of levy-free

beef and veal under the provisions of European Community Council regulation 3929/86; in what quantities; and under what conditions.

Mr. Michael Forsyth The European Community Council regulation 3929/86 allocated quotas of frozen beef and veal for 1987. Those Scottish local authorities which applied to participate in the scheme were allocated the following amounts:

Local authority	*Tonnes*
Central Regional Council	2·935
Lothian Regional Council	8·009
Strathclyde Regional Council	25·509
Orkney Islands Council	0·204

Local authorities are required to ensure that the produce is used in institutional catering in their areas and that the allocations represent an economic benefit to them. Successful applicants must allow their uptake of quota to be monitored by the member state.

Mr. Wilson: To ask the Secretary of State for Scotland which firms in Scotland are licensed to receive and distribute levy-free beef and veal; and what records are kept as to the ultimate destinations of the carcases or finished products.

Mr. Michael Forsyth Information about the firms licensed to receive and distribute levy free beef and veal is a matter of commercial confidentiality. No records are kept centrally as to ultimate destinations of the carcases or finished products.

Football Matches (Arrests)

Mr. Pendry: To ask the Secretary of State for Scotland how many football-related arrests took place outside grounds during Scottish league and cup matches in the 1987-88 season.

Mr. Michael Forsyth: This information is not available centrally.

Nurse Grading

Mr. Galbraith: To ask the Secretary of State for Scotland if he will give for each health board the movement of nurses from the old grades to the new grades.

Mr. Michael Forsyth *[holding answer 10 January 1989]:* Details of the numbers of nurses in each health board assimilated to each of the new grades are given in the tables, in terms of whole-time equivalent.

	Auxiliaries		*NNEB*			*Enrolled Nurse*			
	A	*B*	*A*	*B*	*C*	*B*	*C*	*D*	*E*
Argyll and Clyde	1,542·48	49·81	—	23·04	—	—	353·27	318·60	—
Ayrshire and Arran	881·17	53·40	—	16·34	—	—	298·19	159·18	—
Borders	329·20	10·30	—	2·00	—	—	108·48	52·18	3·72
Dumfries and Galloway	466·12	23·56	—	10·39	—	—	139·53	112·87	—
Fife	894·00	17·40	—	20·69	3·50	—	384·03	309·23	—
Forth Valley	1,133·05	110·00	—	14·13	—	—	141·80	292·83	0·25
Grampian	1,514·02	52·02	2·60	27·55	—	—	596·03	399·78	17·19
Greater Glasgow	3,731·23	175·40	—	85·11	9·00	1·00	872·68	996·17	1·00
Highland	517·59	10·60	—	3·96	—	—	95·16	197·76	40·48
Lanarkshire	1,195·00	22·00	—	31·00	—	—	625·00	502·00	—
Lothian	2,239·40	173·79	—	40·45	7·45	—	361·11	815·25	—
Orkney	35·10	2·00	—	—	—	—	56·82	7·67	—
Shetland	42·58	2·04	—	—	—	—	41·80	5·00	2·00
Tayside	1,535·07	44·33	—	22·50	—	—	624·19	393·97	—
Western Isles	54·77	—	—	—	—	—	28·30	13·20	2·80
Scotland total	16,110·78	746·65	2.60	297·16	19·95	1·00	4,726·39	4,575·79	67·44

	Enrolled Dist Train			*Senior Enrolled*				*Staff Nurse*			
	C	*D*	*E*	*C*	*D*	*E*	*F*	*D*	*E*	*F*	*G*
Argyll and Clyde	—	28·15	—	—	33·70	9·20	—	106·93	545·64	75·49	—
Ayrshire and Arran	—	—	—	0·70	16·6	—	—	175·61	449·43	88·67	—
Borders	—	—	—	—	2·00	1·00	—	—25·59	167·84	16·36	
Dumfries and Galloway	—	5·42	2·60	2·59	8·00	8·00	—	124·04	260·85	43·24	—
Fife	1·50	41·53	0·50	1·00	13·59	—	—	114·01	518·74	16·66	1·00
Forth Valley	—	12·77	—	—	13·73	—	—	135·51	479·66	2·53	4·00
Grampian	—	33·45	—	—	25·85	2·00	—	455·11	481·35	25·94	—
Greater Glasgow	1·00	73·39	—	2·00	139·83	3·00	—	831·68	1,175·34	18·00	—
Highland	1·88	13·27	—	4·00	6·80	7·00	—	30·47	447·51	44·41	4·15
Lanarkshire	—	—	—	—	2·00	29·00	—	92·00	802·00	17·00	—
Lothian	—	31·30	—	—	13·26	38·90	1·00	367·12	1,700·07	18·96	—
Orkney	—	3·00	—	—	—	—	—	—	15·98	1·18	—
Shetland	—	—	—	—	—	—	8·20	24·15	8·44	—	
Tayside	—	8·00	—	—	19·33	33·80	—	121·04	949·07	36·32	—
Western Isles	—	—	—	—	—	—	—	8·19	45·32	3·14	—

	Enrolled Dist Train			Senior Enrolled			Staff Nurse				
	C	D	E	C	D	E	F	D	E	F	G
Scotland total	4·38	250·28	3·10	10·29	289·11	131·90	1·00	2,595·50	8,662·95	416·34	9·15

	Staff midwife				Deputy sister			Sister II			
	D	E	F	G	E	F	G	F	G	H	I
Argyll and Clyde	—	80·61	61·45	—	—	15·16	1·74	135·92	325·15	15·53	—
Ayshire and Arran	0·56	76·01	62·30	—	—	—	—	109·43	169·80	5·00	—
Borders	—	26·25	—	—	—	—	—	73·31	57·53	—	—
Dumfries and Galloway	—	38·61	0·79	—	—	19·00	—	23·10	108·72	5·00	—
Fife	—	84·03	9·24	—	—	—	—	78·13	157·27	1·00	—
Forth Valley	—	69·55	11·91	—	10·13	—	—	70·99	191·93	—	—
Grampian	—	98·80	54·62	—	136·00	1·0	—	155·27	317·96	6·00	—
Greater Glasgow	3·06	299·93	37·32	—	61·41	9·64	—	1,039·23	387·94	21·93	—
Highland	—	45·55	36·48	—	—	9·10	—	99·33	106·63	2·00	—
Lanarkshire	—	65·00	75·00	—	125·00	3·00	—	106·00	331·0	2·00	—
Lothian	—	126·81	93·42	—	—	31·18	—	156·60	658·25	21·53	1·00
Orkney	—	3·00	—	—	—	—	—	—	10·90	—	—
Shetland	—	6·00	—	—	—	0·80	—	—	25·00	4·00	—
Tayside	—	102·54	40·34	1·00	—	3·13	—	245·92	293·73	5·00	—
Western Isles	—	10·20	6·50	—	—	—	—	7·80	18·30	—	—
Scotland total	3·62	1,132·89	489·37	1·00	332·54	92·01	1·74	2,301·03	3,160·11	88·99	1·00

	Sister II Midwife			District Nurse Sister II			Sister I			Sister I Midwife	
	F	G	H	F	G	H	F	G	H	G	H
Arygll and Clyde	6·80	97·24	5·40	—	89·46	1·00	—	4·00	20·27	1·00	—
Ayrshire and Arran	21·41	78·27	—	—	100·09	—	—	—	—	—	—
Borders	8·54	3·00	—	1·67	36·96	—	—	—	—	—	—
Dumfries and Galloway	11·07	17·00	2·00	—	19·03	—	—	—	—	24·60	4·00
Fife	—	54·17	—	1·00	67·98	—	—	—	—	—	—
Forth Valley	22·26	12·83	—	10·93	97·14	—	—	4·00	5·00	—	8·00
Grampian	22·82	57·56	3·00	3·75	131·39	2·39	—	2·00	—	1·00	—
Greater Glasgow	107·64	71·03	1·00	22·53	386·21	2·66	—	1·00	5·00	4·00	—
Highland	9·76	58·60	—	16·73	65·04	—	2·00	2·00	—	7·00	—
Lanarkshire	19·00	67·00	—	3·00	139·00	—	—	1·00	—	—	—
Lothian	3·33	110·52	2·00	—	195·53	—	—	—	2·00	—	—
Orkney	—	4·35	—	1·75	15·06	—	—	2·00	—	—	—
Shetland	3·80	—	—	1·00	—	—	—	—	—	3·80	—
Tayside	6·00	37·80	—	2·54	101·66	1·00	—	1·37	7·53	—	1·00
Western Isles	—	—	—	12·62	29·48	2·00	—	2·00	—	—	—
Scotland Total	242·43	669·37	13·40	77·52	1,474·03	9·05	2·00	19·37	39·80	41·40	13·00

	Health Visitor			Senior Nurse 8			Senior Nurse 8 Midwife			Senior Nurse 7		
	G	H	I	G	H	I	G	H	I	G	H	I
Argyll and Clyde	108·10	—	—	2·00	12·00	37·00	—	3·00	7·00	—	1·00	21·00
Ayrshire and Arran	78·20	—	—	1·00	3·00	25·00	—	4·00	2·00	—	—	10·00
Borders	33·09	—	—	—	1·00	5·00	—	—	—	—	9·00	8·00
Dumfries and Galloway	23·86	1·00	1·00	—	13·00	13·00	17·00	4·00	1·00	—	2·00	9·00
Fife	98·19	—	—	—	42·00	—	—	2·00	—	—	11·00	—
Forth Valley	77·56	—	—	3·00	4·00	—	—	—	—	—	11·00	3·00
Grampian	138·09	7·60	—	—	8·00	1·00	—	—	—	—	5·0	49·00
Greater Glasgow	288·92	—	—	15·00	153·53	16·53	2·00	28·00	2·00	1·00	42·00	4·00
Highland	71·00	—	—	2·00	5·50	15·50	—	—	3·00	—	1·50	20·50
Lanarkshire	143·00	1·00	—	7·00	69·00	1·00	1·00	8·00	—	—	20·00	4·00
Lothian	188·78	1·00	—	5·00	61·00	1·00	3·00	13·00	—	—	—	71·00
Orkney	8·00	—	—	—	—	—	—	—	—	—	—	2·00
Shetland	13·00	1·00	—	—	—	—	—	—	—	—	1·00	1·00
Tayside	104·05	2·00	—	—	69·00	4·00	—	12·00	—	—	8·00	19·00
Western Isles	11·00	—	—	—	—	—	—	0·50	1·00	—	—	2·00
Scotland Total	1,384·84	13·60	1·00	35·00	441·03	119·03	23·00	74·50	16·00	1·00	111·50	223·50

	Senior Nurse / Midwife	Clinical Teacher		Field-work Teacher	Practical Teacher	Tutor		Tutor Midwife
	H	I	G	H	H	H	G	I	I
Argyll and Clyde	—	3·00	—	17·00	12·00	9·00	—	23·00	—
Ayrshire and Arran	—	1·00	2·00	14·00	16·00	14·00	—	13·00	3·00
Borders	—	—	—	6·00	4·00	8·00	—	4·00	—
Dumfries and Galloway	—	—	—	8·00	5·00	6·00	1·00	8·00	1·00
Fife	—	—	—	—	17·00	24·00	—	18·00	—
Forth Valley	—	—	—	15·00	12·00	12·00	—	14·80	4·00
Grampian	—	—	—	32·78	27·00	24·80	—	26·30	4·00
Greater Glasgow	5·00	3·00	—	73·30	36·00	35·97	—	104·36	18·00
Highland	—	1·00	—	15·00	7·00	14·80	—	7·00	—
Lanarkshire	1·00	2·00	—	18·00	16·00	16·00	—	37·00	4·00
Lothian	—	3·00	—	60·60	28·28	31·00	—	69·50	12·00
Orkney	—	—	—	—	1·00	1·00	—	—	—
Shetland	—	—	—	2·00	—	2·00	—	—	—
Tayside	—	—	—	35·00	13·00	10·00	—	28·60	6·00
Western Isles	—	—	—	—	—	—	—	—	—
Scotland Total	6·00	13·00	2·00	296·68	194·28	208·57	1·00	353·56	52·00

Post Basic Students

	Enrolled			Staff Nurse			Deputy Sister				Sister II			
	C	D	E	D	E	F	D	E	F	G	D	E	F	G
Argyll and Clyde	46·00	—	—	89·00	14·00	—	—	—	—	—	—	—	4·00	—
Ayrshire and Arran	36·00	—	—	81·00	5·00	—	—	—	—	—	—	—	3·00	5·00
Borders	7·00	—	—	2·00	—	2·00	—	—	—	—	—	—	—	4·00
Dumfries and Galloway	14·00	—	—	43·00	6·70	—	—	—	—	—	—	—	—	—
Fife	40·00	—	—	90·00	—	—	1·00	3·00	2·00	3·00	2·00	2·00	—	—
Forth Valley	16·00	—	—	97·00	5·00	—	—	—	—	—	—	—	—	1·00
Grampian	85·00	—	—	131·00	—	—	—	—	—	—	—	—	—	—
Greater Glasgow	244·00	—	—	194·00	—	—	—	—	—	—	—	—	—	—
Highland	3.00	10·00	1·00	24·00	2·00	—	1·00	—	—	—	5·00	—	—	1·00
Lanarkshire	57·00	—	—	38·00	6·00	—	—	—	2·00	—	—	—	—	9·00
Lothian	77·00	—	—	275·00	26·00	7·00	—	—	—	—	—	—	—	9·00
Orkney	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Shetland	—	—	—	—	—	—	—	—	—	—	—	—	—	2·00
Tayside	62·00	—	—	43·00	11·00	1·00	—	0·80	—	—	—	—	2·00	2·00
Western Isles	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Scotland Total	687·00	10·00	1·00	1,107·00	75·70	10·00	2·00	3·80	4·00	3·00	7·00	2·00	9·00	33·00

ENERGY

Wave Power

Mr. Home Robertson: To ask the Secretary of State for Energy if he will make it his policy to direct officials at Harwell to instruct their wave energy consultants to reveal cumulative failure rate figures for wave energy devices to the designers of those devices, and if he will make a statement.

Mr. Michael Spicer: Failure rate data for all wave energy devices assessed were made available to the device teams. A report from 1983 by Yard summarising this data entitled "Review of Yard's Studies of the Reliability and Maintainability of Wave Energy Devices" is available and copies have been placed in both Houses of Parliament.

Mr. Home Robertson: To ask the Secretary of State for Energy (1) what is his Department's estimate of the failure rate, in terms of kilometre years per fault, of the North of Scotland Hydro-Electric Board electrical cable crossing the Pentland Firth from Caithness to Orkney;

(2) what is his Department's estimates for the failure rate, in terms of kilometre years per fault, of the rigid sea bed connections assessed by wave energy consultants in their series of reports to his Department;

(3) if his Department has ever consulted the North of Scotland Hydro-Electric Board about the failure rates of sea bed cables; and what steps he has taken to assess whether the rates quoted by his Department's consultants, Rendel, Palmer and Tritton, are realistic.

Mr. Michael Spicer: I am informed that various data were collected by the wave energy consultants on reliability of cables and related components from the North of Scotland Hydro-Electric Board and other sources in their assessment of large-scale wave energy. Typical failure rates for conventional submarine power cables were in the range 0·3-1·0 per 100 km per year. These data were not directly used in the estimation of the reliability of large scale wave energy power collection and transmission systems because of the complex nature of the systems assessed. It was accepted however that loss in availability due to transmission systems unreliability was unlikely to be large and 6 per cent. for fixed devices and 9 per cent. for floating devices were finally assumed based on previous work and engineering judgments of the independent consultants.

Mr. Home Robertson: To ask the Secretary of State for Energy if he will make a statement on the outcome of discussions between his officials and the costing department of the civil engineering company Whessoe concerning the application of parametric costing techniques to the prediction of the capital cost of offshore

wave power devices; and what conclusions have been reached as to why his Department's estimate was greater than that calculated by Whessoe.

Mr. Michael Spicer: The parametric costing technique is a useful tool in assisting the assessment of the costs of the various renewable energy technologies including wave energy. The total cost estimated by parametric techniques for a component when fully integrated into a system will inevitably be higher than the cost of that single component estimated by a company such as Whessoe. Systems costs include such factors as system design, installation, commissioning, quality assurance and project management and these extra costs have to be added to the "off the shelf" component cost in order to derive the full system cost used in the parametric method of costing.

Mr. Home Robertson: To ask the Secretary of State for Energy if the decision to close the offshore wave energy programme was made unanimously by the members of the Advisory Council on Research and Development.

Mr. Michael Spicer: The collectively agreed view of the Advisory Council on Research and Development on the wave energy programme and other renewable energy sources was made availalbe to the Libraries of both Houses on 27 April 1982.

Mr. Home Robertson: To ask the Secretary of State for Energy if he will initiate a reassessment of the technical quality of the advice which led to the closure of the first offshore wave programme.

Mr. Michael Spicer: A major input to the discussion in 1982 by the Advisory Council on Research and Development of the renewable energy programme was a strategic review by the chief scientist's group at ETSU. This review was subsequently published as ETSU R13. Information and advice on wave energy for the review was supplied by the device teams. Subsequent work and a report by consultants confirmed that large offshore wave energy was unlikely to be cost effective. I am satisfied that advice on the wave energy programme was the best available at that time and no useful purpose would be served by reviewing the decision procedure then used.

Mr. Home Robertson: To ask the Secretary of State for Energy if he will establish an inquiry to determine whether the programe for wave energy of the energy technology support unit, made all the relevant papers on the methods of reliability calculation written by Professor Stephen Salter available to his Department's wave energy steering committee.

Mr. Michael Spicer: All relevant papers on reliability calculations by Professor Salter were circulated to members of the wave energy steering committee. Indeed in 1984, Professor Salter gave a presentation to that committee putting the Edinburgh university device team's case for the duck device, and a summary of his presentation including such matters as availability and reliability was circulated to the committee members after the meeting.

Mr. Home Robertson: To ask the Secretary of State for Energy if he will take steps to ensure that the memorandum by Dr. Roy Taylor of the energy technology support unit dated 25 April 1985, relating to the costs of an offshore wave device is communicated to the appropriate Advisory Council on Research and Development committee.

Mr. Michael Spicer: The memorandum for Dr Roy Taylor dated 25 April 1985 was a partial calculation in support of other work which was made available to the wave energy steering group and summarised in "Wave Energy—The Department of Energy's R&D Programme 1974-1983", published as ETSU R.26 in 1985.

Mr. Home Robertson: To ask the Secretary of State for Energy if he will list the assignments given to Mr. Peter Davies subsequent to his work as manager of the wave energy programme.

Mr. Michael Spicer: Mr. Peter Davies was the programme manager of the electricity producing renewable technologies at the Department's energy technology support unit. This included the technologies of wind, hydro, and wave energy. Mr. Davies was appointed to ETSU after the decision to close the large-scale wave energy programme was made and was charged with the difficult job of running down the programme and completing the various contracts satisfactorily.

In 1985, Mr. Davies was transferred to the northern division of the UKAEA at Risley. Since that time his work has included leading the authority inquiry team for the European demonstration reprocessing plant public inquiry. He is currently head of the technical policy division in the UKAEA Risley technical services at Risley.

Departmental Staff (Pay)

Mr. Sean Hughes: To ask the Secretary of State for Energy what is the number of staff in his Department, by grade, in receipt of local pay additions outside London and the south-east economic planning region; what are the different amounts paid to staff, by grade; whether this figure varies due to location; what qualifying period of scale-related criteria is used; and whether this varies by location.

Mr. Parkinson: None.

Coal Prices

Mr. Steinberg: To ask the Secretary of State for Energy whether the cost of pensions paid to disabled ex-miners plays any part in British Coal's determinations over the price of coal.

Mr. Michael Spicer: The price of coal sold by British Coal is a commercial matter for the corporation.

Oil Installations (Inspectors)

Mr. Flannery: To ask the Secretary of State for Energy how many times petroleum engineering directorate inspectors have arrived unannounced at a heliport or airport in order to travel offshore for an unannounced inspection of oil installations.

Mr. Parkinson: A short period of notice is normally given by my inspectors when they intend to visit offshore installations.

Mr. Flannery: To ask the Secretary of State for Energy how many times petroleum engineering directorate inspectors have carried out unannounced inspections of offshore oil installations.

Mr. Parkinson: It is impossible for an inspector to arrive on an offshore installation unannounced. During

1988, however, my inspectors carried out a total of four inspections of offshore installations when the installation to be visited was notified only when the inspector checked in for the helicopter flight.

Petroleum Engineering Directorate (Inspectors)

Mr. Flannery: To ask the Secretary of State for Energy how many of the existing inspectors in the petroleum engineering directorate have had previous experience working offshore in the employment of an oil company; and what was the duration of the experience for each inspector.

Mr. Parkinson: Of my Department's 32 inspectors 10 were previously employed by oil companies, the majority of whom have had experience of working offshore. Records are not kept of the duration of offshore experience for each inspector.

High Moor Colliery (Accident)

Mr. Ronnie Campbell: To ask the Secretary of State for Energy whether he will send a message of thanks to the men and management of High Moor colliery for their response to the accident that occurred on Friday 13 January.

Mr. Parkinson: I sent a message on the day of the accident to the chairman of British Coal. I should like to take this further opportunity to express my admiration of the efforts of all those involved in the rescue operation.

WALES

Water Act 1973

Mr. Wigley: To ask the Secretary of State for Wales how many members of the Water Space Amenity Council, other than the chairman of the Welsh water authority, have been appointed by him under section 23(1) of the Water Act 1973 since the enactment of that Act.

Mr. Peter Walker: None. This section has been repealed by the Water Act 1983.

Local Pay Additions

Mr. Sean Hughes: To ask the Secretary of State for Wales what is the number of staff in his Department by grade, in receipt of local pay additions outside London and the south-east economic planning region; what are the different amounts paid to staff, by grade; whether this varies due to location; what qualifying period of scale-related criteria is used; and whether this varies by location.

Mr. Peter Walker: None.

Welsh Language Teaching

Mr. Nicholas Bennett: To ask the Secretary of State for Wales what action has been taken by his Department to increase the number of teachers of Welsh in order that the provisions of the national curriculum can be fulfilled; and if he will make a statment.

Mr. Wyn Roberts: A quantification of the future requirement for Welsh language teachers is being prepared. Meetings have been held with local education authority representatives to explore the scale and nature of retraining that will be needed. Discussions are also taking place with the higher education sector about the provision of suitable in-service training courses for serving teachers to equip them to teach Welsh as a second language. The Welsh Office is also liaising closely with the Curriculum Council for Wales about the training needs created by the introduction of the national curriculum.

Mr. Nicholas Bennett: To ask the Secretary of State for Wales what representations he and the Welsh working party have received about the inclusion of Welsh as a foundation subject in the national curriculum by *(a)* 1990 and *(b)* 1992; and how many schools in each local education authority and parliamentary constituency have indicated that they will seek exemption.

Mr. Wyn Roberts: The Education Reform Act make Welsh a foundation subject in the national curriculum in Wales. Around 100 responses to the interim report of the Welsh working group have been received to date and more are still coming in. The majority have addressed the question of timing of implementation, but only a small minority have indicated that they will consider seeking exemptions.

Mr. Nicholas Bennett: To ask the Secretary of State for Wales (1) what estimates he has as to the additional cost of providing sufficient teachers of Welsh to enable the requirements of the national curriculum to be implemented in every school in Wales by *(a)* 1990 and *(b)* 1992;

(2) what estimates he has as to the additional number of teachers of Welsh who would be needed if the national curriculum requirements for the teaching of Welsh were to be implemented in every school without exemptions by *(a)* 1990 and *(b)* 1992.

Mr. Wyn Roberts: We do not expect any significant increase in the overall number of teachers needed to deliver the national curriculum. In the case of Welsh the results of the primary and secondary staffing surveys suggest that there are sufficient teachers in Wales as a whole; but there are shortages in certain parts of Wales and a programme of in-service teacher training will be necessary. The Department is currently considering detailed teacher requirements and will be conducting a survey of secondary staff shortly, which will help establish more precise estimates of numbers and costs.

ENVIRONMENT

Sewerage

Mr. Redmond: To ask the Secretary of State for the Environment if he will list the sewage works in South Yorkshire that are to be allowed relaxation in breaching the legal limits on effluent set by him; what is the time scale for this relaxation; and if he will make a statement.

Mr. Moynihan: We have confirmed that applications for temporary variations in consent conditions will continue to be considered in cases where improvements to sub-standard sewage treatment works are in hand or are programmed for completion by March 1992. Applications will be considered over the coming months and it is not, therefore, possible to indicate at this stage in which cases they will be approved.

Mr. Redmond: To ask the Secretary of State for the Environment if he will list by water authority the public funds being used to improve the sewerage system prior to the proposed privatisation of the water industry; and if he will make a statement.

Mr. Moynihan: Improvements to water authorities' sewerage and sewage treatment works are generally financed by charges and borrowing. In a small number of cases, this investment is assisted by EC funding. Grants are also available under the Rural Water Supplies and Sewerage Acts 1944-1971 towards the first-time provision of mains water and sewerage in rural areas and under the Industrial Development Act 1982 in assisted areas. It is not possible, however, to say to what extent authorities will be financed in these ways prior to privatisation.

Notts County Football Club

Mr. Allen: To ask the Secretary of State for the Environment whether he has received an invitation to visit Notts County football club at Meadow lane.

Mr. Moynihan: Notts County football club has invited me to attend a match at Meadow lane and I hope to take up the invitation this season or early in the 1989-90 season.

Council House Sales

Mr. Vaz: To ask the Secretary of State for the Environment how many local authority houses sold to tenants under the right-to-buy legislation have subsequently been found to be defective.

Mr. Trippier: We know that some 31,000 ex-public sector properties, of types designated under the housing defects legislation, were sold before the defects became generally known; and that those owners are therefore likely to be eligible for assistance, under that scheme. If the hon. Member has a specific point in mind, perhaps he could write to me.

Radioactivity

Mr. Flynn: To ask the Secretary of State for the Environment if there have been any occasions since May 1979 when information on radioactivity released from nuclear facilities has been withheld for reasons of national interest.

Mrs. Virginia Bottomley: The Radioactive Substances Act 1960 provides in section 8(5)(b) for restriction of knowledge of an authorisation for disposal of radioactive waste should the Minister or Ministers concerned consider it necessary for reasons of national security. It is not Government policy to reveal the existence of any such restricted authorisation.

Rating Reform

Dr. Cunningham: To ask the Secretary of State for the Environment what plans he has to undertake *(a)* newspaper, *(b)* radio or *(c)* television advertising at the time when he plans that most community charges registration officers will be undertaking a canvass in order to construct a register; and if he will make a statement.

Mr. Ridley: I have no plans to undertake paid advertising on television or radio at the time of canvassing to compile the registers. My Department will, however, commission some newspaper advertising to draw attention to the information leaflet which we intend to send to all households in England in May, to coincide with canvassing.

Dr. Cunningham: To ask the Secretary of State for the Environment whether he has received any complaints about alleged, factual inaccuracies or misleading statements in "You and the Community Charge"; and if he will make a statement.

Mr. Ridley: We have received a very positive response to the booklet, reflected in the high level of demand. We have received one representation on a few very detailed points.

Football Clubs (Membership Scheme)

Mr. Beith: To ask the Secretary of State for the Environment whether he has any plans to designate Berwick Rangers football club under the football identity card scheme.

Mr. Moynihan: No.

Water

Dr. Cunningham: To ask the Secretary of State for the Environment what information he has on the source of funding for the series of television commercials currently being made for the water industry.

Mr. Ridley *[holding answer 19 January 1989]:* I understand that the advertisements are being paid for by the Water Authorities Association out of funds provided by the individual water authorities.

Docklands

Ms. Gordon: To ask the Secretary of State for the Environment what is the total amount of capital allowances claimed so far in the Isle of Dogs enterprise zone.

Mr. Norman Lamont: I have been asked to reply.

Information on expenditure qualifying for enterprise zone allowances in the Isle of Dogs up to 1985-86 is given in the HMSO publication "Enterprise Zone Information 1985-86 Great Britain". Some further information will be published shortly in "Enterprise Zone Information 1986-87 Great Britain", but commercial confidence will preclude giving the full details.

Ms. Gordon: To ask the Secretary of State for the Environment (1) how many of the jobs lost in Docklands since 1981 were held by residents of Tower Hamlets, Southwark, Newham, Lewisham and Greenwich; (2) if he will give an estimate of the proportion of construction jobs in the London Docklands Development Corporation area in 1988 that are held by residents of Tower Hamlets, Southwark, Newham, Lewisham and Greenwich; (3) how many of the newly created jobs in the London Docklands Development Corporation area since 1981 have been taken by (i) women, (ii) people from ethnic minority groups and (iii) people who were previously unemployed; and how many are part-time jobs.

Mr. Trippier: This information is not collected, or could only be provided at disproportionate cost.

Canary Wharf

Ms. Gordon: To ask the Secretary of State for the Environment what is the total amount of capital allowances that the developers of Canary wharf are eligible to claim.

Mr. Norman Lamont: I have been asked to reply.

No information on expenditure is yet available for this development but commercial confidentiality will almost certainly preclude publication of figures.

HOME DEPARTMENT

Prisons

Mr. Irving: To ask the Secretary of State for the Home Department what was *(a)* the original estimated cost and *(b)* the actual cost of Wayland, Stocken, Thorn Cross, Full Sutton, Littlehey, Mount, Swaleside and Garth prisons.

Mr. Douglas Hogg: The information requested is set out in the table. Figures for original estimated construction cost vary from establishment to establishment in the light of location, individual requirements and the date of assessment. No uprating of these figures for inflation has been made. By contrast, actual costs take account of inflation, as well as changes in price during the course of the contract, changes in content, or circumstances such as bad weather which may cause delay.

Prison	*Original Estimated Cost £ millions*	*Actual Cost £ millions*
Wayland	15·10	22·60
Stocken	11·92	13·16
Thorn Cross	7·80	11·56
Full Sutton	17·80	29·85
Littlehey	12·96	29·80
Mount	17·60	24·90
Swaleside	21·73	27·34
Garth	20·70	41·15

Mr. Irving: To ask the Secretary of State for the Home Department what is the estimated cost of Brinsford, Lindholme II, Whitemoor, Bullingdon, Woolwich, Lancaster Farms, Milton Keynes, Swaleside II, Banstead, Ashford, Doncaster, Hewell Grange, Teesside, Kirkham and Rochdale prisons.

Mr. Douglas Hogg: The information requested is set out in tables A and B. Table A refers to those projects where the main construction contract has been let and where it is thus possible to provide a reasonably accurate estimate of costs. Table B relates to projects where the main construction contract has yet to be let and consequently the estimated costs shown are liable to fluctuate depending on the price levels pertaining at the time the contract is let. The cost estimates in both tables which are at current 1988-89 price levels include, where appropriate, VAT and site purchase costs and are subject to adjustment to reflect agreed cost increases in the construction industry.

Table A

Prison	*Current estimated cost (£ million)*
Brinsford	27·03
Lindholme II	40·98
Whitemoor	33·80
Bullingdon	45·50
Woolwich	88·90
Milton Keynes	74·50

Table B

Prison	*Current estimated cost (£ million)*
Lancaster Farms	45·00
Swaleside II	65·00
High Down (Banstead)	75·00
Doncaster	65·00
Hewell Grange	55·00
Holme House Farm (Teesside)	45·00

Ashford, Kirkham and Rochdale—These projects are at an early stage of planning and it is not possible to estimate with accuracy overall project costs. However, as these projects are to be modelled on the new prison design brief they are likely at current price levels (excluding any site purchase costs) to cost in the region of £55-60 million each.

Missing Persons

Miss Lestor: To ask the Secretary of State for the Home Department what is the estimated number of missing persons under 18 years of age.

Mr. Douglas Hogg: I refer the hon. Member to the reply given to a question from the hon. and learned Member for Leicester, West (Mr. Janner) on 5 December 1988 at column *30*.

Criminal Injuries (Compensation)

Mr. Barry Field: To ask the Secretary of State for the Home Department what is the average current delay in dealing with criminal injuries compensation claims.

Mr. John Patten: Information in this form is not available, but the percentage of cases resolved by the Criminal Injuries Compensation Board within certain periods of registration is shown in paragraph 6 of its latest annual report (Cm. 536), copies of which are in the Library.

The figures for 1987-88 are:

	Per cent.
Up to three months	1·5
Three to six months	2·6
Six to nine months	6·7
Nine to 12 months	20·0
Over 12 months	69·2

Metropolitan Police (Property)

Mr. Simon Hughes: To ask the Secretary of State for the Home Department what is the number of properties in the Greater London area owned by the Metropolitan police which are empty; how many are surplus to requirements; how many are being repaired; how many are planned to be sold; how many are leased to local councils, giving the figures by London borough; and if he will make a statement.

Mr. Douglas Hogg: I understand from the Commissioner of Police of the Metropolis that on 1 January 1989 there were 409 empty properties owned by the Metropolitan police in the Metropolitan police district. Of these, 102 were surplus to requirements and are planned to be sold. The remaining 307 are either being repaired or are due for repair.

Fifteen other properties are leased by the Metropolitan police to London borough councils as follows:

	Number
Bromley	1
Greenwich	1
Harrow	8
Kingston upon Thames	2
Sutton	2
Wandsworth	1

Wandsworth Prison (Rule 43)

Mr. Cox: To ask the Secretary of State for the Home Department what was the number of inmates on rule 43 in Wandsworth prison on 1 January.

Mr. Douglas Hogg: The number was 391.

Mr. Barry Field: To ask the Secretary of State for the Home Department how many times the forensic science service has refused to carry out tests on samples and tissue from suspected AIDS sufferers.

Mr. Douglas Hogg: None.

Ayten Mete

Mr. Sedgemore: To ask the Secretary of State for the Home Department (1) if he will give full details of the reasons for the refusal of the immigration officer to allow Ayten Mete (EAT/RLE/135/89) from Turkey to visit her relatives;

(2) if he wil instruct the immigration officer to reconsider his refusal to allow Ayten Mete to visit her relatives in Britain;

(3) if he will make a statement about the immigration officer's refusal to allow Ayten Mete from Turkey to visit her relatives in the United Kingdom.

Mr. Renton: Ayten Mete was refused entry at Gatwick in accordance with the immigration rules because the immigration officer was not satisfied that she was genuinely seeking entry for the period of her visit as stated by her. It will be open to her to exercise her right of appeal abroad.

Following the introduction on 3 January of new guidelines on the handling of representations by right hon. and hon. Members in immigration cases which were fully debated in this House on 10 November, I am not prepared to instruct the immigration officer to reconsider his decision, nor to take any other action not in accordance with those guidelines.

Mr. Ishan Barbouti

Mr. Robertson: To ask the Secretary of State for the Home Department what is the residential status in the United Kingdom of Mr. Ishan Barbouti.

Mr. Renton: He has refugee status and has been settled here with no conditions attached to his stay since 1984.

Mr. Robertson: To ask the Secretary of State for the Home Department if he is in possession of the contract for the building of a pharmaceutical plant at Rabta, Libya lodged by Mr. Ishan Barbouti with his Department along with an application for citizenship in June 1987.

Mr. Renton: No.

Mr. Robertson: To ask the Secretary of State for the Home Department what inquiries he has received from the Government of the Federal Republic of Germany in relation to Mr. Ishan Barbouti.

Mr. Renton: None.

Passengers (Embarkation Cards)

Mr. Madden: To ask the Secretary of State for the Home Department under what powers he requires passengers leaving the United Kingdom to complete embarkation cards; what questions passengers are required to answer; what penalties are imposed on those passengers who refuse to answer all or any of the questions; what officials issue and collect these cards; and how the information collected is stored.

Mr. Renton: The power to require passengers embarking in the United Kingdom to produce an embarkation card is contained in paragraph 5 of schedule 2 to the Immigration Act 1971, as applied by the Immigration (Landing and Embarkation Cards) Order 1975. The embarkation card asks passengers to give their full name, sex, date and place of birth, nationality, occupation, address in the United Kingdom and passport number. Immigration officers require certain passengers to produce to them completed cards upon embarkation. To this end, an officer may issue a card to a passenger on his arrival in the United Kingdom; cards are also available from other sources such as carrying companies. A person who, without reasonable excuse, fails to complete and produce an embarkation card if so required is liable on conviction to a fine of up to £1,000, or to imprisonment for not more than six months, or both. The information contained on cards filled in by passengers in controlled categories is initially stored on computer and is retained on microfiche.

Citizenship

Mr. Madden: To ask the Secretary of State for the Home Department why he does not allow those who assist applicants to apply for British citizenship also to act as referees for their application; when this ruling was reached; and what action was taken to advise applicants and their representatives of the ruling.

Mr. Renton: It has always been a requirement that referees should be independent of the applicant. Solicitors and agents are excluded. This is explained in the guide given, with the applications form, to all applicants for naturalisation.

Drink-driving

Mr. Hind: To ask the Secretary of State for the Home Department whether he has reviewed the continuing need for the non-statutory blood or urine option in drink-drive cases; and if he will make a statement.

Mr. Hurd: The average take-up rate for the non-statutory option fell from 36 per cent. in April 1984 to

around 14 per cent. by the end of 1985, and has remained at about that level ever since. The last full year for which statistics are available is 1986, when almost 8,000 motorists exercised the non-statutory option. Of these, only some 20 or so cases have been identified where the analysis of the blood or urine specimen produced a reading below the prescribed limit. This can largely be attributed to delays between providing the breath and blood or urine samples. As Sir William Paton found in his report on the monitoring of evidential breath testing machines in 1986, there is nothing to suggest that evidential breath testing machines are not reliable. I have therefore decided that the non-statutory option should be discontinued. This should allow significant savings in police costs.

Attacks on Women

Mr. Redmond: To ask the Secretary of State for the Home Department how many crimes of *(a)* rape, *(b)* sexual harassment of women and *(c)* sexual attacks on women have been committed in the county of South Yorkshire during 1987 and 1988 to date; on how many such occasions the victims were attended to by a woman police surgeon; and if he has any plans to increase the number of women police surgeons employed.

Mr. John Patten *[holding answer 19 January 1989]:* There is no legal offence of sexual harassment; the available information on recorded sexual offences is given in the following table. Such information is published annually in table 3.1 of "Criminal Statistics, England and Wales", supplementary tables, volume 3, a copy of which is in the Library. I understand from the South Yorkshire police that 22 victims in 1987 and 11 victims in 1988 were attended by women police surgeons. The employment of civilian staff is a matter for individual chief officers of police.

Certain sexual offences recorded by the police in South Yorkshire

Number

Offence	*1987*	*1988*[1]
Rape	73	51
Indecent assault on a female	357	272

[1] January to September.

Football Matches (Arrests)

Mr. Pendry: To ask the Secretary of State for the Home Department (1) if he will detail the total number of arrests within English and Welsh grounds during league and cup matches as a percentage of total attendances;

(2) if he will detail the arrests which took place at English and Welsh football matches during 1987-88 on the same basis as in the reply of the Secretary of State for Scotland to the hon. Member for Cunninghame, North (Mr. Wilson) of 13 January, *Official Report*, columns *785-86*;

(3) if he will arrange for the statistics of arrests within English and Welsh football grounds to be compiled on the same basis as those for Scotland.

Mr. Douglas Hogg *[holding answer 19 January 1989]:* The available figures for arrests at matches in England and Wales do not distinguish between those made in and near the grounds; and they relate only to Football League matches. For these I refer the hon. Member to the reply by my hon. Friend the Minister for Sport on 19 December to a question from the hon. Member for Derbyshire, North-East (Mr. Barnes) at columns *55-58*. The total number of arrests as a percentage of those attending Football League matches in England and Wales during the 1987-88 season was 0·03. I do not propose to ask the Association of Chief Police Officers to change the basis of their collection of statistics. It would result in the loss of comparative data for earlier seasons and exclude arrests directly connected with matches where they did not occur within the confines of grounds.

THE ARTS

Departmental Staff

Mr. Sean Hughes: To ask the Minister for the Arts what is the number of staff in his office, by grade, in receipt of local pay additions outside London and the south-east economic planning region; what are the different amounts paid to staff by grade; whether this figure varies due to location; what qualifying period of scale-related criteria is used; and whether this varies by location.

Mr. Luce: None. The Office of Arts and Libraries is located in central London.

Royal Opera House

Mr. McNamara: To ask the Minister for the Arts what was the average subsidy per individual attending performances at the royal opera house, Covent Garden, during 1988.

Mr. Luce: The overall average subsidy per capita was £21·81 in the financial year 1987-88. The Royal Opera gave 147 performances to a total audience of 284,000 at an average subsidy per capita of £22·94. The Royal Ballet gave 113 performances to a total audience of 203,000 at an average subsidy per capita of £20·25.

HEALTH

Medical Negligence and Accidents

Mr. John Evans: To ask the Secretary of State for Health if he plans to meet representatives of the British Medical Association to discuss the treatment of victims of medical accidents and medical negligence.

Mr. Mellor: They have not requested such a meeting.

Silicosis

Mr. Steinberg: To ask the Secretary of State for Health what was the incidence of silicosis per 1,000 population in *(a)* County Durham, *(b)* west midlands and *(c)* Surrey in the last year for which figures are available.

Mr. Freeman: Information about the incidence of silicosis is not available centrally. Silicosis is not separately identified within hospital in-patient inquiry data but is included under pneumoconiosis. In 1985 the estimated number of in-patient cases treated in NHS hospitals with a main diagnosis of pneumoconiosis was 640. Sample numbers are too small for reliable estimates to be made below national level.

The annual report of the Health and Safety Commission in its tables of cases of occupational diseases awarded benefit includes figures on those suffering from pneumoconiosis. A copy of the report is in the Library.

NHS Technical Staff

Mr. Vaz: To ask the Secretary of State for Health whether he has any plans to review the salaries of technical staff working within the National Health Service.

Mr. Mellor: The pay of technical staff is a matter for negotiation in the professional and technical staffs B Whitley council. We understand that the management side of the council is currently reviewing the grade structures of a number of technical staff groups.

Listeria

Mrs. Wise: To ask the Secretary of State for Health what research he has commissioned on the increase in listeriosis.

Mr. Freeman: The public health laboratory service is conducting a national survey of retailed and National Health Service cooked chilled food for the presence of listeria, and is undertaking detailed studies to assess the role of contaminated food in causing human cases of listeriosis. In addition, the Ministry of Agriculture, Fisheries and Food have commissioned urgent research into areas such as the cooking conditions required to kill listeria monocytogenes in poultry meat, and the physical aspects of microwave cooking.

As soon as the appropriate scientific evidence is available from these and other outside studies, we will consider together with MAFF whether any further action is required.

General Practitioners (London)

Mr. Cox: To ask the Secretary of State for Health how many general practitioners there are in each of the regional health authorities covering Greater London.

Mr. Mellor: The information requested is collected for family practitioner committees, which are not necessarily conterminous with health authority boundaries, and aggregated by region. Figures for the Thames regions at 1 October 1987 are as follows:

Number of unrestricted general medical practitioners

	Number
South-East Thames	1,933
South West Thames	1,537
North East Thames	1,992
North West Thames	1,971

Exhaust Fumes

Mr. Bidwell: To ask the Secretary of State for Health whether he has any estimate of National Health Service costs due to lung disease cases attributable to inhaling exhaust fumes.

Mr. Freeman: Information on cases of lung disease resulting from inhalation of exhaust fumes is not collected centrally; no estimate of costs is therefore available.

Radiation

Mr. Fearn: To ask the Secretary of State for Health how many representations he has received since the publication of the report on the incident in radiotherapy department at the Royal Devon and Exeter hospital and the implementation of the recommendations contained in it concerning *(a)* the grading of the post of the head of department, *(b)* the number of physicists employed and *(c)* levels of supervision required to maintain safety; and if he will make a statement.

Mr. Freeman: None. It is for Exeter health authority to make appropriate arrangements for the effective management of the radiotherapy department at the Royal Devon and Exeter hospital.

Parliamentary Questions

Mr. French: To ask the Secretary of State for Health how many oral parliamentary questions he has answered by written reply because the question was not reached at Question Time, for the most recent year for which figures are available.

Mr. Mellor: Since it was created in July 1988 the Department of Health has answered oral questions on two occasions. Up to the end of 1988, 161 oral questions were tabled to the Secretary of State for Health, of which 137 received a written reply.

Prior to the division of the Department of Health and Social Security, a total of 950 oral questions were tabled to the Secretary of State for Social Services during the 1987-88 Session. Of these, 822 received a written reply.

These figures do not include oral questions which were subsequently withdrawn, unstarred or transferred to other Departments.

Oswestry District Hospital

Ms. Harman: To ask the Secretary of State for Health whether there are any proposals to sell the Oswestry district hospital.

Mr. Freeman: We understand that officers of Shropshire health authority have been approached by a number of parties interested in purchasing the Oswestry district hospital when it is closed. Disposal of the site is a matter for the district and regional health authorities. The hon. Member may wish to write to the chairman of Shropshire health authority for further information.

Abortions

Mr. Nicholas Bennett: To ask the Secretary of State for Health (1) how many private sector clinics and hospitals performing late abortions were inspected to ensure that they have immediate access to resuscitation equipment in the event that the child is born alive in each year since 1967; and how many in each year were found to be contravening this requirement;

(2) how many National Health Service clinics and hospitals performing late abortions were inspected, to ensure that they have immediate access to resuscitation equipment in the event that the child is born alive, in each year since 1967; and how many in each year were found to be contravening this requirement.

Mr. Freeman: Inspection of equipment within NHS premises is a matter for individual health authorities.

In the private sector formal requirements that resuscitation equipment should be available on the premises were introduced in 1976 and since that time places approved to perform late abortions have received at least one visit a year from departmental medical and nursing officers in which its availability is monitored. We have no record of any contravention of this requirement.

In addition, health authorities have a statutory duty under the Nursing Homes and Mental Nursing Homes Regulations 1984 to inspect private hospitals not less than twice in every period of 12 months to ensure that they provide and maintain adequate medical, surgical and nursing equipment.

AIDS

Mr. Harris: To ask the Secretary of State for Health if he has yet received the second report on AIDS and drug misuse from the Advisory Council on the Misuse of Drugs; and if he will make a statement.

Mr. Mellor: The council submitted its report on 10 January. We intend to publish the report quickly and make copies widely available.

Thalassaemia

Mr. Terry Davis: To ask the Secretary of State for Health how much money is given by his Department for research into the prevention and treatment of thalassaemia.

Mr. Freeman *[holding answer 16 January 1989]:* The Department is not directly funding research into the prevention and treatment of thalassaemia.

The main agency through which the Government support medical and related biological research is the Medical Research Council (MRC), which receives a grant-in-aid from the Department of Education and Science. I understand that the MRC is funding a number of research projects into the prevention and treatment of thalassaemia.

NATIONAL FINANCE

Personal Allowances

Mr. Robert G. Hughes: To ask the Chancellor of the Exchequer what was the rise in real terms of the married man's personal allowance during the period 1974 to 1979, and the period 1980 to 1988.

Mr. Norman Lamont: Between 1973-74 and 1978-79, the married man's income tax allowance fell, in real terms, by just over 5 per cent. Since then it has been increased by almost 28 per cent. The real increase since 1979-80 has been 25 per cent.

Personal Taxation

Mr. Allen: To as the Chancellor of the Exchequer how much a person on average earnings pays as a proportion of his total income in all direct and indirect taxes including value-added tax and national insurance.

Mr. Norman Lamont: It is estimated that a married man on average earnings with no children currently pays 39.5 per cent. of his earnings in income tax, national insurance contributions and indirect taxes (excluding local authority rates).

Budget (Representations)

Mr. Tim Smith: To ask the Chancellor of the Exchequer what representations he has received in advance of the Budget.

Mr. Norman Lamont: My right hon. Friend has received a large number of representations covering a variety of proposals.

Heavy Fuels Duty

Mr. Colvin: To ask the Chancellor of the Exchequer what was the total revenue received, in the last year for which figures are available, from the duty on heavy fuels used in power stations.

Mr. Lilley: I regret that the information is not readily available.

Exchange Rate Policy

Mr. Harry Barnes: To ask the Chancellor of the Exchequer if he will make a statement on the latest exchange rate policy.

Mr. Lilley: The Government's policy is unchanged. The need to reduce inflation is paramount and a firm exchange rate is essential to achieve this objective.

Inflation

Mr. Illsley: To ask the Chancellor of the Exchequer how many countries in the European Community have a lower rate of inflation than the current rate in the United Kingdom.

Mr. Lilley: The latest available figures suggest that nine European Community countries have a lower rate of inflation than the current rate in the United Kingdom.

European Monetary System

Sir Richard Body: To ask the Chancellor of the Exchequer what assessment he has made of the main advantage to the United Kingdom of joining the exchange rate mechanism of the European monetary system.

Mr. Lilley: The United Kingdom will join the exchange rate mechanism of the European monetary system when the Government consider that the time is right and because of the advantages that it will bring to the conduct of anti-inflationary policy.

Mortgage Repayments

Mr. Wray: To ask the Chancellor of the Exchequer whether he will urgently take steps to assist first-time home buyers affected by high interest rates on their mortgage repayments.

Mr. Lilley: No.

Household Savings Ratio

Mr. Butler: To ask the Chancellor of the Exchequer if he will make a statement on the savings ratio in the household sector.

Mr. Lilley: The household sector saving ratio has fallen in recent years. However, this has been largely offset by

rises in saving by companies and the public sector, leaving total national savings broadly unchanged as a share of gross domestic product. Rises in interest rates in recent months will encourage more saving and less borrowing by households.

Investment

Mr. Thurnham: To ask the Chancellor of the Exchequer if he will make a statement about the level of investment in the economy during the last 12 months.

Mr. Lilley: In 1988 total investment was forecast in the Autumn Statement to grow by 12 per cent.

Taxation (Restrictions)

Mr. Kirkwood: To ask the Chancellor of the Exchequer what is the cost in 1988-89 and 1989-90 of restricting *(a)* personal allowances and *(b)* mortgage interest tax relief to the standard rate of tax.

Mr. Norman Lamont: I refer the hon. Member to the reply that I gave to the hon. Member for Sunderland, North (Mr. Clay) on 22 December 1988 at column *425*.

Canary Wharf

Mr. Soley: To ask the Chancellor of the Exchequer if he will list the total tax allowances for which the developers of the Canary wharf scheme in London docklands are eligible.

Mr. Norman Lamont: The precise tax treatment will depend on individual circumstances. A developer who builds property for sale incurs his expenditure on revenue account and is entitled to relief under the normal business expense rules for costs incurred wholly and exclusively for the purposes of his trade. A special 100 per cent. initial allowance is available for construction costs of business buildings within an enterprise zone which are incurred on capital account.

Ishan Barbouti

Mr. Robertson: To ask the Chancellor of the Exchequer if he has any plans to prosecute Mr. Ishan Barbouti for breach of export controls in relation to his activities in constructing a plant at Rabta, Libya, alleged to be for the manufacture of chemical weapons.

Mr. Lilley: Customs have no evidence of any breach of United Kingdom export controls to support proceedings against Mr. Ishan Barbouti.

Capital Gains Tax

Mr. Dobson: To ask the Chancellor of the Exchequer what is the reduction in annual liability to *(a)* capital gains tax and *(b)* capital transfer tax in 1988-89 and 1989-90 as against the 1978-79 indexed regime, specifying in each case the total and average reduction per taxpayer as well as the number of taxpayers in each year.

Mr. Norman Lamont *[holding answer 16 January 1989]:* The information requested is given in the table:

		Capital gains tax	*Capital transfer tax/ Inheritance Tax*
Reduction, compared with indexed 1978-79 regime, in:			
Total liability (£m):	1988-89	1,250	610
	1989-90	1,150	670
Average liability[1](£):	1988-89	1,450	7,200
	1989-90	1,500	7,700
Taxpayer numbers (thousands)			
1978-79 indexed regime:	1988-89	850	85
	1989-90	760	87
Present regime:	1988-89	155	25
	1989-90	145	26

[1] The reduction in the average liability is calculated using the numbers of taxpayers under the 1978-79 indexed regime.

The figures for capital gains tax exclude capital gains realised by companies and taxed within corporation tax. The figures for 1989-90 for the "present regime" assume the same tax structure as in 1988-89 except for indexation of allowances. For each tax, the 1988-89 and 1989-90 tax bases are taken as given. It is not possible to determine to what extent changes to the taxes between 1978 79 and the present may have affected the levels of transfers and disposals.

SOCIAL SECURITY

Housing Benefit

Mr. Frank Field: To ask the Secretary of State for Social Security if he will estimate the additional cost to the housing benefit scheme of the changes to Rent Acts which have recently come into effect.

Mr. Peter Lloyd: The public expenditure White Paper, which will be published shortly, will as in previous years set out our working assumptions about the rent levels of people receiving housing benefit. These will take account of a number of factors including the potential effects of the provisions of the Housing Act 1988.

Family Credit

Mr. Frank Field: To ask the Secretary of State for Social Security if he will list the number and proportions of claimants of family income supplement who were one and two-parent families; and if he will give the equivalent data for the family credit.

Mr. Peter Lloyd: In April 1987, the latest date for which information is available, approximately 92,000 (41·8 per cent.) one-parent families and 128,000 (58·2 per cent.) two-parent families received family income supplement. The only similar information available for family credit is for 97 per cent. of families and, of them, for those where the parent is an employee. At the end of November 1988 there were approximately 98,000 (42·1 per cent.) one-parent families and 135,000 (57·9 per cent.) two-parent families. There were a further 20,000 families where the parent was self-employed, but no breakdown of this figure is available between one and two-parent families.

AGRICULTURE, FISHERIES AND FOOD

Rhizomania

Mr. Andrew F. Bennett: To ask the Minister of Agriculture, Fisheries and Food what discussions have taken place between his Department and the rights of way review committee, Ramblers Association and others about changes to plant health orders which may lead to temporary closure of footpaths where rhizomania is found.

Mr. Ryder: My officials have attended meetings of the rights of way review committee and my noble Friend has been in correspondence with its chairman, my hon. Friend the Member for Saffron Walden (Mr. Haselhurst), about this matter. Public access to any premises declared infected with rhizomania has to be restricted in order to prevent the spread of this serious disease. We accept that it is desirable to use powers under plant health legislation to restrict access and we intend to make appropriate provision shortly.

Potato Marketing Board

Mr. Nicholas Bennett: To ask the Minister of Agriculture, Fisheries and Food if he will list by percentage sum of money the four main elements in the Potato Marketing Board's annual costs in each year since 1970.

Mr. MacGregor: This information can be derived from the board's annual reports.

Mr. Nicholas Bennett: To ask the Minister of Agriculture, Fisheries and Food what proposals he had for improving the efficiency and organisation of the Potato Marketing Board; and if he will make a statement.

Mr. MacGregor: Responsibility for efficiency and organisation rests primarily with the Potato Marketing Board itself. However, some of the replies to the Government's recent consultation paper on future potato market policy address these topics, and are currently being considered along with other comments.

Eggs

Mr. Nicholas Bennett: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on his scheme to assist egg producers.

Mr. Ryder: I refer my hon. Friend to the reply given yesterday by my right hon. Frend to my hon. Friend the Member for Daventry (Mr. Boswell) at column *473*.

FOREIGN AND COMMONWEALTH AFFAIRS

Falkland Islands Ferry

Mr. Foulkes: To ask the Secretary of State for Foreign and Commonwealth Affairs what were the circumstances surrounding the incident involving the Falkland Islands ferry on Monday 16 January; if he will consider the suspension of service until a proper agreement on it can be reached; and if he will make a statement.

Mr. Eggar: The Indiana I is a Bahamian-registered cargo vessel which entered Montevideo on 16 January on commercial business with a cargo from the Falkland Islands. A small number of Argentine nationals staged a demonstration. We understand that the Indiana I is operated, and conducts her business, in accordance with normal shipping law and practice. She is not operating a regular ferry service and no separate agreement has been entered into or is required. While we have no standing in the matter, we welcome any normalisation of links between the Falkland Islands and the south American mainland.

Kayed Tameize

Mr. John Marshall: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations have been made to the Palestine Liberation Organisation about its assassination of Kayed Tameize.

Mr. Waldegrave: None.

Mayor of Bethlehem

Mr. John Marshall: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations have been made to the Palestine Liberation Organisation about its threat to assassinate the mayor of Bethlehem.

Mr. Waldegrave: None.

Boris and Galina Lifshitz

Mr. John Marshall: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations have been made to the Soviet authorities about Boris and Galina Lifshitz who first applied for an exit visa in 1979.

Mr. Waldegrave: We can see no justification for the Soviet authorities' continued refusal to allow Boris and Galina Lifshitz to emigrate. Her Majesty's embassy in Moscow raised the case with the Russians in December and we will be raising it again at the UK-USSR bilateral human rights talks on 26 January.

Mr. Raoul Wallenberg

Mr. Amess: To ask the Secretary of State for Foreign and Commonwealth Affairs how many *(a)* oral, and *(b)* written questions have been addressed to his Department about Mr. Raoul Wallenberg in each session since 1979.

Mr. Waldegrave: The information requested is available in the *Official Report*.

According to our records the details are as follows:

Parliamentary Questions on Raoul Wallenberg

Session	*Oral questions*	*Written questions*	*Total*
1979-80 (15 May 1979-13 November 1980	0	0	0
1980-81 (20 November 1980-30 November 1981)	1	0	1
1981-82 (4 November 1981-28 October 1982)	0	0	0
1982-83 (3 November 1982-13 May 1983)	0	1	1
1983-84 (15 June 1983-31 October 1984)	0	1	1
1984-85 (6 November 1984-30 October 1985)	1	9	10
1985-86 (6 November 1985-6 November 1986)	0	13	13

Session	Oral questions	Written questions	Total
1986-87 (12 November 1986-15 May 1987)	0	0	0
1987-88 (25 June 1987-15 November 1987)	0	7	7
1988-89 (22 November 1988-to date)	0	21	21

Mr. Amess: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will publish in the *Official Report*, a table showing how many *(a)* oral and *(b)* written questions have been addressed to his Department about Mr. Raoul Wallenberg in each month since 1983.

Mr. Waldegrave: I refer my hon. Friend to the reply that I gave to his earlier question on the same subject.

Mr. Amess: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) if he raised the case of Mr. Raoul Wallenberg at the Foreign Affairs Council held on 19 December 1988; and if he will make a statement;

(2) if he will raise the case of Mr. Raoul Wallenberg at the United Nations; and if he will make a statement;

(3) what information he has of the case of Mr. Raoul Wallenberg being raised at the United Nations; and if he will make a statement;

(4) what information he has of the case of Mr. Raoul Wallenberg being raised at the European Parliament.

Mr. Waldegrave: I have recently written to my hon. Friend about Mr. Raoul Wallenberg.

Rights of Children

Mr. Ashley: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will publish or place in the Library the Government's response to the questionnaire about the rights of children submitted to them in June 1988 by the legal affairs committee of the Council of Europe parliamentary assembly.

Mrs. Chalker: We hope to submit our response to this questionnaire on the rights of children shortly. Copies of our response will be placed in the Library of each House.

Japanese Prisoners of War

Mr. Amos: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) if, in his recent talks with the Japanese Foreign Minister, he raised the question of Japanese compensation for the relatives of British troops who died in captivity whilst Japanese prisoners of war during the second world war, and if he will make a statement;

(2) if, in his recent talks with the Japanese Foreign Minister, he raised the question of Japanese compensation to British troops who were ill-treated in captivity whilst Japanese prisoners of war during the second world war; and if he will make a statement.

Mr. Eggar: No. The question of compensation was dealt with in the 1951 treaty of peace with Japan. Under the terms of the treaty £4,816,473 was made available to the United Kingdom. The bulk of this was paid out, between 1952 and 1956, to approximately 58,000 former prisoners of war, civilian internees and dependants of those who died in captivity.

Visas

Mr. Neil Hamilton: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will take steps to reduce the cost to Hungarian nationals of obtaining a visa for entry into the United Kingdom.

Mr. Eggar: No. It is our intention that visa fees should remain the same for all applicants irrespective of their nationality.

EC (Social Dimension)

Mr. Leighton: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) what is the legal basis for the EEC's social dimension;

(2) what are the main issues under the social dimension which fall to be dealt with by qualified majority voting, and which by unanimity under the Single European Act.

Mr. Cope: I have been asked to reply.

The legal base of any proposal in the social area depends on the substance of that proposal. This will determine the voting procedures. The main issues currently under consideration are in the field of health and safety at work and fall to be dealt with by qualified majority voting.

EMPLOYMENT

Unemployment Benefit

Mr. Allen: To ask the Secretary of State for Employment how many people in Nottingham had unemployment benefit stopped because they were considered unavailable for work for each of the months for which figures exist.

Mr. Lee: Monthly information is not readily available about the number of persons whose entitlement to unemployment benefit is disallowed because they are considered not to be available for work. It could be obtained only at disproportionate cost.

However, the table below shows, over the period for which figures are available, the quarterly number of claims disallowed by adjudication officers, in the adjudication office area of Nottingham, on the grounds that claimants were not availble for work.

3 month ending	Disallowed
31 March 1986	61
30 June 1986	71
30 September 1986	122
31 December 1986	96
31 March 1987	125
30 June 1987	45
30 September 1987	109
31 December 1987	122
31 March 1988	109
30 June 1988	89
30 September 1988	90
31 December 1988	54

Minimum Wages

Mr. Leighton: To ask the Secretary of State for Employment what minimum wage provision exists in each of the 12 EEC countries.

Mr. Nicholls: Five countries—France, Netherlands, Spain, Portugal and Luxembourg—have a statutory

national minimum wage. In Ireland, as in the United Kingdom, a statutory minimum wage applies only in certain industries. Two countries—Belgium and Greece—have a general minimum wage laid down in national level collective agreements which are binding in law. Three countries—West Germany, Italy and Denmark—set minimum rates of pay by industry level collective agreements applying in all sectors and binding in law.

Mining Regulations

Mr. Ronnie Campbell: To ask the Secretary of State for Employment what are the dimensions of a development roadway in a single entry system under the current mining regulations.

Mr. Nicholls: No dimensions are specified for a development roadway in a single entry system under current mining regulations.

Mr. Ronnie Campbell: To ask the Secretary of State for Employment what would be the minimum dimensions of a development roadway with only one means of entry and egress in the proposed changes in mining regulations.

Mr. Nicholls: The proposed Mines (Safety of Exit) Regulations 1988, which were laid before Parliament on 29 November 1988 set out the facilities and conditions necessary for safe exit to the surface and include requirements on the construction and maintenance of roads in mines. Under these regulations the normal minimum height of a roadway along which persons walk to or from their places of work will be 1·7m but in certain circmstances this may be reduced to 1·2m.

Mr. Ronnie Campbell: To ask the Secretary of State for Employment how many miners would be allowed in a roadway with only one means of entry and egress under the proposed changes in mining regulations.

Mr. Nicholls: The proposed Mines (Safety of Exit) Regulations 1988, which were laid before Parliament on 29 November 1988, set out the facilities and conditions necessary for safe exit to the surface and includes requirements placing limits on the number of persons working in a place where there is only one way out.

The regulations allow for no more than nine persons to work in a place where it is not reasonably practicable to provide two different ways out. However, there are also strictly defined circumstances under which up to 18 persons may be allowed to work in a place with only one way out. In both cases, the mine manager has a duty to make suitable arrangements to ensure, so far as is practicable, that persons can leave the work place safely and that their safety is not endangered by the lack of two ways out.

Mr. Ronnie Campbell: To ask the Secretary of State for Employment how much air, oxygen, would be available *(a)* for 10 trapped miners in a situation such as occurred on 13 January at High Moor colliery and *(b)* if the maximum number of miners were present, under the proposed changes in mining regulations.

Mr. Nicholls: The volume of air available for trapped miners in a situation such as occurred at High Moor colliery would be equal to that volume of roadway between the inbye end of the fall and the face of the heading. In this particular case, it would measure approximately 7,350 cu m.

Under the proposed changes in mining regulations the maximum number of men allowed to be present without prior notice to an inspector of the mines and quarries inspectorate and workmen's representatives would be nine plus a maximum of three additional persons on limited inspection duties.

Wages Councils (Document)

Mr. Tony Lloyd: To ask the Secretary of State for Employment if he will give details of those places where it is possible to obtain the document, "Wages Councils: 1988 Consultation Document."

Mr. Nicholls: Copies of the document are available in the Vote Office or may be obtained from V. Patterson, Department of Employment, (IRE 2), room 310, Gatliff house, 93 Ebury Bridge road, London SW1W 8RE; the secretary, Office of Wages Councils, Steel house, Tothill street, London SW1H 9NF; divisional offices of the wages inspectorate and the Department of Employment's press office, Caxton house, Tothill street, London SW1H 9NF.

Mr. Tony Lloyd: To ask the Secretary of State for Employment why it is not possible to obtain the document, "Wages Councils: 1988 Consultation Document", at Her Majesty's Stationery Office.

Mr. Nicholls: Her Majesty's Stationery Office bookshops do not stock free publications.

Departmental Publications

Mr. Tony Lloyd: To ask the Secretary of State for Employment if he will make a statement as to the criteria used in deciding where to place his Department's publications.

Mr. Nicholls: The criteria used in deciding where to place my Department's publications vary according to a number of factors including the nature of the publication and the audience for which it is intended; the scale and cost of distribution; and whether or not the document is priced.

Tourism

Mr. Allen McKay: To ask the Secretary of State for Employment what will be the role of local authorities in the promoting of tourism following the findings of the Government's review on tourism.

Mr. Lee *[holding answer 19 January 1989]:* I am sure that local authorities will wish to continue to play a part in supporting the development of tourism in their areas.

Written Answers to Questions

Monday 23 January 1989

PRIME MINISTER

Food Inspection (Ministerial Responsibilities)

Mr. Ron Davies: To ask the Prime Minister if she will list the respective responsibilities of the Department of Health and the Ministry of Agriculture, Fisheries and Food for food inspection.

The Prime Minister: I refer the hon. Member to my reply to my hon. Friend the Member for Tiverton (Mr. Maxwell-Hyslop) on 7 December 1988 at column 163 concerning the division of responsibility between the Department of Health and the Ministry of Agriculture, Fisheries and Food. Food inspection under the Food Act 1984 is a local authority responsibility. The district councils, including London boroughs, are responsible for food hygiene and safety inspections. The county councils and the London boroughs are responsible for inspections for the composition and labelling of food.

Interviews (Transcripts)

Mr. Rooker: To ask the Prime Minister if she will arrange for transcripts made by the Central Office of Information of interviews she gives to be placed in the Library after publication of the interviews.

The Prime Minister: No.

ATTORNEY-GENERAL

Security Services

35. **Mr. Allen:** To ask the Attorney-General how many of *(a)* his staff and *(b)* those in the Crown Prosecution Service are devoted to matters relating to the security services.

The Attorney-General: None.

Director of Public Prosecutions

36. **Mr. Holt:** To ask the Attorney-General when he next plans to meet the Director of Public Prosecutions; and what will be discussed.

The Attorney-General: On Thursday 9 February, 1989. We plan to discuss a variety of matters of departmental interest.

Irish Attorney-General

37. **Mr. Dalyell:** To ask the Attorney-General when he last met the Irish Attorney-General; and what subjects were discussed.

The Attorney-General: On Thursday 29 September 1988. We had a constructive meeting in regard to matters of concern to our respective responsibilites, in particular extradition between the United Kingdom and the Republic of Ireland.

Guildford Four

38. **Mr. Corbyn:** To ask the Attorney-General what representations he has received on the conduct of the Guildford Four case.

The Attorney-General: None. As the hon. Member will know, my right hon. Friend the Home Secretary has now decided to refer the case to the Court of Appeal (Criminal Division) under section 17 of the Criminal Appeal Act, 1968.

Abortion

39. **Mr. Amess:** To ask the Attorney-General how many prosecutions were brought in 1987 by the Crown Prosecution Service under the Infant Life Preservation Act 1929; and if he will make a statement.

41. **Miss Widdecombe:** To ask the Attorney-General how many prosecutions were brought by the Crown Prosecution Service under the Infant Life Preservation Act 1929 in 1987; and if he will make a statement.

Mr. Alton: To ask the Attorney-General how many prosecutions were brought by the Crown Prosecution Service under the Infant Life Preservation Act 1929 in 1987; and if he will make a statement.

The Attorney-General: The Crown Prosecution Service brought one prosecution in 1987 under the Infant Life Preservation Act 1929.

Live Births

40. **Mr. Hind:** To ask the Attorney-General how many prosecutions were brought in 1988 by the Crown Prosecution Service for failure to register live births; and if he will make a statement.

The Attorney-General: None.

Director of Public Prosecutions

42. **Mr. Janner:** To ask the Attorney-General when he last met the Director of Public Prosecutions; and what matters were discussed.

The Attorney-General: I refer the hon. and learned Member to the answer I gave today to the hon. Member for Sunderland, South (Mr. Mullin).

Mr. Brian Clough

Mr. Adley: To ask the Attorney-General if he will ask the Crown Prosecution Service to undertake proceedings against Mr. Brian Clough of Nottingham for common assault.

The Attorney-General: No. It is for the police to decide whether or not to institute criminal proceedings. If proceedings are instituted, the matter is then passed to the Crown prosecution service for independent consideration. It will employ the criteria set out in the code for Crown prosecutors.

"The Guardian" (Prosecution)

Mr. Corbett: To ask the Attorney-General pursuant to his written reply to the hon. Member for Birmingham,

Erdington on 16 January, *Official Report*, column *11*, whether proceedings are to be instituted against Mr. Richard Norton-Taylor of *The Guardian*, and its editor Mr. Peter Preston, arising from the publication on 4 January of the name and background of the new head of the Secret Intelligence Service.

The Attorney-General: No.

Justices of the Peace

Mr. Harry Greenway: To ask the Attorney-General how many justices of the peace there are now; how many there were five, 10, 15 and 20 years ago; and if he will make a statement.

The Attorney-General: The total numbers of active justices of the peace in England and Wales, in January of the years mentioned and rounded to the nearest hundred, was as follows:

1989 — 28,200
1984 — 25,800
1979 — 24,000
1974 — 21,500
1970 — 19,300 (the earliest year for which the figures are available)

I welcome the opportunity to record the Lord Chancellor's appreciation of the voluntary work done by increasing numbers of justices, drawn from all ages, communities and backgrounds up and down the country. They make an essential and much appreciated contribution to the administration of justice.

Magistrates (Selection Committees)

Mr. Barry Field: To ask the Attorney-General how many advisory panel members for magistrates' selection committees have requested that they remain anonymous.

The Attorney-General: Advisory committees have until the end of 1992 to make their membership known. Whether, and if so when, they do so before that time is a matter for each advisory committee to decide.

OVERSEAS DEVELOPMENT

Food and Agriculture Organisation

47. **Mr. Maples:** To ask the Secretary of State for Foreign and Commonwealth Affairs when he last met officials of the Food and Agriculture Organisation; and what issues were discussed.

Mr. Chris Patten: I met the director-general on 13 December 1988. We discussed the locust situation in Africa and the threat to the world's tropical rain forests. I received a report on progress of the review of the Food and Agriculture Organisation's objectives and functions.

India

50. **Mr. Vaz:** To ask the Secretary of State for Foreign and Commonwealth Affairs what is the current level of aid given by the Government to India; and if he will make a statement.

Mr. Chris Patten: Our gross bilateral aid expenditure on India was estimated to be about £90 million in the financial year 1987-88. We are awaiting final confirmation of the figures. At that level, India remains our largest bilateral aid programme.

Eggs

51. **Mr. Harry Greenway:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he has any plans to ship eggs to Eritrea, the Sudan and other countries with a food supply problem; and if he will make a statement.

Mr. Chris Patten: I have no such plans. Eggs and egg products are not suitable for general distribution as food aid. They can only be used under very strict control.

Developing Countries (Debt Burden)

52. **Mr. Corbyn:** To ask the Secretary of State for Foreign and Commonwealth Affairs what action he is taking to reduce the debt burden of developing countries.

Mr. Chris Patten: We have made the major contribution to the interest subsidy account of the IMF's enhanced structural adjustment facility. We have converted nearly £1 billion of old aid loans into grants. The Paris Club is now implementing the special Toronto terms based on the sub-Saharan African initiative first proposed by my right hon. Friend the Chancellor of the Exchequer in 1987. These are all very significant contributions towards lessening the debt burden on the poorest countries—and widely recognised as such.

World Bank

53. **Miss Lestor:** To ask the Secretary of State for Foreign and Commonwealth Affairs when he next expects to meet the president of the World bank; and what matters he expects to discuss.

Mr. Chris Patten: I understand that the president of the World bank plans to visit London in April, when I would expect to see him to discuss a range of policy issues of mutual interest and concern.

"State of the World's Children"

54. **Mr. Kirkwood:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on Her Majesty's Government's response to the recent UNICEF report, "State of the World's Children".

Mr. Chris Patten: I welcome the publication of this report. It examines the problems faced by women and children in developing countries and is an example of the work of UNICEF in advocacy for children.

Our contributions to UNICEF increased from £7·64 million in 1985-86 to over £15 million in the last financial year.

Send a Cow Project

55. **Mr. Soames:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the progress of the Send a Cow project.

Mr. Chris Patten: The project, with support from our joint funding scheme, is progressing well. About half of the 54 cows sent to Uganda so far have already calved and the remainder are expected to calve within the next few weeks. Those chosen to receive the cows, including widows of the recent conflicts and others with large families and low incomes, both Moslem and Christian, are now starting to benefit from the extra milk yields.

Aid (Effectiveness)

56. **Mr. Thurnham:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement about current methods of assessing the effectiveness of overseas aid.

Mr. Chris Patten: We have developed well-tried systems both for ensuring and assessing the effectiveness of our aid. These include annual country review and objectives papers; project appraisal and monitoring; project completion reports; and the full evaluation of a sample of projects. A full account will be given in this year's public expenditure White Paper, to be published shortly.

Caribbean Dependencies

57. **Mr. Bowis:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on British aid to the Caribbean dependencies.

Mr. Chris Patten: In the most recent year for which figures are available (1987), British aid disbursements to the four Caribbean dependencies in receipt of aid were £8,767,000, or £214 per head.

I visited the Turks and Caicos Islands, the largest recipient of our aid, from 5 to 8 January and subsequently chaired in Barbados a meeting of dependent territory governors to review aid policy in the dependencies.

Vietnam

58. **Mr. Mullin:** To ask the Secretary of State for Foreign and Commonwealth Affairs what aid the United Kingdom is currently giving to Vietnam.

Mr. Chris Patten: We do not provide bilateral aid to Vietnam. We are, however, contributing our share (about £540,000) of the cost of emergency food aid supplied through the European Community.

India (Primary Education)

59. **Mr. Summerson:** To ask the Secretary of State for Foreign and Commonwealth Affairs what contribution Britain is making to the development of primary education in India.

Mr. Chris Patten: We have contributed £1·3 million to a pilot project in the state of Andhra Pradesh. Two hundred classrooms have been built to improved designs which provide a better educational environment; and teachers and teacher educators have been trained in child centred learning techniques. We are now considering a proposal to extend the project throughout the state, at a cost of abou £30 million.

Lomé Renegotiations

60. **Mr. Knapman:** To ask the Secretary of State for Foreign and Commonwealth Affairs what plans he has to discuss the Lomé renegotiations with African, Caribbean and Pacific countries.

Mr. Chris Patten: Negotiations on a successor to the 3rd Lomé convention, which expires in February 1990, were opened formally in October last year.

The first EC/ACP Ministerial negotiating meeting is in Brazzaville next month. I plan to attend this and subsequent Ministerial negotiating meetings. I also intend to continue to raise Lomé issues on my bilateral visits to Africa, Caribbean and Pacific countries.

Southern Africa Development Co-ordination Conference (Support)

61. **Sir Fergus Montgomery:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on British support for the Southern Africa Development Co-ordination Conference.

Mr. Chris Patten: The United Kingdom is a firm supporter of the Southern Africa Development Co-ordination Conference (SADCC). Pledges of British bilateral assistance for SADCC projects now amount to some £60 million. I shall attend the SADCC annual conference in Angola next month.

Armenian Earthquake

62. **Mr. Yeo:** To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has received regarding British aid in response to the Armenian earthquake.

Mr. Chris Patten: I have received a great many representations from organisations, commercial companies and individuals offering donations, cost price relief supplies and personal help. It has been a magnificent and spontaneous response. The Soviet authorities have gone out of their way to express their gratitude for all the help provided from Britain.

63. **Sir Trevor Skeet:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement about Britain's contribution to the earthquake disaster relief operation in Armenia.

Mr. Chris Patten: Of the £5 million emergency aid which I announced on 9 December 1988, some £1·4 million has been allocated in response to specific requests from the Soviet authorities for assistance with emergency relief and search-and-rescue measures. This phase of the relief operation is now over. The balance of our £5 million will be used for rehabilitation and reconstruction activities which are now under consideration by the Soviet authorities.

Sudan (Debt)

64. **Mr. Jacques Arnold:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will undertake a study of the implications of the debt for development swap in Sudan with UNICEF, whereby Midland bank's debt exposure has been donated to finance development programmes for the Kordofan region, and as to what opportunities this precedent opens up for charitable work in the third world with the support of Her Majesty's Government.

Mr. Chris Patten: We warmly welcome the Midland bank's voluntary decision to reduce Sudan's debt obligations and the arrangements under which this will facilitate development work in the Sudan.

ACP Countries

65. **Mr. Colin Shepherd:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on future aid and trade relations with the African, Caribbean and Pacific group of countries.

Mr. Chris Patten: Aid and trade relations between the European Community and the African, Caribbean and Pacific countries are governed by the Lomé conventions. Negotiations on a successor to the third Lomé convention, which expires in February 1990, were opened formally in October last year. We will be actively involved throughout the renegotiation.

Nigeria

Miss Lestor: To ask the Secretary of State for Foreign and Commonwealth Affairs if, following the announcement of a grant of $100 million being made available for Nigeria, he will publish the revised figures for the net aid programme including aid administration costs, for the financial years 1988-89 and 1989-90; and if he will make a statement.

Mr. Chris Patten: For the financial years 1988-89 and 1989-90, the net overseas aid budget, which includes aid administration, stands at £1,387 million and £1,430 million respectively. Assuming the conditions are met for the disbursement of the $100 million aid grant for 1989 pledged as part of our Nigeria initiative, I would at present expect, on the basis of current exchange rates, that some £47 million would be added to the aid programme in 1989-90 for this purpose.

FOREIGN AND COMMONWEALTH AFFAIRS

Departmental Staff (Pay)

Mr. Sean Hughes: To ask the Secretary of State for Foreign and Commonwealth Affairs what is the number of staff in his Department, by grade, in receipt of local pay additions outside London and the south-east economic planning region; what are the different amounts paid to staff by grade; whether this figure varies due to location; what qualifying period of scale-related criteria is used; and whether this varies by location.

Mrs. Chalker: All grades currently in receipt of local pay additions are employed in Central London and at Croydon. Details were contained in the answer to the hon. Member for Knowsley South (Mr. Hughes) of 20 October 1988 at column 984.

Disarmament Policy

Mr. Dalyell: To ask the Secretary of State for Foreign and Commonwealth Affairs what is his policy on the internationally monitored system of on-site inspections following a pre-emptory challenge of the nature of the work, or of materials stored, in relation to verification of chemical and biological disarmament; and what is his policy towards the formation of international inspection teams.

Mr. Waldegrave: The concept of challenge on-site inspection currently under discussion at the conference on disarmament in Geneva in the negotiations for a comprehensive convention banning chemical weapons is largely drawn from a United Kingdom proposal tabled in 1986. However, much work remains to be done to elaborate the detailed procedures which will be required to make the regime effective.

It is agreed in the negotiations that on-site inspections will be carried out by international inspection teams drawn from the technical secretariat of the international organisation which will be established to oversee and administer the implementation of the convention.

The development, production, stockpiling and use of biological weapons is already banned by the 1972 biological weapons convention to which over 100 states (including the United Kingdom) are party. This convention has no specific provision for on-site inspections, either routinely or on challenge.

NATIONAL FINANCE

Taxation

Mr. Allen: To ask the Chancellor of the Exchequer if he will list the level of income at which the following should have a lower overall tax burden in real terms now than in 1979 *(a)* a single man, *(b)* single woman, *(c)* married man, *(d)* married woman, *(e)* married man with wife not working and with one child, *(f)* married man with wife not working and with two children, *(g)* married man with wife not working and with three children and *(h)* married man with wife not working and with four children.

Mr. Norman Lamont: Available information is contained in the reply given to my hon. Friend the Member for Hornchurch (Mr. Squire) on 10 January at columns *633-56*.

Foreign Investment

Mr. Win Griffiths: To ask the Chancellor of the Exchequer if he will make a statement on current foreign investment and capital flows into the United Kingdom.

Mr. Major: Inflows of direct and portfolio investment into the United Kingdom are estimated to have been £6·8 billion in the first three quarters of 1988. Net capital inflows into the United Kingdom are estimated at £2·2 billion.

Competitive Tendering

Sir David Price: To ask the Chancellor of the Exchequer whether he will ensure that all public departments in determining the award of contracts under competitive tendering procedures give proper consideration to the maintenance of professional standards.

Mr. Brooke: The award of contracts for goods and services is primarily the responsibility of individual Departments. However, the Government's "Guidelines on Public Purchasing Policy", last issued by the Treasury in January 1987, require that such goods and services should be acquired by competition unless there are convincing reasons to the contrary. The guidelines provide that the assessment of value for money should take account of other factors as well as price, including the financial, technical and professional status of tenderers. At the same time, part of the function of the Treasury's central unit on purchasing is to increase the professionalism of

Government purchasing, by working with Departments to improve their organisation and systems and the training and professional skills of purchasing staff.

Personal Savings

Mr. John Marshall: To ask the Chancellor of the Exchequer if he will make a statement about the trend in personal savings.

Mr. Lilley: The personal sector saving ratio has fallen in recent years. However this has been largely offset by rises in saving by companies and the public sector, leaving total national savings broadly unchanged as a share of gross domestic product. Rises in interest rates in recent months will encourage more saving and less borrowing by households.

Labour Costs (Manufacturing)

Mr. Janman: To ask the Chancellor of the Exchequer what is his latest information on the growth of unit labour costs in manufacturing industry.

Mr. Major: In the three months to November 1988, manufacturing unit wage costs increased by 0·5 per cent. on the same period a year earlier.

Tax Yield

Mr. Rooker: To ask the Chancellor of the Exchequer what is the expected yield of total taxes in 1988-89; and what were the comparable figures for 1978-79, using 1988-89 prices.

Mr. Major: Total taxes on income, expenditure and capital in 1988-89 are expected to yield £143·8 billion, as published in the autumn statement. The comparable figure for 1978-79 is £105·4 billion at 1988-89 prices.

Inflation

Mr. Michael: To ask the Chancellor of the Exchequer what is his latest forecast for the rate of inflation in 1989.

Mr. Lilley: The autumn statement contains the latest published forecast for RPI inflation in 1989.

Government Expenditure

Mr. David Evans: To ask the Chancellor of the Exchequer if he will make a statement on the outlook for general Government expenditure as a percentage of gross domestic profit.

Mr. Major: My right hon. Friend the Chancellor of the Exchequer's autumn statement to the House on 1 November 1988 set out the Government's plans for public spending. It noted that general Government expenditure (excluding privatisation proceeds) in 1988-89 is expected to be below 40 per cent. of GDP for the first time in over 20 years; and that over the next three years it is expected to fall further.

Economic Growth

Mr. Riddick: To ask the Chancellor of the Exchequer if he will make a statement about the current level of economic growth.

Mr. Major: Gross domestic product is likely to have grown by around 4·5 per cent. in 1988. This would be the fourth consecutive year of growth in excess of three per cent., a performance unmatched since the war.

Private Shareholders

Mr. John Marshall: To ask the Chancellor of the Exchequer what is his latest estimate of the number of private shareholders in the United Kingdom.

Mr. Norman Lamont: The joint Treasury and Stock Exchange survey carried out in January and February 1988 estimated that approximately 9 million people own shares, 20 per cent. of the adult population. This represents a threefold increase since 1979.

Taxation Statistics

Mrs. Wise: To ask the Chancellor of the Exchequer what the current figure would be if the £8,500 salary threshold after which tax is levied on the value of benefits such as company cars were to be raised to keep it in line with its real value when that £8,500 figure was set.

Mr. Norman Lamont: The earnings threshold at which benefits like a company car provided for private use becomes taxable was raised to £8,500 in 1979-80. If this threshold had been indexed in line with inflation according to the statutory formula for increasing personal allowances and thresholds, the threshold in 1988-89 would be £17,000.

Taxation Changes

Mr. Cox: To ask the Chancellor of the Exchequer what has been the average individual cumulative gain to those earning £25,000 a year as a result of changes in taxation since 1979.

Mr. Norman Lamont: The information for individuals with no reliefs other than the main personal allowance is as follows:

Tax Liability in 1988-89 on earnings of £25,000

	1978-79 tax regime indexed for inflation £	*1988-89 tax regime* £	*Reduction in tax liability* £
Single person	8,012·50	6,063·00	1,949·50
Married man	7,423·75	5,467·00	1,957·00

Income Tax

Mr. John Evans: To ask the Chancellor of the Exchequer how many people are currently excluded from payment of income tax.

Mr. Norman Lamont: In 1988-89, it is estimated that some 11·3 million single people and married couples are not liable to income tax.

Capital Gains Tax (Residential Property)

Mr. Sean Hughes: To ask the Chancellor of the Exchequer what amounts were collected in capital gains tax on the sale of residential property in each of the last five years; and what numbers of properties were involved.

Mr. Norman Lamont: I regret that no information is available centrally about sales by companies. For

individuals and trusts, limited information is available about assessments relating to sales in 1985-86. The capital gains tax on sales of properties identified as residential was about £100 million payable by about 40,000 taxpayers. In addition tax may have been paid on other residential property not identified as such.

Mr. Sean Hughes: To ask the Chancellor of the Exchequer what audit safeguards are currently in place to ensure that all payments of capital gains due on sales of residential property are properly made.

Mr. Norman Lamont: Most such sales are made by owner occupiers and are exempt from tax. Sales by developers and investors are picked up through the ordinary process of examining taxpayers' returns and business accounts, a proportion of which are checked against information supplied by third parties.

Mortgage Interest Relief

Mr. Sean Hughes: To ask the Chancellor of the Exchequer how many prosecutions in respect of fraudulent mortgage interest relief at source claims have been instituted in each year since the inception of the scheme; and with what result.

Mr. Norman Lamont: There were three criminal prosecutions by the police in 1987-88, all of which were successful. There have been another 10 so far this year of which eight were successful. Further prosecutions are pending.

Mr. Sean Hughes: To ask the Chancellor of the Exchequer how many civil servants are currently employed in administering and calculating mortgage interest relief at source entitlements; and what were the numbers in each year since the inception of the scheme.

Mr. Norman Lamont: The estimated current number in terms of full time staff equivalents is 820. The numbers on the same basis in the earlier years were:

	Numbers
1983-84	1,000
1984-85	1,125
1985-86	1,000
1986-87	950
1987-88	950

Staff Numbers

Mr. Sean Hughes: To ask the Chancellor of the Exchequer whether he will tabulate in respect of both numbers employed and civil service grades those engaged in administering and calculating *(a)* mortgage interest relief at source entitlements and *(b)* capital gains tax on residential property.

Mr. Norman Lamont: The estimated figures in terms of full time staff equivalents are as follows:

A: Mortgage interest relief at source

Grade	*Numbers*
Inspector (P)	1
Inspector	28
Tax Officer (Higher Grade)	250
Tax Officer	290
Revenue Assistant	170
SEO	1
HEO	12
Executive Officer	7
Administrative Officer	1
Typists	60
Total	820

B: Capital gains tax on residential property

Grade	*Numbers*
Senior Legal Assistant	1
Inspector (SP)	1
Inspector	20
Tax Officer (Higher Grade)	11
Tax Officer	5
Revenue Assistant	19
Principal Valuer	12
Senior Valuer	30
Valuer	18
Valuation Technician	1
Valuation Clerk	4
Typists	3
Total	125

Atlantic Salmon Conservation Trust (Scotland)

Mr. Home Robertson: To ask the Chancellor of the Exchequer if he will review the charitable status of the Atlantic salmon conservation trust (Scotland) in the light of evidence which was submitted to him by the hon. Member for East Lothian on 6 Septembr 1988.

Mr. Norman Lamont: The question of whether any particular body has charitable status is not one for Treasury Ministers.

In Scotland, the Inland Revenue is responsible for deciding whether a body or trust which is claiming tax exemption as a charity is established for charitable purposes only. This is a matter of law.

Responsibility for determining a particular taxpayer's liability lies with the Inland Revenue, subject to his rights of appeal to independent appeal commissioners and to the courts. As I explained in my letter of 26 September to the hon. Member, it is well recognised that Ministers do not seek to influence the Inland Revenue's decisions on particular cases. It would not be right therefore for me to intervene in this case.

Local Pay Additions

Mr. Sean Hughes: To ask the Chancellor of the Exchequer what, in respect of the payment of local pay additions in the Central Computer and Telecommunication Agency, is the number of staff by grade, in respect of local pay additions outside London and the south-east economic planning region; what are the different amounts paid to staff, by grade; whether this varies due to location; what qualifying period of scale-related criteria is used; and whether this varies by location.

Mr. Brooke: There are no CCTA staff outside London and the south-east economic planning region in receipt of local pay additions.

Mr. Sean Hughes: To ask the Chancellor of the Exchequer what is the number of staff in Her Majesty's

Stationery Office, by grade, in receipt of local pay additions outside London and the south-east economic planning region; what are the differing amounts paid to staff, by grade; whether this figure varies due to location; what qualifying period of scale-related criteria is used; and whether this varies by location.

Mr. Lilley: None.

Mr. Sean Hughes: To ask the Chancellor of the Exchequer what is the number of staff of Her Majesty's Customs and Excise, by grade, in receipt of local pay additions outside London and the south-east economic planning region; what are the differing amounts paid to staff by grade; whether this figure varies dues to location; what qualifying period of scale-related criteria is used; and whether this varies by location.

Mr. Lilley: None.

"Using Private Enterprise in Government"

Mr. Sean Hughes: To ask the Chancellor of the Exchequer whether any progress has been made in implementing the recommendation in paragraph 34(c) in "Using Private Enterprise in Government", on pooling information about contractors between Departments and inviting certain Departments to take responsibility for compiling data about the performance of contractors in certain industries.

Mr. Brooke: The central unit on purchasing maintains a data base of activities subjected to competitive tendering in Departments. This information is distributed annually to all Departments so that those contemplating market testing a particular activity can benefit from the experience of others who have already tested that activity. The CUP has also issued general guidance to Departments, which includes advice on contractor appraisal.

VAT (Scotland)

Mr. Darling: To ask the Chancellor of the Exchequer what were the net value added tax receipts raised from Scotland in 1987-88.

Mr. Lilley: Information about value added tax receipts is not available on a regional basis.

Taxpayers (Scotland)

Mr. Darling: To ask the Chancellor of the Exchequer what was the number of individual taxpayers resident in Scotland, and the approximate amount of tax raised from them in 1987-88.

Mr. Norman Lamont: The latest available information covers residents of Scotland liable to tax for 1986-87. Including married women whose earned income exceeded the wife's earned income allowance, as well as their husbands and single people, the total was about 2,070,000 individuals, with income tax liability of about £3,250 million.

Corporation Tax (Scotland)

Mr. Darling: To ask the Chancellor of the Exchequer what was the corporation tax raised from taxpayers having their seat in Scotland.

Mr. Norman Lamont: I regret that information on which to base an estimate is not available centrally.

Personal Savings

Mr. David Shaw: To ask the Chancellor of the Exchequer what studies his Department has carried out into the effect on personal savings of a reduction in the higher rate of capital gains tax to 25 per cent.; and if he will publish the results of such studies.

Mr. Norman Lamont: We examine a large number of options covering the whole range of the tax system as part of the Budget process. It is not customary to publish the results of studies into the effects of tax rate changes.

Private Schools

Mr. McLeish: To ask the Chancellor of the Exchequer if he will list the concessions available to private educational establishments in Scotland with charitable status.

Mr. Norman Lamont: I assume that the hon. Member has in mind tax reliefs.

Private education establishments in Scotland which have charitable status are entitled to the same direct tax reliefs as any other charity in the United Kingdom. Charities are generally exempt from income tax, corporation tax and capital gains tax, provided that their income and gains are applied for charitable purposes only.

The provision of education in a registered school is exempt from VAT.

Budget Statement

Mr. Canavan: To ask the Chancellor of the Exchequer what representations he has received about the contents of his forthcoming Budget Statement.

Mr. Norman Lamont: My right hon. Friend has received a large number of representations covering a variety of proposals.

Personal Disposable Income

Mr. Raison: To ask the Chancellor of the Exchequer what has been the percentage change in real personal disposable income broken down into the top 1 per cent., next 9 per cent., next 40 per cent. and bottom 50 per cent. quartiles for every year since 1959.

Mr. Lawson *[holding answer 10 January 1989]:* I regret that information in the form requested is not available and could be obtained only at disproportionate cost.

Pensions

Mr. Leighton: To ask the Chancellor of the Exchequer what proportion of the work force has opted for personal pensions or is in money purchase schemes contracted out.

Mr. Peter Lloyd: I have been asked to reply. The latest available figure (June 1988) for the work force* of the United Kingdom is 28,164,000 Over 800,000 people have opted for a personal pension since they were introduced in July 1988. Over 6,500 contracted-out money purchase (COMP) schemes have been set up: no figures are available on the number of individuals involved.

* *Employment Gazette* January 1989. Work force in employment plus claimant unemployed.

EDUCATION AND SCIENCE

Student Awards

Mr. Steinberg: To ask the Secretary of State for Education and Science what was the average award received by students from Durham local education authority in their first year at university, polytechnic or other institution of higher education.

Mr. Jackson: The average amounts received by students in higher education from Durham local education authority for the 1986-87 academic year were £1,451 per award holder in maintenance and £641 per award holder in fees. Data are not collected separately for first-year students.

Fees

Mr. Morgan: To ask the Secretary of State for Education and Science whether he has any proposals for introducing changes in the administration of fees in higher education.

Mr. Jackson: We are considering the possibility of increasing the impact of student enrolments through some shift in the public funding of higher education from the grant to be disbursed by the Universities Funding Council and the Polytechnics and Colleges Funding Council towards students' fees met under the mandatory awards arrangements. When we have a clear proposal, we shall consult the various interests before taking a decision.

Natural Environment Research Council

Mr. McGrady: To ask the Secretary of State for Education and Science what representations he has received about staff redundancies in the Natural Environment Research Council.

Mr. Jackson: The Department has received 166 representations about staff redundancies in the NERC. Staffing levels are for the council itself to determine. I am informed that areas of high priority science have been safeguarded, and I understand that only about 41 compulsory redundancies are now expected, less than half the number originally announced. The redundancies arise from the council's planning to reflect changing scientific priorities and to keep within its projected budget following a reduction in income for commissioned research.

Mr. McGrady: To ask the Secretary of State for Education and Science what research is now undertaken by the Natural Environment Research Council in respect of the greenhouse effect; and if he will make a statement.

Mr. Jackson: Such research spans many NERC fields of activity. Major relevant projects in the marine sciences directorate include the biogeochemical ocean flux study, the fine Resolution Antarctic model, and the world ocean circulation experiment, while the terrestrial and freshwater directorate's work includes improving global climate model predictions. The British Antarctic Survey does long-term meteorological and climate studies, and the ocean drilling programme improves understanding of past global climate. NERC also administers four CEGB-funded fellowships relating to greenhouse gases, and supports the United Kingdom universities' global atmospheric modelling project and the tropical ocean and global atmosphere project.

School of Peace Studies, Bradford University

Mr. Riddick: To ask the Secretary of State for Education and Science how much grant was provided for the school of peace studies at Bradford university by the University Grants Committee for each of the last 10 years.

Mr. Jackson: The public funding of universities is not earmarked in this way. It is for each university to decide how to fund its departments from the UGC block grant and the other income at its disposal.

Schools (Vandalism)

Mr. Cartwright: To ask the Secretary of State for Education and Science what steps he is taking to ensure that all local education authorities collect statistics on the incidence of arson and vandalism in schools and colleges on a uniform basis.

Mr. Butcher: I am discussing with the local authority associations the best way of collecting these statistics on a uniform basis, as part of an information-gathering exercise to support the efforts of the special action squad in vandalism and arson in schools.

Edinburgh University

Mr. Dalyell: To ask the Secretary of State for Education and Science what response he is making to the representations of Sir David Smith FRS, in relation to the financing of the university of Edinburgh.

Mr. Jackson: University lecturers' pay has increased by 24 per cent. since 1986 and negotiations for a 1989-90 settlement are in progress. Government grant to universities is to be increased by about 5 per cent. in 1989-90 and it is for them to assess what pay increase they can afford.

School Governors

Mr. Harry Greenway: To ask the Secretary of State for Education and Science if he intends to take steps to prevent the unreasonable removal of school governors by local authorities; and if he will make a statement.

Mrs. Rumbold: It is for local authorities to decide who to appoint to the places on school governing bodies reserved for them. But they must exercise their powers reasonably, and we would consider very carefully any complaint that an authority had not done so in a particular instance.

School Libraries

Mr. Boswell: To ask the Secretary of State for Education and Science if he will make a statement on school library provision.

Mr. Jackson: It is for individual institutions to decide what library and other provision to make from the total funds at their disposal. However, an additional £9 million

has been allocated to universities through the University Grants Committee for the period 1987-88 to 1989-90 specifically for the purchase of books and periodicals, together with £2 million provided in 1987-88 and 1988-89 to enable university libraries to link with computer networks to improve access.

City Technology Colleges

Mr. Dunn: To ask the Secretary of State for Education and Science what prior undertaking on capital expenditure he can give to city technology college promoters planning to establish city technology colleges in the premises of existing maintained schools before proposals are made for those purposes under section 12 of the Education Act 1980 or section 14 of the Education Act 1944.

Mr. Kenneth Baker: My answer of 28 July 1988 to my hon. Friend the Member for Wyre Forest (Mr. Coombs) at column *402* set out the factors I would take into account in deciding proposals which came to me under the provisions of section 12 of the Education Act 1980 and which had as an objective making premises available for the establishment of a city technology college. Should the governors of a voluntary school seek my leave to give notice of their intention to discontinue the school under the provisions of section 14 of the Education Act 1944, for a similar objective, I shall take the same factors into account, in addition to the other requirements laid down in that section.

I made it clear in that statement that, in considering any such proposals, I should need to satisfy myself specifically that the sponsors' plans were sufficiently clear, considered and developed; and that, subject to my approval of the proposals, I had reached agreement in principle with the promoters on a funding agreement. A key aspect of the latter is the grant I am prepared to make available towards the capital costs involved in the establishment of all CTCs. Clearly promoters will need to have a firm indication from me of the level of that grant in order to prepare plans that are sufficiently well developed to satisfy the LEA or governors that the closure or discontinuance of the existing school is justified.

In order to be able to give such a firm undertaking I shall need to consider what expenditure on the premises is likely to be required for a CTC established there to meet the basic requirements of the programme, but in giving any such indication I shall make clear that any capital grant is subject to a detailed feasibility study and to my decision on the statutory proposals or applications, which will be treated strictly on their merits.

Cash Limits

Mr. Cash: To ask the Secretary of State for Education and Science if he will give details of any revisions to cash limits on his Department's Votes in 1988-89.

Mr. Kenneth Baker: Subject to parliamentary approval of the necessary Supplementary Estimate, where appropriate, cash limits for the following votes will be revised as follows:

Class and Vote	*Current cash limit £'000s*	*Increase/ reduction £'000s*	*Revised cash limit £'000s*
XII. 1	481,457	−547	480,910
XII. 3	1,849,624	+40	1,849,664
XII. 4	67,735	−10	67,725
XII. 5	60,179	+979	61,158

An increase of £410,000 is being sought on class XII, vote 3 for expenditure originally included in provision on class XII, vote 1 in respect of outstanding liabilities for Goldsmiths' College. The increase on class XII, vote 3 reflects the inclusion of this expenditure following the college's incorporation as part of the University of London. A matching and offsetting reduction on class XII, vote 1 is also sought.

A reduction of £370,000 to the cash limit for class XII, vote 3 is also sought to reflect the decision not to seek supplementary provision in respect of the carry forward of capital underspend under the end year flexibility scheme as previously announced by my right hon. Friend the Chief Secretary to the Treasury on 21 July 1988 at columns 725-728.

A further reduction of £137,000 is also sought to the cash limit on class XII, vote 1 to reflect the transfer of complete responsibility for trade union education and training to the Department of Employment. A matching increase will be made to the Department of Employment's cash limit on class VII, vote 1.

A reduction of £10,000 is sought to the cash limit on class XII, vote 4 to reflect the transfer of £4,000 to the Office of Minister for the Civil Service for the cost of recruitment under the direct entry grade 7 competition 1988, and of £6,000 to the Office of Population Censuses and Surveys to reflect increased costs of a commissioned survey. Matching increases will be made to the cash limits on class XX, vote 1 and class X, vote 16 respectively.

My Department's running cost limit will also decrease by £10,000 from £66,203,000 to £66,193,000.

The increase on class XII, vote 5 reflects two changes to the vote of the Agricultural and Food Research Council. An increase of £1,760,000 is being sought to assist the AFRC in meeting the costs of restructuring made necessary by the reductions in research commissioned by the Ministry of Agriculture, Fisheries and Food. This increase is offset by a reduction of £781,000 to reflect the reduction in grant from the AFRC to the Institute of Plant Science Research to take account of receipts from the sale of the assets of the Plant Breeding Institute.

Any net increase in expenditure on these votes as a result of these changes will be charged to the reserve. The overall planned total of expenditure will therefore remain unchanged.

School Leavers

Mr. Salmond: To ask the Secretary of State for Education and Science if he will publish a table showing the proportion of school leavers in *(a)* England, *(b)* Wales and *(c)* Northern Ireland who continued into (i) university education and (ii) other higher education for each year since 1979.

Mr. Jackson: The information is as follows. The figures reflect the intended destination of school leavers.

Proportion of school leavers intending to proceed to university or other higher education

	Academic years								
	1978-79	*1979-80*	*1980-81*	*1981-82*	*1982-83*	*1983-84*	*1984-85*	*1985-86*	*1986-87*
England[1]									
Universities	6·1	6·2	6·1	5·9	5·5	5·5	5·4	5·5	5·5
Other institutions[2]	2·1	2·1	2·8	2·9	2·7	2·9	2·9	2·8	2·7
Wales[1]									
Universities	6·2	6·3	6·5	5·4	6·0	5·6	5·7	6·1	5·5
Other institutions[2]	2·5	2·7	2·7	3·9	3·3	3·5	3·7	4·0	3·3
Northern Ireland[3]									
Universities	—	9·6	—	9·7	—	12·2	—	12·3	12·1
Other institutions	—	5·7	—	5·9	—	3·0	—	4·5	4·6

[1] Based on 10 per cent. sample of pupils in each school.
[2] Including only those courses of higher education which are readily identifiable from the school leavers survey.
[3] Figures available biennially only until 1985-86.

TRANSPORT

Airport Security

Mr. Redmond: To ask the Secretary of State for Transport if he will make it his policy to put into effect the 21 recommendations made in 1986 by the Select Committee on Transport, particularly the proposals in relation to air security which requested a special security fund to finance airport safety, and the introduction of banding machines for baggage in the wake of the Lockerbie disaster; and if he will make a statement.

Mr. Peter Bottomley: The response published in November 1986 made it clear that the Government accepted most of the Select Committee's recommendations, either wholly or in part.

The response explained what further action would be taken on each recommendation. Work has been carried forward as promised.

The particular recommendations mentioned by the hon. Member were not amongst those accepted. Banding machines can make a limited contribution to security, because of the high proportion of soft bags, and bags with outside compartments.

An aviation security fund has already been tried. It was abandoned because it was bureaucratic, complicated and costly to administer. It provided little incentive to efficiency.

The current arrangements for financing aviation security do not suffer from such problems. They do not inhibit the maintenance of proper security measures.

Railway Development

Mr. Cohen: To ask the Secretary of State for Transport when he now expects to announce the main findings of the central London rail study; whether any proposals from Her Majesty's Government will be announced at the same time; and if he will make a statement.

Mr. Portillo: My right hon. Friend expects to make an announcement on the findings of the central London rail study shortly.

M40 (Extensions)

Mr. Pawsey: To ask the Secretary of State for Transport whether further extensions to the M40 will be to a three-lane standard.

Mr. Peter Bottomley: The M40 extension north of Wendlebury is being built as a dual three-lane motorway. Decisions following the inquiry into the final section between Wendlebury and Waterstock will be announced shortly.

United Kingdom Decca Chain and Loran C (Options)

Mr. Barry Field: To ask the Secretary of State for Transport when he expects to issue a letter of consultation about the available options for the United Kingdom Decca chain and Loran C; if he will list the parties who will be consulted; if he will list the Decca Radio and power supply equipment transmitter sites which need replacing in the next five years; and who will be representing the United Kingdom at the relevant discussions in Dublin in February.

Mr. Portillo: My right hon. Friend intends to issue a consultation document in the spring on the options for marine radio navigation systems in United Kingdom waters. He intends to consult bodies with marine and related interests, including those representing users and the general lighthouse authorities. The question of equipment renewals for the existing Decca Navigator system is a matter for Racal Decca Marine Navigation Limited under the company's current contract with the general lighthouse authorities, which runs to 1994. At the Dublin meeting of the international Loran C policy group, which is considering the feasibility of establishing a North West European Loran C system, the United Kingdom will be represented by officials from the Department and the general lighthouse authorities.

Channel Tunnel

Mr. Allan Roberts: To ask the Secretary of State for Transport if his Department will commission a report on the feasibility of the construction of a Liverpool land bridge for traffic moving between north America and the continent when the Channel tunnel opens in 1993.

Mr. Portillo: I refer the hon. Member to the answer which I gave on 16 January to the question by the hon. Member for Liverpool, Riverside (Mr. Parry) at column *81*.

Motor Cycles

Mr. Cryer: To ask the Secretary of State for Transport what are the criteria for the proposal to limit newly qualified motor cycle drivers to 400 cc machines; whether high brake horsepower output machines will be included; for what period this limitation will apply; and if he will make a statement.

Mr. Peter Bottomley: The EC Commission is expected to propose that, as part of its plans for further harmonisation of driver licence categories, inexperienced riders should be limited to motor bikes below a certain size or power. The limit is likely to be 400 cc or 35 kw. It remains unclear how these would relate to each other. We agree with the Commission's objective. We are still considering the details of the proposals.

The Commission is also expected to propose a separate test before motor cyclists may ride more powerful machines. We believe that two years riding experience would be a sufficient safeguard. We shall continue to argue for this and against introducing a new special test. Unfortunately, our position has not been made clear in some press reports on this issue.

East London River Crossing

Mrs. Rosie Barnes: To ask the Secretary of State for Transport what value per hectare was given to land lost in Oxleas wood to the construction of the east London river crossing in his Department's cost bearing analysis of that scheme.

Mr. Channon: This information is not available.

For the purpose of the cost benefit analysis, the district valuer provided an overall estimate of the cost to all land and property required for the scheme, including 8·3 hectares in Oxleas wood. The estimate also included the cost of land to be acquired and dedicated as open space in exchange for the land taken for the wood.

Autoguide

Mr. Robert G. Hughes: To ask the Secretary of State for Transport if he will make a statement about the introduction of Autoguide in London.

Mr. Peter Bottomley: The Government believe that advanced driver information systems such as autoguide can do much to ease congestion and so make better use of our roads. The Road Traffic (Driver Licensing and Information Systems) Bill, now before Parliament, demonstrates our commitment to this exciting new technology.

The Government have today invited the private sector to make proposals for installing a pilot autoguide scheme in the London area. A copy of the guidelines has been placed in the Library. Subject to a satisfactory proposal being received, and to the Road Traffic Bill becoming law, we hope that a licence can be issued this year.

We envisage that the pilot scheme will involve around 1,000 vehicles. Its operation will be closely monitored by the Department of Transport working in collaboration with the autoguide operator. We are discussing with local authority associations and the police how they might be involved in monitoring the pilot scheme.

Provided that the pilot scheme demonstrates the satisfactory performance of autoguide it is our intention that the operator should be authorised to upgrade the scheme to a fully commercial autoguide system, to which the public would be able to subscribe. This would mean that motorists could have autoguide equipment in their cars by the early to mid-1990s.

London Docklands

Mr. Squire: To ask the Secretary of State for Transport what further steps he is taking to improve transport for London docklands; and if he will make a statement.

Mr. Channon: My right hon. Friend the Secretary of State for the Environment and I, together with the private sector, are investing heavily to improve access to docklands.

London Regional Transport is taking steps, in co-operation with GEC, to ensure that the docklands light railway fully meets its performance specification. The Government are supporting a major programme of upgrading and extension of the docklands light railway. The service to Bank will be open next year and will be fully operational by 1991. The carrying capacity of the railway will then be more than three times its present level. Further enhancement is planned to meet the needs of the full development at Canary wharf. A Bill to authorise extension of the railway to Beckton is currently before Parliament.

To accommodate the rapid pace of development in docklands, the Government believe that additional rail infrastructure will be required to supplement the docklands light railway. I have therefore established an east London rail study which is examining the best options for improving rail access from central London to docklands and east Thames-side. The study will include Olympia and York's proposal for a new underground railway between Waterloo and Greenwich peninsula via the Isle of Dogs, and the options canvassed in the docklands access consultation document on which LRT and the LDDC are currently seeking views. The work is being carried out by Halcrow Fox and Associates for my Department, the Department of the Environment and LRT. It would take into account the benefits which new rail links will provide to property owners and developers and the contributions which they should be expected to provide. It will also take into account the potential for new housing development in East Thames-side. Subject to the conclusions of the east London rail study and to the negotiation of satisfactory contributions from all developers concerned, the Government would wish to see a new line built and the deposit of a Bill in November this year.

In parallel with these improvements in the public transport network, a substantial programme of work is in hand to give docklands an effective internal road network and link it to the strategic road system. The LDDC is proceeding, subject to the statutory procedures, with its plans for Limehouse link road to be completed by 1993 and with other new schemes to serve docklands traffic. Within my own programme, I am developing the strategic road network in east London through improvement to the A13, the Hackney/M11 link, upgrading the north circular road and extending it to the A2 via the east London river crossing.

In order to carry forward the improvement of transport to and within docklands, I am asking my hon. Friend the Minister of State to take the lead in co-ordinating the activities of the various agencies involved and to ensure an adequate level of service while construction work is being carried out. He will be supported by my hon. Friend the Parliamentary Under-Secretary of State for the Environment with special responsibility for inner cities.

Public Service Vehicles (Failures)

Mr. Gareth Wardell: To ask the Secretary of State for Transport (1) if he will publish in the *Official Report* the information his Department now collects on the failure rates of public service vehicles; and if he will specify the levels of disaggregation;

(2) what information his Department now collects on the pass rates of public service vehicles at the annual Department of Transport tests; and if he will indicate the levels of disaggregation at which he will make this information available.

Mr. Peter Bottomley *[holding replies 18 and 19 January 1989]:* The Department's vehicle inspectorate executive agency collects information on the results of all public service vehicles at annual test. National and regional analyses of this information are contained in the inspectorate's annual report and accounts 1987-88, a copy of which is held in the statistical section of the House of Commons library.

Further analysis of the information on a sub-regional basis is also available and can be sent to the hon. Member if required.

International Maritime Organisation

Mr. Bermingham: To ask the Secretary of State for Transport if he foresees any potential adverse effects upon safety legislation in the United Kingdom if any deliberations of the International Maritime Organisation are delayed as a result of members' contribution defaults; what steps are being taken to remedy the default situation; and if he will make a statement.

Mr. Portillo *[holding reply 13 January 1989]:* No adverse effect on the United Kingdom's safety legislation programme is foreseen, given that the International Maritime Organisation's maritime safety committee is to meet in 1989 as originally planned. At its November meeting, the IMO council requested the secretary general to remind member states of their obligation to pay their assessments on time. This is being reinforced by direct approaches by the secretary general, and individual member states, to those governments currently in default, including Panama which has the largest accumulation of arrears. In addition, the council has established a Working Group to examine and advise on the organisation's longer-term financial solution.

HOME DEPARTMENT

DNA Tests

Ms. Short: To ask the Secretary of State for the Home Department when he expects to announce the outcome of his review of the cases of over-age applicants for entry certificates as dependent children who were refused entry before they were 18 years old and have since proved they were wrongly refused by the use of DNA tests.

Mr. Renton: I am not yet in a position to announce any conclusion on this matter, but I hope to be able to do so before long.

Criminal Injuries

Mrs. Wise: To ask the Secretary of State for the Home Department if he will arrange for statistics on criminal injuries to include information on the number of such injuries sustained by people during their working time.

Mr. John Patten: Statistics on criminal injuries are held centrally by the Criminal Injuries Compensation Board but only in relation to applications made for compensation. The board publishes figures relating to police officers injuries on duty (paragraph 7.1 of their latest annual report, Cm. 536) but has no plans to collect such information for other occupations.

Race Relations

Ms. Abbott: To ask the Secretary of State for the Home Department what steps he is taking to being about an increase in the numbers of black people applying to join the prison service.

Mr. Douglas Hogg: Recent advertising campaigns have specifically highlighted the need for recruits from the ethnic minorities, and recruitment material emphasises the service's commitment to racial equality. In addition, several initiatives have been taken to improve contacts with ethnic minority groups to explain the work of the prison service, and these will continue.

Ms. Abbott: To ask the Secretary of State for the Home Department if he will take steps to ensure that boards of visitors comment on race relations in their annual reports.

Mr. Douglas Hogg: Advice on the format and content of annual reports, which specifically lists race relations as an item for comment, was reissued on 21 December to all board chairmen in anticipation of the preparation of reports for 1988.

Football (Arrests)

Mr. Harry Barnes: To ask the Secretary of State for the Home Department whether, pursuant to his answer of 19 December 1988 on football statistics, *Official Report*, columns 56 to 60, he will publish similar tables for the 1987-88 English Football League season showing the number of arrests of home and away supporters on each ground plus the numbers of each team's supporters who were arrested on away grounds.

Mr. Menzies Campbell: To ask the Secretary of State for the Home Department

(1) how many of the 6,147 arrests at Football League matches last season took place within football grounds;

(2) how many of the 6,147 people arrested at Football League matches during the last season were convicted as a result.

Mr. Douglas Hogg: The information collated by the Association of Chief Police Officers on arrests at Football League matches in England and Wales does not distinguish between arrests made inside grounds and arrests directly connected with those matches made outside the grounds. Nor does the information detail the outcome of arrests and distinguish between home and away supporters.

Viraj Mendis

Mrs. Mahon: To ask the Secretary of State for the Home Department what legal expenses have been incurred by his Department in court cases pertaining to Viraj Mendis.

Mr. Renton: The estimated costs to date (but not including the costs incurred in the court proceedings on Thursday, 19 January) incurred by Treasury Solicitor's Department and in fees for Counsel in representing Home Office interests before the courts in the case of Viraj Mendis are about £8,000 excluding VAT. Any costs incurred within the Home Office cannot be separately identified from those incurred on other cases.

Firearms

Mr. Ron Davies: To ask the Secretary of State for the Home Department how many additional appointments are being made of *(a)* civilian, and *(b)* police staff to deal with shotgun licence and firearm certificate applications following the enactment of the Firearms (Amendment) Act 1988.

Mr. Douglas Hogg: The Firearms (Amendment) Act received Royal Assent on 15 November 1988, but its provisions have not yet come into force. The appointment of civilian and uniformed staff to process applications for certificates is a matter for individual chief officers of police, who are responsible for the administration of the Firearms Acts. Information on the number of such appointments is not kept centrally and could be obtained only at disproportionate cost.

Transmitters

Mr. Fisher: To ask the Secretary of State for the Home Department whether he will publish a table showing how many transmitters are sited in each ITV region.

Mr. Douglas Hogg: I understand from the IBA that ITV transmitters are situated as follows:

	Main Stations	*Relays*
Anglia	3	18
Border	2	58
Central	5	58
Channel	1	6
Grampian	7	74
Granada	1	56
HTV (Wales)	6	157
HTV (West)	1	52
LWT/Thames	1	39
STV	4	76
TVS	6	59
TSW	5	72
TTT	3	35
UTV	3	40
YTV	2	52

Transmission Costs

Mr. Fisher: To ask the Secretary of State for the Home Department whether he will publish a table showing the transmission cost per head of the population for each ITV region.

Mr. Renton: I understand from the Independent Broadcasting Authority that this information is not at present available. I hope that information about costs of transmission in different areas will emerge from the study on privatisation of the transmission system which my right hon. Friend announced on 30 December.

Metropolitan Police

Mr. Shersby: To ask the Secretary of State for the Home Department what proposals he has for improving the accountability and financial control of the Metropolitan police and the information provided to Parliament.

Mr. Douglas Hogg: The Home Office and the Metropolitan police seek continually to make improvements in these areas. The steps that have been taken will be set out in a memorandum which will be put to the Committee of Public Accounts shortly.

Rugby Match (Twickenham)

Mr. Corbett: To ask the Secretary of State for the Home Department how many motorists leaving a rugby match at Twickenham on 6 December 1988 were stopped by the Metropolitan police; how many were asked to take a breathalyser test; how many were subsequently re-tested at a police station; and, of those, how many were charged.

Mr. Douglas Hogg: I refer the hon. Member to the reply given to a question by my hon. Friend the Member for Havant (Sir I. Lloyd) on 12 December 1988 at column *463*.

Mr. Corbett: To ask the Secretary of State for the Home Department what was the estimated cost to police funds of the operation mounted by the Metropolitan police to check motorists leaving the rugby match at Twickenham on 6 December 1988; and how many officers of what rank were involved and for what period.

Mr. Douglas Hogg: I understand from the Commissioner of Police of the Metropolis that the operation involved three sergeants and 23 constables for four hours (two hours at the scene). Since the operation took place in normal police time no additional costs were incurred.

Mr. Corbett: To ask the Secretary of State for Home Affairs pursuant to his answer of 17 January to the hon. Member for Stretford (Mr. Lloyd), *Official Report*, column 139, whether he will call for a report from the Commissioner of Police of the Metropolis upon when the functioning and efficiency of breath testing instruments used on motorists leaving the rugby match at Twickenham on 6 December 1988 was last tested.

Mr. Douglas Hogg: I am advised by the Commissioner that the breath testing instruments used at Twickenham on 6 December 1988 were tested on 30 November 1988.

Immigration

Mr. Grant: To ask the Secretary of State for the Home Office Department on how many occasions since the Immigration Act 1971 came into force he has used his power under section 21 of that Act, to refer matters for consideration to the appellate authorities; in how many of those instances he accepted the opinion of the adjudicator or tribunal on the matter referred; and if he will identify the cases in which he has used these powers.

Mr. Renton: There is no record that the powers under section 21 have ever been used.

Crime Statistics

Mr. Alton: To ask the Secretary of State for the Home Department how many convictions arose in 1988 from admissions made by prisoners currently serving sentences for other crimes; how many of these were multiple admissions of guilt; and what were the comparable figures for 1978.

Mr. John Patten: This information is not available.

Remand

Mr. Flynn: To ask the Secretary of State for the Home Department what action he is taking to reduce the number of people held on remand.

Mr. John Patten: We are taking steps to reduce both the number of people remanded in custody and the time taken to deal with cases. In many areas, the probation service is providing Crown prosecutors with better information on defendants through bail information schemes. This will help prosecutors to decide whether they need oppose bail. Resources are being provided over three financial years for the creation of about 500 new bail places at approved hostels.

Magistrates and their clerks have been urged to concentrate on reducing delays. A management information system is being introduced to help magistrates' courts monitor their performance. We intend to extend further the operation of custody time limits later this year.

My noble and learned Friend the Lord Chancellor has taken steps to tackle delays in the Crown court through the provision of more resources and improved management. Additional judges have been appointed and new court rooms have been opened. The reclassification of certain offences under the Criminal Justice Act 1988 should help to ease pressure on the Crown court.

Greater Manchester Police

Mr. John Evans: To ask the Secretary of State for the Home Department if he has met the Chief Constable of the Greater Manchester police authority to discuss the recruitment of extra officers to combat the increasingly high crime rate.

Mr. Douglas Hogg: My right hon. Friend is aware of the chief constable's wish to have more police officers for the Greater Manchester police and my right hon. and noble Friend the Minister of State met the chief constable on 9 November, when police manpower was discussed. Decisions on applications for increases in force establishments from police authorities, including Greater Manchester police authority, will be announced shortly.

Broadcasting (Council of Europe Convention)

Mr. Knight: To ask the Secretary of State for the Home Department what progress has been made towards a Council of Europe convention on broadcasting.

Mr. Renton: Substantial progress towards finalising the convention was made at a conference of Council of Europe Broadcasting Ministers in Stockholm last November, at which I led the United Kingdom delegation. The remaining work on the draft text is now being undertaken by the Ministers' deputies of the Council of Europe in Strasbourg, and we hope that the convention will be opened for signature later this year.

Dog Fights

Dr. Glyn: To ask the Secretary of State for the Home Department if he will call for reports from chief constables as to the steps they are taking to discover the sites of organised dog fights.

Mr. Douglas Hogg: No. It is for chief officers to decide what steps to take in their own force area.

Charity Commissioners

Mr. Cash: To ask the Secretary of State for the Home Department if he is in a position to announce the appointment of two part-time Charity Commissioners.

Mr. Hurd: I have today appointed Mrs. Diane Yeo and Mr. Michael Webber to act as Charity Commissioners on a part-time basis. The appointments will be for three years initially, with a possibility of extension to a maximum of five years.

HOUSE OF COMMONS

Child Care Facilities

Mr. Allen: To ask the Lord President of the Council if he will introduce on-site child care facilities for children of hon. Members and staff of the House.

Mr. Wakeham: The Accommodation and Administration Sub-Committee has the possible provision of child-care facilities under consideration and, pending any decision on the principle, has drawn the attention of the New Building Sub-Committee to the possible need to accommodate such a facility in phase II of the new parliamentary buildings.

ENERGY

Unleaded Petrol

Sir Michael McNair-Wilson: To ask the Secretary of State for Energy if he has set the petroleum retailing companies a date by which unleaded petrol must be available on the forecourts of all filling stations either owned or serviced by them.

Mr. Peter Morrison: No such date has been set.

EC Directive 85/210/EEC requires member states "to ensure the availability and balanced distribution within their territories of unleaded petrol from 1 October 1989".

By the end of last year, unleaded petrol was available at more than 3,000 United Kingdom petrol stations, about 15 per cent. of the total. Current conversions of petrol stations to unleaded are continuing at about 60 per week.

NORTHERN IRELAND

Identity Cards

Mr. Cohen: To ask the Secretary of State for Northern Ireland whether his Department has investigated, or is

currently studying, the usefulness of a national identity card to his departmental responsibilities; and whether he will make a statement.

Mr. Ian Stewart: As I made clear in my reply of 28 July 1988 to my hon. Friend the Member for Stockport (Mr. Favell) at columns 524-525, we keep this matter under review.

Parliamentary Questions

Mr. French: To ask the Secretary of State for Northern Ireland how many oral parliamentary questions he has answered by written reply because the question was not reached at Question Time, for the most recent year for which figures are available.

Mr. Tom King: During 1988, of a total of 323 oral parliamentary questions, 241 were answered as written questions.

Gleneyre and Burnside Children's Home (Inquiry)

Mr. Livingstone: To ask the Secretary of State for Northern Ireland whether the re-opened inquiry into alleged sexual assaults at the Gleneyre and Burnside children's home, referred to in his answer to the hon. Member for Brent, East of 23 May, *Official Report*, columns *35-36*, has been completed; and if he will make a statement.

Mr. Ian Stewart *[holding answer 10 January 1989]:* The police investigation referred to has been completed. A file was forwarded to the Director of Public Prosecutions (Northern Ireland), who directed that no prosecutions should be brought.

Police Stations (Stolen Weapons)

Mr. Livingstone: To ask the Secretary of State for Northern Ireland, pursuant to the written answer of 15 December to the hon. Member for Brent, East, in what form information on weapons stolen from police stations is kept.

Mr. Ian Stewart *[holding answer 10 January 1989]:* This is a matter for the Chief Constable. I understand, however, that centralised records do not differentiate between the actual sources of theft, but cover weapons stolen from *(a)* members on and off duty; *(b)* members' homes; *(c)* official and private vehicles; *(d)* officers injured and killed; and *(e)* police stations.

Grants

Mr. McNamara: To ask the Secretary of State for Northern Ireland if he will list the types of financial assistance by way of grant or otherwise which may be given at the discretion of a Northern Ireland Department, where the moneys required for giving the assistance *(a)* are payable out of the Consolidated Fund of Northern Ireland, or *(b)* may be appropriated by Northern Ireland Assembly measure.

Mr. Ian Stewart *[holding answer 12 January 1989]:* All payments by Northern Ireland Departments of grants and other assistances are contained in the various Northern Ireland departmental votes and are funded from the Northern Ireland Consolidated Fund. The Northern Ireland Estimates 1988-89", a copy of which is in the Library contains detailed spending plans for Northern Ireland Departments, which include details of such grants and assistance.

Public Authority Contracts

Mr. McNamara: To ask the Secretary of State for Northern Ireland in what circumstances a public authority invites the submission of offers before entering into a contract.

Mr. Ian Stewart *[holding answer 12 January 1989]:* Under normal circumstances, all public authorities invite the submission of offers before entering into a contract.

Firearms and Explosives

Mr. William Ross: To ask the Secretary of State for Northern Ireland if he will publish in the *Official Report* a table to show how many finds of *(a)* firearms, *(b)* explosives and *(c)* ammunition were made in (i) Londonderry city, and (ii) the Royal Ulster Constabulary, N division, in each of the years from 1984 to 1988.

Mr. Ian Stewart *[holding answer 17 January 1989]:* The information is as follows:

(i) Weapons, ammunition and explosives[1] recovered in areas covered by Londonderry city RUC stations[2] (1984-88)

Year	*Weapons*	*Ammunition (rounds)*	*Explosives (lbs)*
1984	31	889	1,279·2
1985	11	242	1,414·1
1986	26	774	867·2
1987	32	1,868	487·1
1988	29	2,218	2,476·5

(ii) Weapons, ammunition and explosives[1] recovered in the Royal Ulster Constabulary N division (1984-88)

Year	*Weapons*	*Ammunition (rounds)*	*Explosives (lbs)*
1984	37	2,444	1,499·7
1985	21	2,234	1,415·2
1986	38	1,660	1,670·6
1987	83	1,894	666·8
1988	41	2,837	3,584·9

[1] Figures for explosives do not include recoveries from neutralised devices.

[2] Londonderry city RUC stations: Strand road, Shantallow, Rosemount and Waterside—include some rural territory.

Housing Discrimination

Mr. Redmond: To ask the Secretary of State for Northern Ireland on what date he hopes to publish the report carried out by the Policy Studies Institute on housing discrimination; and why this report has hitherto been withheld from publication.

Mr. Tom King: The Standing Advisory Commission on Human Rights, which is an independent body, stated in its report on fair employment (Cm. 237) that it had commissioned from the Policy Studies Institute some research on housing patterns and policies. I am advised that this research is not yet complete.

SCOTLAND

Health Service (Grading)

Mr. Robin Cook: To ask the Secretary of State for Scotland how many nursing and midwifery staff from each of the old grades have been assimilated to each of the new grades in the clinical grading structure by each health board.

Mr. Michael Forsyth: I refer the hon. Member to the answer that I gave the hon. Member for Strathkelvin and Bearsden (Mr. Galbraith) on 20 January 1989 at column *338*.

Rating Reform

Mr. Cohen: To ask the Secretary of State for Scotland (1) whether he will introduce regulations that oblige charging authorities to inform community charge payers that the extract of the community charge register containing their names and addresses can be inspected and copied by debt collectors, police, Government Departments and mail order companies;

(2) whether any of his recent publications informing community charge payers about the new financial arrangements for Scotland tells them that the extract of the community charge register containing their names and addresses can be inspected and copied by debt-collectors, police, Government Departments and mail order companies.

Mr. Lang: I refer the hon. Member to my reply of 10 January to his earlier question. I do not consider that any further formal notification or other guidance to individuals of the present position as regards inspection of the register is required.

Mr. Cohen: To ask the Secretary of State for Scotland what arrangements his Department has made to allow community charge payers the option of whether they can remove their names from the extract of the community charge register available for public inspection.

Mr. Lang: Any registered person in respect of whom there is reasonable cause to believe that he or she is, or may be, at risk of physical violence or threats of physical violence can apply to the appropriate community charges registration officer to have his name excluded from the parts of the register open to public inspection.

Mr. Cohen: To ask the Secretary of State for Scotland whether he will introduce regulations that bring the same arrangements for the inspection of the extract of the community charge register as outlined by his right hon. Friend, the Secretary of State for the Environment, *Official Report*, column 493, 14 November 1988 and *Official Report*, column 426, 28 November 1988.

Mr. Lang: No.

Mr. Cohen: To ask the Secretary of State for Scotland what representations he has received relating to the collection of the date of birth of every community charge payer; and whether any of those representations object to indiscriminate collection of dates of birth.

Mr. Lang: The requirement was included in response to representations made by local authority practitioners during the passage of the Abolition of Domestic Rates Etc. (Scotland) Act 1987. A number of individuals and organisations have made representations against it.

Mrs. Ray Michie: To ask the Secretary of State for Scotland if he will make it his policy to publish a full list of the community charge figures set by each council as soon as the figures are available, setting out the district, regional or island and water community charge for each area and in equivalent terms the forecast of these figures he published on 4 November 1988 and the figures which would have resulted without safety net adjustments to the revenue support grant.

Mr. Lang: I intend to publish in due course a full list of personal community charges and to set alongside these details of each authority's planned expenditure increase over the present year. This will allow community charge payers to see in appropriate cases the extent to which their charges are inflated by overspending.

Dr. Cunningham: To ask the Secretary of State for Scotland what land he has designated under paragraph 11 of schedule 1A to the Abolition of Domestic Rates (Scotland) Act 1987; and how many persons he estimates will be exempt from community charge as a result of any such designation.

Mr. Lang: Following discussions with the Ministry of Defence it is proposed to designate Glencorse and Milton Bridge camps near Penicuik as places where the pattern of residence of army personnel is so transient as to make individual registration for the personal community charge impracticable. A contribution equivalent to the personal community charge for the area will be required from service personnel who are solely or mainly resident in the camps in respect of each day of their residence. The Ministry of Defence will then pay the levying authority an amount equal to the total of the personal community charges. It is estimated that at any one time there will be about 100 service men resident in the camps.

Mr. Cohen: To ask the Secretary of State for Scotland whether he will introduce regulations to specify that the date of birth of community charge payers need be collected only when there are two or more people living at the same address with the same name and initials.

Mr. Lang *[holding answer 22 December 1988]:* Section 13(1)(d) of the Abolition of Domestic Rates Etc. (Scotland) Act 1987, as amended by the Local Government Finance Act 1988, requires that the community charges register must specify the date of birth of each person registered in it. There is no power to remove this requirement by regulations.

Local Authorities (Staff Increases)

Mr. Kirkwood: To ask the Secretary of State for Scotland if he will list in the *Official Report* for each local authority in Scotland the staff increases they have experienced in each of the last three years for which figures are available.

Lord James Douglas-Hamilton: The information requested is contained in the joint manpower watch quarterly returns which are compiled jointly by the Convention of Scottish Local Authorities and the Scottish Office. Copies of these quarterly returns are available in the Library.

Set-aside

Dr. David Clark: To ask the Secretary of State for Scotland how many applications and registrations he has received under the set-aside scheme *(a)* within and *(b)* outside, less favoured areas; and within each category how many applications he has received for (i) permanent fallow, (ii) rotational fallow, (iii) farm woodland and (iv) non agricultural use.

Mr. Michael Forsyth: I refer the hon. Member to the reply which I gave on 19 December 1988 to the hon. Member for Angus, East (Mr. Welsh) at columns *81-82*. Provisional figures indicate that about 31 per cent. of the land in Scotland proposed for set-aside has less-favoured area classification, that is, about 5,000 hectares with the total of 16,183 hectares.

Dr. David Clark: To ask the Secretary of State for Scotland how many applications and registrations he has received under the set-aside scheme on a county by county basis; and if he will make a statement.

Mr. Michael Forsyth: I refer the hon. Member to the two replies which I gave on 19 December 1988 to the hon. Member for Angus, East (Mr. Welsh) at columns *81-82*.

Departmental Expenditure

Mr. Salmond: To ask the Secretary of State for Scotland if he will publish a table showing his Department's actual expenditure since 1979-80 and planned expenditure to 1991-92 *(a)* in cash terms, *(b)* in constant 1988-89 prices and *(c)* as a percentage of the United Kingdom planning total.

Mr. Lang: The information is given in the table. Column *(d)* shows the ratio of Scottish "block" services to comparable expenditure in England, and is more meaningful than column *(c)* as the United Kingdom planning total includes expenditure in Scotland on services, for example defence and social security, which are not included in my right hon. and learned Friend's responsibilities. The figure for 1991-92 in column *(d)* is not available pending decisions on individual programmes.

Scotland programme in cash terms, constant 1988-89 prices and as a percentage of the United Kingdom planning total

	(a) Cash	*(b) Constant prices*	*(c) (a) as a percentage of the United Kingdom planning total*	*(d) Block services as a percentage of comparable services in England*
1979-80	4,552	8,492	5·9	14·4
1980-81	5,383	8,478	5·8	14·4
1981-82	5,841	8,375	5·6	14·9
1982-83	6,509	8,710	5·7	14·7
1983-84	6,842	8,757	5·7	14·5
1984-85	7,114	8,667	5·5	14·0
1985-86	7,215	8,340	5·4	14·5
1986-87	7,732	8,649	5·6	14·7
1987-88	8,212	8,725	5·6	14·7
1988-89	8,506	8,506	5·4	14·7
1989-90	8,970	8,540	5·4	14·3
1990-91	9,140	8,410	5·1	14·2
1991-92	9,680	8,650	5·1	—

Higher Education

Mr. Salmond: To ask the Secretary of State for Scotland if he will publish a table showing the proportion of school leavers in Scotland who continued into *(a)* university education and *(b)* other higher education for each year since 1979.

Mr. Michael Forsyth: The information for each year since 1979 is not readily available. The most recent information from the biennial Scottish young people's survey relating to the destination of school leavers was published by the Scottish Education Department in its statistical bulletin "School Leavers' Destinations (No 12/E1/1988)" published in December 1988 which is available in the Library.

Colleges of Education

Mr. McLeish: To ask the Secretary of State for Scotland how many staff are employed in each of the Scottish colleges of education *(a)* on part-time contracts, *(b)* re-employed after taking premature retirement compensation under the appropriate PRC scheme and *(c)* those in category *(b)* who were granted PRC on grounds of redundancy.

Mr. Michael Forsyth: According to information provided by the colleges, the numbers of staff currently employed in each of the categories is as follows:

	(a) on part-time contracts	*(b) re-employed after receiving PRC*	*(c) those in column b re-employed after receiving redundancy compensation*
Craigie	2	None	—
Jordanhill	5	None	—
Moray House	1	None	—

	(a) on part-time contracts	(b) re-employed after receiving PRC	(c) those in column b re-employed after receiving redundancy compensation
Northern	12	8	4
St. Andrew's	5	None	—

Mr. McLeish: To ask the Secretary of State for Scotland what changes he proposes to make in the negotiating machinery for salaries and conditions of service of staff in centrally funded colleges of higher education; and what steps will be taken to protect the negotiating rights of staff.

Mr. Michael Forsyth: I refer the hon. Member to the reply given to the hon. Member for Cumbernauld and Kilsyth (Mr. Hogg) on 24 June 1988 at column *749*.

Mr. McLeish: To ask the Secretary of State for Scotland how many staff are employed by colleges of education on a freelance basis in the provision of in-service education for Scottish teachers.

Mr. Michael Forsyth: The Department does not collect information about the colleges' use of self-employed individuals.

Nursery Education

Mr. McLeish: To ask the Secretary of State for Scotland if he will give the total expenditure on nursery education in each of the years 1977-78 to 1987-88 in cash terms and in real terms based on 1987-88 prices using the gross domestic product deflation (i) in Scotland and (ii) for each local education authority area.

Mr. Michael Forsyth: The following tables show the available information on nursery expenditure in cash and real terms by education authority for the period requested.

£000

	Scotland		Borders		Central		Dumfries and Galloway		Fife		Grampian	
	(a)	(b)	(a)	(b)	(a)	(b)	(a)	(b)	(a)	(b)	(a)	(b)
1977-78	12,000	27,258	[1]	[1]	288	654	57	129	[1]	[1]	385	875
1978-79	12,000	24,623	[1]	[1]	418	858	61	125	[1]	[1]	858	1,761
1979-80	12,548	22,031	[1]	[1]	479	841	80	140	77	135	920	1,615
1980-81	15,714	23,294	[1]	[1]	640	949	102	151	233	345	1,155	1,712
1981-82	17,806	24,028	[1]	[1]	770	1,039	99	134	227	306	1,222	1,649
1982-83	21,779	27,430	182	229	885	1,115	109	137	2,066	2,602	1,196	1,506
1983-84	22,343	26,915	182	219	1,051	1,266	118	142	1,121	1,350	1,325	1,596
1984-85	23,854	27,351	192	220	1,105	1,267	121	139	2,525	2,895	1,352	1,550
1985-86	25,599	27,849	203	221	1,242	1,351	136	148	2,291	2,492	1,437	1,563
1986-87	27,201	28,636	221	233	1,347	1,418	151	159	2,316	2,438	1,522	1,602
1987-88	30,689	30,689	250	250	1,542	1,542	186	186	2,131	2,131	1,755	1,755

[1] Not shown separately.

£'000

	Highland		Lothian		Strathclyde		Tayside		Orkney		Shetland		Western Isles	
	(a)	(b)	(a)	(b)	(a)	(b)	(a)	(b)	(a)	(b)	(a)	(b)	(a)	(b)
1977-78	53	120	1,860	4,225	6,957	15,803	522	1,186	0·3	0·7	[1]—	[1]—	39	89
1978-79	91	187	2,237	4,590	5,994	12,299	746	1,531	0·5	1	12	25	41	84
1979-80	157	276	2,640	4,635	7,204	12,649	902	1,584	2	4	34	60	53	93
1980-81	187	277	3,355	4,973	8,831	13,091	1,096	1,625	3	4	45	67	67	99
1981-82	213	287	3,803	5,132	10,105	13,636	1,238	1,671	2	3	43	58	84	113
1982-83	322	406	4,552	5,733	11,046	13,912	1,289	1,623	11	14	47	59	74	93
1983-84	328	395	4,770	5,746	11,839	14,261	1,462	1,761	14	17	45	54	88	106
1984-85	310	355	4,612	5,288	12,133	13,912	1,400	1,605	15	17	45	52	44	50
1985-86	316	344	4,996	5,435	13,371	14,546	1,542	1,678	15	16	50	54	[1]—	[1]—
1986-87	334	352	5,411	5,697	14,179	14,927	1,650	1,737	18	19	52	55	[1]—	[1]—
1987-86	385	385	5,871	5,871	16,603	16,603	1,884	1,884	25	25	57	57	[1]—	[1]—

[1] Not shown separately.

Source: local financial returns.

Notes:

1. Column (a) represents cash outturn, column (b) real terms calculated by applying GDP deflator, base year 1987-88.
2. Figures cover local authority current expenditure on nursery education. Information on capital expenditure is not broken down by educational sector.
3. Where figures are not available this is because authorities' returns have not broken down expenditure between the various sectors.

Pupil Numbers

Mr. McLeish: To ask the Secretary of State for Scotland if he will give the number of pupils attending *(a)* primary and *(b)* secondary schools in each of the years 1978-79 to 1987-88 inclusive.

Mr. Michael Forsyth: The numbers of pupils (in thousands) in education authority schools at September of each year are set out in the table.

	Primary	Secondary
1978	569·1	410·4
1979	545·2	410·2
1980	518·5	407·8

	Primary	Secondary
1981	492·6	404·6
1982	468·0	399·1
1983	448·0	390·4
1984	437·5	376·1
1985	435·5	360·6
1986	433·5	344·4
1987	430·9	327·2

Mr. McLeish: To ask the Secretary of State for Scotland if he will give the total number of pupils in S5 and S6 and as a percentage of all in the age group for each year 1979-80 to 1987-88 inclusive and for each local education authority area.

Mr. Michael Forsyth: The figures for pupils aged 16 and 17 in all schools at September of each of the years for which information is available and the figures for each education authority at September 1987 are set out in the table:

	Pupils aged 16	Pupils aged 17	Pupils aged 16 as a percentage of population aged 16	Pupils aged 17 as a percentage of population aged 17
1979	47,080	16,550	51·5	18·4
1980	49,810	17,160	53·9	19·0
1981	51,560	19,840	54·3	21·3
1982	51,080	20,680	57·0	21·9
1983	50,550	20,060	56·3	22·6
1984	49,970	19,540	56·6	21·9
1986	48,550	19,230	58·8	22·6
1987	48,890	19,420	59·5	23·7
Borders	830	370	52·5	23·3
Central	2,630	1,000	59·5	22·5
Dumfries/Galloway	1,300	580	54·3	25·0
Fife	2,950	1,350	54·2	23·6
Grampian	4,920	1,920	61·3	25·3
Highland	2,010	900	60·7	28·1
Lothian	7,080	3,140	64·2	28·3
Strathclyde	22,550	8,060	58·8	20·8
Tayside	3,900	1,770	62·1	28·9
Orkney	200	100	64·0	34·3
Shetland	180	80	45·1	23·5
Western Isles	350	160	64·2	28·9

The ages of the pupils are as at December and of the population as at June of each year.

Figures for 1985 are not available due to industrial action by teachers.

School Books

Mr. McLeish: To ask the Secretary of State for Scotland if he will give the total expenditure on text and library books in *(a)* primary schools and *(b)* secondary schools at the end of each year since 1978-79 in cash terms and in real terms, using 1987-88 prices.

Mr. Michael Forsyth: The information requested, taken from local authority financial returns, is as follows:

Expenditure on text and library books

£ million

Year	Primary at outturn prices	Secondary at outturn prices	Primary at 1987-88 prices	Secondary at 1987-88 prices
1978-79	2·584	3·411	5·302	6·999
1979-80	2·994	3·944	5·257	6·925
1980-81	3·026	3·790	4·486	5·618
1981-82	3·026	3·953	4·318	5·334
1982-83	3·290	4·004	4·444	5·043
1983-84	4·027	5·214	4·851	6·281
1984-85	4·178	5·173	4·791	5·931
1985-86	3·882	4·857	4·223	5·284
1986-87	4·734	5·740	4·984	6·043
1987-88 (provisional)	5·031	5·975	5·031	5·975

Over the same period expenditure per pupil in primary and secondary schools increased in cash and in real terms.

Pig Farming

Mrs. Margaret Ewing: To ask the Secretary of State for Scotland if he will list the information he has on the number of pig farmers that have gone into liquidation in Scotland in the past 12 months.

Mr. Michael Forsyth: Information is not available centrally on the number of pig farmers going into liquidation. The number of holdings with at least 500 pigs rose from 199 in June 1987 to 209 in June 1988.

Mrs. Margaret Ewing: To ask the Secretary of State for Scotland if he will list the subsidies that Scottish pig farmers currently receive from the Government.

Mr. Michael Forsyth: The Government pay no subsidies directly to pig farmers. However, there are

Community measures which assist the industry: export refunds to the USA and Canada were substantially increased in December 1987 and private storage aids were made available from February to July 1988. In addition, we secured in the course of last year's price fixing negotiations a reduction in the pigmeat monetary compensatory amount which, combined with the strengthening of sterling, has had the effect of reducing this to zero as from 1 January 1989.

Mrs. Margaret Ewing: To ask the Secretary of State for Scotland what information he has on the effect of the failure of the United States of America soya bean crop on the Scottish pig industry, and if he will make a statement.

Mr. Michael Forsyth: The price of soya bean meal rose last summer because of the drought in the United States of America and this led to feed compounders increasing their pig ration prices. However, pig prices increased significantly towards the end of the year to stand at their highest level for 30 months in December 1988. This has helped to offset the effect of the increased feed prices.

Housing Support Grant

Mr. Nigel Griffiths: To ask the Secretary of State for Scotland (1) what is the percentage change in equivalent housing support grant for Edinburgh for each year from 1978 to 1989-90;

(2) what is the percentage change in equivalent housing support grant for Edinburgh for each year from 1978 to 1989-90 adjusted for inflation;

(3) what is the percentage change in equivalent housing support grant for Scotland for each year from 1978 to 1989-90;

(4) what is the equivalent housing support grant figure for Edinburgh for each year from 1978 to 1989-90;

(5) what is the equivalent housing support grant for Scotland for each year from 1978 to 1989-90;

(6) what is the equivalent housing support grant for Scotland for each year from 1978 to 1989-90, adjusted for inflation;

(7) what is the equivalent housing support grant for Edinburgh for each year from 1978 to 1989-90, adjusted for inflation;

(8) what is the percentage change in equivalent housing support grant for Scotland for each year from 1978 to 1989-90, adjusted for inflation.

Lord James Douglas-Hamilton: The information is shown in the following table:

Housing support grant payments	[1]*1978-79*	*1979-80*	*1980-81*	*1981-82*	*1982-83*	*1983-84*	*1984-85*	*1985-86*	*1986-87*	*1987-88*	[2]*1988-89*	[3]*1989-90*
Edinburgh												
1.1 Actual payments (£ million)	—	11·269	12·518	7·869	2·328	0	0	0	0	0	0	0
1.2 Percentage increase on previous year	—	—	+11·1	−37·1	−70·4	−100·0	—	—	—	—	—	—
2.1 Percentage adjusted using GDP deflators (£ million)	—	22·074	20·701	11·847	3·271	0	0	0	0	0	0	0
2.2 Percentage increase on previous year	—	—	−6·2	−42·8	−72·4	−100·0	—	—	—	—	—	—
Scotland												
3.1 Actual payments (£ million)	—	213·4	228·2	161·9	104·6	72·1	67·2	64·2	44·5	41·9	54·6	60·4
3.2 Percentage increase on previous year	—	—	+6·9	−29·1	−35·4	−31·1	−6·8	−4·5	−30·7	−5·7	+30·3	+10·5
4.1 Percentage adjusted using GDP deflators (£ million)	—	418·0	377·4	243·7	147·0	96·9	86·0	77·9	52·2	46·8	57·4	60·4
4.2 Percentage increase on previous year	—	—	−9·7	−35·4	−39·7	−34·1	−11·3	−9·4	−32·9	−10·5	+22·7	+5·3

[1] Information not readily available.
[2] Provisional.
[3] Estimated.

Tied Housing

Mrs. Ray Michie: To ask the Secretary of State for Scotland how many police officers are residing in tied housing at present.

Lord James Douglas-Hamilton: As at 31 December 1987, the latest date for which information is readily available, 2,266 police officers in Scotland occupied housing owned or rented by police authorities. This represented 16·8 per cent. of the total police strength.

Forestry Commission Land (Sales)

Mr. Ron Davies: To ask the Secretary of State for Scotland what guidelines have been issued *(a)* to the Forestry Commission and *(b)* from the Forestry Commission to each of its conservancies on procedures to be followed on the sale of Forestry Commission land and plantations.

Lord James Douglas-Hamilton: The then Secretary of State for Scotland, the right hon. Member for Ayr (Mr. Younger), wrote to the chairman of the Forestry Commission on 28 May 1981 stating that the Commissioners would be responsible for selecting areas for disposal and setting out the main considerations which Forestry Ministers would wish them to take into account in the selection process; the letter was reproduced as appendix V to the commission's 1981-82 annual report. On 8 November 1984, the Secretary of State announced changes to the Forestry Commission's disposals objectives

in a written reply in the House (*Official Report*, columns 6-7); this announcement was reproduced in the commission's 1984-85 annual report at appendix V.

Instructions have been given to each of the commission's conservancies which embody the above, as well as a statement on the commission's policy and practice on disposals which was published as appendix VI to its 1984-85 annual report.

Copies of the Forestry Commission's annual reports are held in the Library of the House.

Lennox Castle Hospital

Mr. Galbraith: To ask the Secretary of State for Scotland if he has any plans to allocate additional monies to the Greater Glasgow health board in order to fund improvements at Lennox Castle hospital; and if he will make a statement.

Mr. Michael Forsyth: I refer the hon. Member to my announcement today giving my approval to plans submitted by Greater Glasgow health board in November 1988 for the redevelopment of Lennox Castle hospital at a cost of £4·56 million. This follows the opening in May 1988 of two upgraded villas and two new 12 bed intensive care units at a cost of £4·4 million.

US Submarines (Coolant Discharge)

Mr. Foulkes: To ask the Secretary of State for Scotland what effect the discharging of radioactive primary coolant by United States' submarines has had on radioactivity levels in the Holy Loch since 1960.

Lord James Douglas-Hamilton: The Holy Loch has been monitored regularly both by the Ministry of Defence and the Ministry of Agriculture, Fisheries and Food since the United States base was established. The results have confirmed that any radioactivity present in the environment arising from the operation of the base has been small and of low significance in radiological terms.

Further Education

Mr. McLeish: To ask the Secretary of State for Scotland if he will give the total number of 16 to 18 year-olds in non-advanced further education and as a percentage of all in that age group for each year from 1979-80 to 1987-88 inclusive and for each local education authority area.

Mr. Michael Forsyth: The information requested is not readily available in the form requested.

Regional Assistance

Mr. McLeish: To ask the Secretary of State for Scotland if he will give for regional selective assistance the total number of applications *(a)* received and *(b)* processed from 1 April 1988 to 31 December 1988; the total amount paid out in that period and the total estimated expenditure for the year 1 April 1988 to 31 March 1989.

Mr. Ian Lang: The information requested is shown below for the period 1 April to 31 December 1988.

Regional Selective Assistance

	Totals £ million
Number of applications received	188·0
Number of applications processed	171·0
Payment authorisations made	23·5

The provision of the financial year 1988-89 is £60·4 million. Expenditure under this scheme is normally concentrated in the last quarter of the financial year.

Mr. McLeish: To ask the Secretary of State for Scotland what was the total estimated expenditure on regional development grant and regional selective assistance in each of the years 1988-89, 1989-90 and 1990-91.

Mr. Lang: The provision for regional development grant and regional selective assistance for the financial year 1988-89 is £60·3 million and £60·4 million respectively. Figures for 1898-90 and 1990-91 will be published in the *Scottish Commentary* in February 1989.

Mr. McLeish: To ask the Secretary of State for Scotland if he will give for regional development grants *(a)* the number of applications outstanding on 31 March 1988, *(b)* the number of those applications processed by 31 December 1988, *(c)* the number currently outstanding and *(d)* the total amount of money paid out since 31 March 1988 in regional development grants to those applications.

Mr. Lang: The figures requested for applications in Scotland under the revised regional development grant scheme are as follows:

	Totals
Number of applications outstanding at 31 March:	5,117
Number of these processed by 31 December:	3,297
Number still outstanding at 19 January:	1,678
Payment authorisations made by 19 January on these applications:	£13·1 million

Glasgow District Court

Mr. Dewar: To ask the Secretary of State for Scotland if he will give the numbers of cases reported to the procurator fiscal for possible prosecution in the Glasgow district court and the percentage which were marked "no proceedings" for the latest period for which such figures are available.

Mr. Rifkind *[holding answer 19 January 1989]:* A total of 54,819 cases were reported for possible prosecution in Glasgow district court in 1988. No proceedings were instructed in 16,213 cases (30 per cent.).

Cumbernauld Development Corporation

Mr. Norman Hogg: To ask the Secretary of State for Scotland if he will publish in the *Official Report* the names of the persons appointed to serve on the board of Cumbernauld development corporation, along with the date of their original appointment and the date their appointment terminates.

Mr. Lang *[holding answer 20 January 1989]:* The information required is as follows:

Chairman/Deputy Chairman
David W. Mitchell CBE

Appointed Member 1 January 1985-31 December 1986
Appointed Chairman 1 January 1987-31 December 1990

Tom M. Barrie JP
Appointed Deputy Chairman 1 January 1979-31 December 1982
Re-Appointed Deputy Chairman 1 January 1983-31 December 1986
Re-Appointed Deputy Chairman 1 January 1987-31 December 1989

Members

Professor John A. Dawson BSc PhD
Appointed 1 January 1987-31 December 1989

Gerard McElroy Esq
Appointed 1 January 1987-31 December 1990

Provost Rosemary McKenna
Appointed 1 January 1985-31 December 1988
Re-Appointed 1 January 1989-31 December 1992

T. Eric Miller Esq MA CA JP
Appointed 1 January 1985-31 December 1988
Re-Appointed 1 January 1989-31 December 1990

John S. Moreland Esq BSc MI MechE
Appointed 1 February 1976-31 December 1978
Re-Appointed 1 January 1979-31 December 1982
1 January 1983-31 December 1986
1 January 1987-31 December 1989

Patrick Lockett Esq
Appointed 1 January 1989-31 December 1991

John M. Simpson FRICS FCI Arb
Appointed 1 January 1983-31 December 1986
Re-Appointed 1 January 1987-31 December 1990

Development Corporation Houses

Mr. Norman Hogg: To ask the Secretary of State for Scotland how many houses from development corporation stock have been sold in each of the new towns since vesting day, expressed as a percentage of the total stock.

Mr. Lang *[holding answer 20 January 1989]:* the information is set out in the table:

	Total stock	*Total sales*	*Percentage sales*
East Kilbride[1]	22,585	9,794	43·4
Glenrothes[1]	12,095	5,216	43·13
Cumbernauld[1]	21,063	6,857	32·6
Livingston[2]	12·120	2,780	22·9
Irvine[1]	5,264	1,016	19·3

[1] As at 31 December 1988.
[2] As at 30 September 1988.

HEALTH

Food Poisoning

Mr. Rooker: To ask the Secretary of State for Health if he will make a statement on food poisoning attributed to chickens and eggs in the 12 months to December.

Mr. Kenneth Clarke: There were over 12,000 isolations of salmonella enteritidis, phage type 4, reported to the public health laboratory service in 1988. This was more than double the number reported in 1987. Other salmonella serotypes did not increase comparably. PT4 is associated predominantly with poultry and eggs and the number of food poisoning outbreaks linked to eggs also showed a marked increase in 1988. Provisional data now available show that up to the end of 1988 there were 60 outbreaks of salmonella food poisoning involving about 1,600 people in England and Wales attributed to the consumption of eggs. These figures probably underestimate the number of people affected.

I will reply separately on outbreaks of food poisoning associated with chickens.

Meningitis

Mr. Harry Barnes: To ask the Secretary of State for Health if he will make a statement about recent cases of meningitis in the area of the North Derbyshire health authority.

Mr. Freeman: The provisional numbers of cases notified to the Office of Population Censuses and Surveys for 1988 are as follows:

	Total	*Rate per 100,000 population*
England and Wales	1,309	2·61
Trent RHA	110	2·37
Derbyshire County (nearest area available	12	1·31

Notifications of meningococcal meningitis normally rise to a peak during the winter months, and the disease also appears in unexplained "clusters" of cases.

Dental Health

Mr. Shersby: To ask the Secretary of State for Health what plans the Health Education Authority has for an advertising campaign designed to improve the dental health of the nation; and if he will ensure that any campaign takes account of the recommendations shortly to be made by the COMA committee on sugars and diseases.

Mr. Freeman: Following publication of the White Paper "Promoting Better Health" the Government have made funds available to the Health Education Authority to run a pilot campaign to promote dental health in the north-west. It is likely that the campaign will be under way before the recommendations of the COMA panel on dietary sugars are published, but they will be taken into account in any further development of the campaign.

Medical Physicists and Scientists

Mr. Fearn: To ask the Secretary of State for Health if he has any plans to review policy on pay settlements for medical physicists and scientists; and if he will make a statement.

Mr. Mellor: Pay of National Health Service scientists, including physicists, is a matter for negotiation between the management side of the scientific and professional staffs council, and the staff side representing these groups.

Physicists

Mr. Fearn: To ask the Secretary of State for Health if he has any plans to issue directives to health authorities on the levels of medical physicists required to meet the demands of the number of patients and the amount and type of equipment in use.

Mr. Mellor: No. These matters are for individual health authorities.

Royal Devon and Exeter Hospital (Radiotherapy)

Mr. Fearn: To ask the Secretary of State for Health what steps have been taken to ensure that the disciplinary

procedures taken by the regional health authority after the incident in the radiotherapy department at the Royal Devon and Exeter hospital are adequate, and that all persons culpable have been disciplined.

Mr. Mellor: Responsibility for operating disciplinary procedures and determining action in individual cases is for the employing health authority.

Cook-Chill Food

Mr. Hinchliffe: To ask the Secretary of State for Health what action he has taken to ensure that the non-statutory controls to which hospital cook-chill catering is subject are sufficient to ensure the proper protection of public health.

Mr. Kenneth Clarke: Health circular HC(86)14 sets out the requirements for hygiene that we expect health authorities to achieve on their premises. More specific guidance is given in the Health Service catering hygiene manual which requires health authorities to consult appropriate experts before a cook-chill system is introduced. I know of no cases so far reported where those requirements have not been observed and public protection not secured in National Health Service hospitals using cook-chill catering.

Mr. Hinchliffe: To ask the Secretary of State for Health (1) what action he is taking to ensure there is a legal requirement for retail cook-chill food to be kept refrigerated at appropriate temperatures throughout the period of its production, distribution, storage and sale;

(2) if he has any plans to extend the provisions of regulation 27 of the Food Hygiene (General) Regulations to cover other foodstuffs which require to be kept under strict temperature control.

Mr. Kenneth Clarke: The food hygiene regulations are currently under review as part of the review of the Food Act 1984. We are considering the wider application of the temperature controls in regulation 27 of the regulations as it applies only to catering premises at the moment.

Mr. Hinchliffe: To ask the Secretary of State for Health what evidence he has that listeria which is not eliminated by the first cooking of food can recover and multiply under refrigeration and not be destroyed by the final reheating.

Mr. Kenneth Clarke: Should listeria survive because of inadequate cooking, correct refrigerated storage will prevent any significant growth. Evidence clearly indicates that inadequate temperature control is one of the main contributory factors in outbreaks of food poisoning from any of the causative organisms. It is therefore important that good practice is observed at all stages of food production and distribution.

Mr. Hinchliffe: To ask the Secretary of State for Health what action his Department have taken comprehensively to assess the significance of listeria in National Health Service cook-chill systems.

Mr. Kenneth Clarke: An expert group recently reviewed my Department's guidelines for pre-cooked chilled food catering in use in the NHS and elsewhere. The group concluded that provided the guidelines are closely followed, the meals produced will be safe and microbiologically sound. My Department will continue to assess the results of studies into various aspects of listeriosis.

Mr. Hinchliffe: To ask the Secretary of State for Health if he will publish the evidence he received between publication of the 1970 guidelines on cook-freeze catering and publication of the subsequent 1980 guidelines which led him to reconsider his policy on the appropriateness of cook-chill food for community catering.

Mr. Kenneth Clarke: Advances in catering technology in the 1970s indicated that a cook-chill catering system could be safely operated on a large scale. An expert group considered that these technological advances in, for example, blast chilling, allowed such a system to be properly controlled in terms of the times and temperatures required to produce microbiologically sound food. The 1980 guidelines give detailed recommendations to help ensure this.

General Managers

Mr. Hinchliffe: To ask the Secretary of State for Health if it is normal practice for his Department to be represented on the appointment boards for district health authority general manager posts.

Mr. Mellor: No. Normal practice is for the district health authority to convene an appointments board consisting of its chairman, a small number of members, and two independent professional assessors, one of whom is nominated by the regional health authority.

Post Codes

Dr. David Clark: To ask the Secretary of State for Health how many post code areas contain three householders or less; and if he will make a statement.

Mr. Freeman: The information is not available. No record is held centrally of the number of households in each unit post code. The number of delivery points in each unit post code is held by the Post Office, but a delivery point may serve more than one household.

Primary Health Care

Mr. Nicholas Bennett: To ask the Secretary of State for Health what steps he intends to take to raise standards of primary health care and make services more responsive to the needs of the consumer.

Mr. Mellor: The proposals in the White Paper "Promoting Better Health" are designed to do this. For example, in the case of family doctors, changes to the terms of service and remuneration system will encourage doctors to raise standards nearer to those of the best practices and to make services more sensitive to the needs of the consumer. Training and teamwork in primary care will be developed and improved. Health promotion and the prevention of disease will be a priority. We will also strengthen family practitioner committees' management role with the aim of ensuring continued development in the provision of cost-effective family practitioner services which are responsive to patients. More information will be made available to consumers about services and practitioners in their area. The procedures for making complaints against practitioners will be simplified, and existing restrictions on changing doctor will be removed.

Wagner Report

Dr. Cunningham: To ask the Secretary of State for Health what action has been taken by his Department in response to the recommendations made in the Wagner report "Residential Care: a Positive Choice".

Mr. Mellor: The report of the committee chaired by Lady Wagner brings together a number of issues which affect the well-being and quality of life of people in residential care.

Some of the recommendations in the report relate to the matters dealt with in Sir Roy Griffiths' report on community care and are being considered in that context. Others are clearly addressed primarily to local agencies, statutory and independent, providing care and we hope they are giving full consideration to the action they can take within the resources available. Finally, there are certain recommendations which might usefully be followed up centrally within the current statutory framework, including such matters as the registration and inspection of homes, complaints procedures, contacts between residents and local communities, the supply of information for users and standards of care. We are considering promoting activity in these fields. The report also draws attention to the importance of training for people working in homes. Those recommendations are being considered in relation to the strategy we are now developing to improve training for all personal social services staff.

Paracetamol

Mr. Hayes: To ask the Secretary of State for Health if he will refer to the Committee on Safety of Medicines the matter of risks to vegetarians of the use of paracetamol.

Mr. Mellor: We have no evidence to suggest that vegetarians using paracetamol suffer any increased risks provided that they eat a well-balanced diet. It is important that they and other paracetamol users follow the dosage instructions set out on the label.

Mental Health Review Tribunals

Mr. Fearn: To ask the Secretary of State for Health how many mental health review tribunals were held (i) in the five years preceding the enactment of the Mental Health Act 1983 and (ii) in all subsequent years for which he has information *(a)* in special hospitals and *(b)* in other mental hospitals and units.

Mr. Freeman: The information requested is held centrally but is not readily available in the form requested. I will reply to the hon. Member shortly.

Mr. Fearn: To ask the Secretary of State for Health how many of the mental health review tribunals held in special hospitals, other mental hospitals and units, arose as a result of *(a)* requests from patients and *(b)* as a consequence of statutory procedures under the Mental Health Act.

Mr. Freeman: The information requested is not collected centrally.

Mr. Fearn: To ask the Secretary of State for Health how many of the mental health review tribunals held since 1983 were *(a)* under section 2 of the Mental Health Act, *(b)* under section 3 of the Mental Health Act and *(c)* under other sections of the Act.

Mr. Freeman: The information is not available in the form requested but the table shows, for each year 1983 to 1987, the number of cases determined in respect of (i) patients detained under section 2 of the Mental Health Act 1983; (ii) other non-restricted patients and (iii) restricted patients.

Mental health review tribunals
Cases determined (all hospitals)

	Section 2 patients	*Unrestricted patients*	*Restricted patients*
1983	125	914	773
1984	711	635	787
1985	890	800	713
1986	918	1,178	733
1987	1,061	1,108	759

SOCIAL SECURITY

Pensioners (Nottingham)

Mr. Allen: To ask the Secretary of State for Social Security how many pensioners in Nottingham are *(a)* financially better off and *(b)* worse off after the social security changes in April.

Mr. Peter Lloyd: I regret that statistically reliable estimates for Nottingham cannot be provided.

Income Growth

Mr. Andrew Bowden: To ask the Secretary of State for Social Security if he will state the average growth in incomes in each of the last 10 years of *(a)* households in the bottom decile group and *(b)* pensioner households in the bottom decile group of pensioner households.

Mr. Peter Lloyd: I regret that figures are not available on the requested basis.

Benefit Claimants (Living Standards)

Mr. Frank Field: To ask the Secretary of State for Social Security what research his Department has commissioned or carried out on or related to the living standards of claimants or the adequacy of the scale rates of supplementary benefit or income support in each year since 1979.

Mr. Peter Lloyd: There have been two major surveys on living standards during the period. "The Survey of Living Standards During Unemployment" was commissioned in 1983 and is to be supplemented by a case study, "The Living Standards of Thirty (Unemployed) Families", commissioned in 1987. "The Financial Circumstances of Disabled Households—Report Two of the OPCS Disability Survey" was commissioned in 1985.

A number of related studies have also been carried out during the period. These are, by date of commissioning: 1978, "For Richer for Poorer", a DHSS cohort study of unemployed men; 1979 (publication date) "Social Security Research—The Definition and Measurement of Poverty", the report of a seminar; 1981, "Study of the 1980 Reform of Supplementary Benefit"; 1986, "Elderly Claimants in Residential Care and Nursing Homes"; 1986, DSS in-house study of the incomes and expenditure of disabled people using data from the family expenditure survey.

In addition, the Department has had the benefit of several studies on these subjects, commissioned by other organisations.

Availability for Work Test

Mr. Leighton: To ask the Secretary of State for Social Security what is the average length of time taken by an appeal from a claimant denied benefit because of the availability for work test; and what proportion of these appeals is successful.

Mr. Peter Lloyd: For the quarter ended 31 March 1988, the average length of time was 22½ weeks. A total of 36·6 per cent. of appeals were found in the appellants' favour.

Benefits (Lothian Region)

Mr. Nigel Griffiths: To ask the Secretary of State for Social Security (1) what is the number of claimants in *(a)* the Edinburgh Leith local office and *(b)* at each of the other local offices in Lothian region (i) who received a transitional addition at April 1988, (ii) who have lost this since due to a change in circumstances, giving the average amount lost, (iii) who will lose protection at April 1989, and (iv) who will at that stage still be receiving some element of protection, giving average payments, showing in each case those required to register, those not required to register, and pensioners;

(2) what is the number of 16 and 17-year olds at *(a)* the Edinburgh, Leith local office and *(b)* each of the local offices in Lothian region who (i) lost benefit on 12 September 1988 and (ii) had at that time been on benefit since prior to April 1988, broken down by those who had been classed as (1) householders and (2) non-householders; and how many of these people have *(x)* not so far been placed on YTS, or *(y)* have been refused a place on a YTS scheme due to their or its unsuitability.

Mr. Peter Lloyd: I regret that the information requested is not available.

Local Pay Additions

Mr. Sean Hughes: To ask the Secretary of State for Social Security what was the number of staff, by grade, in receipt of local pay additions outside London and the south-east economic planning region; what were the different amounts paid to staff by grade; whether this sum varies due to location; what qualifying period of scale-related criteria is used; and whether this varies by location.

Mr. Peter Lloyd: There are no Department of Social Security staff in receipt of local pay additions outside London and the south-east economic planning region.

Income Support

Mr. Sillars: To ask the Secretary of State for Social Security (1) how many people are claiming income support in *(a)* the United Kingdom, *(b)* Scotland, *(c)* Wales and *(d)* England; what are the corresponding figures for each year since 1979; and what was the actual percentage increase between the figures for 1979 and the latest figures;

(2) what proportion of people living in *(a)* the United Kingdom, *(b)* Scotland, *(c)* Wales and *(d)* England is dependent upon income support; and what are the corresponding figures for each year since 1979.

Mr. Scott: The information for Great Britain is as follows:

Number of claimants in receipt of supplementary benefit or income support

Year	*Great Britain*	*England*	*Wales*	*Scotland*
1979	2,855,000	2,396,000	172,000	286,000
1980	3,118,000	2,627,000	186,000	304,000
1981	3,723,000	3,131,000	221,000	371,000
1982	4,267,000	3,590,000	253,000	423,000
1983	4,349,000	3,649,000	260,000	440,000
1984	4,609,000	3,866,000	275,000	468,000
1986	4,938,000	4,141,000	291,000	506,000
1987	4,896,000	4,073,000	287,000	535,000
1988	4,354,000	3,596,000	259,000	499,000
Percentage increase between 1979 and 1988				
	52·50	50·08	50·58	74·48

Note: All figures are rounded to the nearest thousand and may not therefore sum.

Total number of persons dependent upon supplementary benefit or income support since 1979 as a proportion of the total population[1]

Year	*Great Britain*	*England*	*Wales*	*Scotland*
1979	0·08	0·08	0·10	0·09
1080	0·09	0·09	0·10	0·09
1981	0·11	0·11	0·13	0·12
1982	0·13	0·13	0·15	0·14
1983	0·13	0·13	0·16	0·14
1984	0·14	0·14	0·17	0·15
1986	0·15	0·15	0·18	0·16
1987	0·15	0·15	0·17	0·17
1988	0·13	0·13	0·16	0·16

[1] Includes claimants, their partners and dependent children.

Source for both tables:

1979-1987 Annual Statistical Inquiry.

1988 May Quarterly Statistical Inquiry.

Information for Northern Ireland is a matter for my right hon. Friend the Secretary of State for Northern Ireland.

Mrs. Beckett: To ask the Secretary of State for Social Security in how many cases income support has been paid under regulation 8(3) of the Income Support (General) Regulations to persons not treated as available for employment.

Mr. Peter Lloyd: I regret that the information is not available.

Mrs. Beckett: To ask the Secretary of State for Social Security if he will list the changes since 1979 and the dates when they occurred (i) in the conditions of entitlement to supplementary benefit and income support of persons aged 19 years in non-advanced education and (ii) in the circumstances in which extra-statutory payments in lieu of benefit can be made to such persons.

Mr. Peter Lloyd *[holding answer 13 January 1989]:* The supplementary benefit regulations were amended from 18 October 1982 to extend entitlement to benefit to persons aged 19 years in relevant education who were single parents, severely handicapped, orphans or estranged from their parents.

In 1985 that amendment was found to be defective and a circular was issued in November 1985 authorising extra-statutory payments to be made until the regulations were amended.

Amendment regulations corrected the defect from 6 April 1987 and also extended entitlement to certain young people aged 16 to 19 inclusive who were not estranged from their parents but could not be supported by them because their parents were chronically sick, or in prison, or could not enter the country.

From 11 April 1988 an upper limit of 19 years was set in all the income-related benefits for the payment of benefit to young people in full-time non-advanced education.

There have been no changes in the circumstances in which extra-statutory payments in lieu of benefit can be paid to 19 year olds in relevant education. Extra-statutory payments can be made only where claimants are deprived of all or part of their entitlement in a way not foreseen or intended when the law was drawn up.

Barlow Clowes International

Mr. David Atkinson: To ask the Secretary of State for Social Security if he will make a statement on the criteria applied by his Department in dealing with applications from Barlow Clowes International investors for social security on hardship grounds.

Mr. Peter Lloyd *[holding answer 16 January 1989]:* Investments in Barlow Clowes International are treated in the same way as other investments for income support purposes. Where the current market value, less 10 per cent. if there are expenses of sale, together with any other capital exceeds £6,000, no benefit is payable. A crisis loan may be available where the investment cannot be realised immediately and there is serious risk to the health and safety of the applicant or his family.

Mr. N. Quinn

Mr. Rooker: To ask the Secretary of State for Social Security when his Department expects to settle the claim by Mr. N. Quinn of Birmingham, in respect of the motor accident of 20 September 1988, when the uninsured Ford Sierra registration number D378 JML belonging to his Department hit Mr. Quinn's car.

Mr. Peter Lloyd *[holding answer 16 January 1989]:* The Department's solicitor has been in correspondence with Mr. Quinn and his insurers since 6 October 1988, following the accident when Mr. Quinn's car collided with a Crown vehicle. The Department does not subscribe to the normal third party cover afforded by insurance companies, because section 143 of the Road Traffic Act 1972 does not apply to the Crown. The Department, therefore, in common with most other Departments of State, carries its own risks and has its own insurance arrangements. I am sure that all concerned want to see the matter resolved as soon as possible.

Special Needs Hostels

Mrs. Mahon: To ask the Secretary of State for Social Security if he will list the organisations *(a)* which submitted evidence urging the Government to allow special needs hostels to continue being funded on a board and lodgings basis and *(b)* who proposed different funding arrangements.

Mr. Peter Lloyd *[holding answer 19 December 1988]:* A list of the 346 organisations which made individual submissions considered following the issue of the consultative paper "Help With Hostel Charges" has been placed in the Library. Details of individual organisations' submissions are not normally published, but the responses varied between those who agreed that there was a need for change, those who favoured keeping the present system, those who put forward proposals of their own and those who did not have a preferred solution.

EMPLOYMENT

New Earnings Survey

Mrs. Wise: To ask the Secretary of State for Employment what categories of people are likely to be excluded from the coverage of the new earnings survey; and what estimate can be given about the total number of people involved.

Mr. Lee: The new earnings survey is a sample survey covering 1 per cent. of employees in Great Britain who are members of pay-as-you-earn schemes.

The main categories of the work force in employment excluded from its coverage are self-employed persons, Her Majesty's forces, those on work-related Government training programmes, without a contract of employment and those employees, mainly part-time women and young people, who earn below the income tax threshold and are not in a PAYE scheme. Exempted categories include private domestic servants, husband/wife working for spouse, company directors who do not receive a salary and those working abroad. A full description of the survey and its coverage is contained in part B of the annual new earnings survey report.

It is estimated that 5·4 million of the work force in employment in Great Britain were not covered at the time of the latest survey in April 1988.

Ethylene Dibromide

Mrs. Ann Taylor: To ask the Secretary of State for Employment if he will take action to reduce the occupational exposure limit for ethylene dibromide in the light of the recently published *British Journal of Industrial Medicine* article "Semen quality in papaya workers with long term exposure to ethylene dibromide".

Mr. Nicholls: The Health and Safety Commission recently reduced the occupational exposure limit for ethylene dibromide in air from 1 part per million to 0·5 ppm to measured as an eight-hour time-weighted average. That limit came into effect on 1 January 1989.

The HSC's advisory committee on toxic substances will shortly be considering proposals for translating that limit into a maximum exposure limit under the new Control of Substances Hazardous to Health Regulations. I will ensure that the article referred to by the hon. Member is brought to the attention of the committee.

Manufacturing Industry

Mr. Sillars: To ask the Secretary of State for Employmemt if he will publish a table showing employment in manufacturing industry by county and region for each year since 1979 and for each quarter month in 1988.

Mr. Lee: Figures for the standard economic regions can be provided but employment statistics for smaller areas are available only for dates when censuses of employment are taken.

The available information for counties and the Scottish region and island areas, taken from the September 1981 and September 1984 censuses of employment, is given in table 1.

The information for standard economic regions is given in table 2.

TABLE 1

Employees in employment[1] in manufacturing industries (Divisions 2 to 4 of the Standard Industrial Classification 1980)

Counties[2]	*September 1981 Thousand*	*September 1984 Thousand*
South East		
Bedfordshire	71·5	67·8
Berkshire	85·4	76·5
Buckinghamshire	65·7	66·8
East Sussex	36·4	32·7
Essex	140·4	119·5
Hampshire	153·3	146·7
Hertfordshire	132·4	118·1
Isle of Wight	9·0	8·8
Kent	118·3	103·5
Oxfordshire	47·6	43·8
Surrey	77·4	74·5
West Sussex	61·1	58·3
Greater London	684·6	569·0
East Anglia		
Cambridgeshire	60·7	68·2
Norfolk	63·3	63·2
Suffolk	61·9	58·3
South West		
Avon	94·9	89·2
Cornwall	23·6	22·3
Devon	68·9	69·1
Dorset	44·3	41·2
Gloucestershire	65·2	57·6
Somerset	46·0	45·6
Wiltshire	52·6	51·2
West Midlands		
Hereford and Worcester	67·9	64·3
Shropshire	32·0	33·0
Staffordshire	144·3	141·9
Warwickshire	61·6	56·3
West Midlands	494·8	413·7
East Midlands		
Derbyshire	133·2	122·2
Leicestershire	150·5	140·9
Lincolnshire	44·3	40·7
Northamptonshire	73·7	69·5
Nottinghamshire	131·5	115·1
Yorkshire and Humberside		
Humberside	92·1	81·9
North Yorkshire	53·5	49·7
South Yorkshire	158·6	122·4
West Yorkshire	274·6	230·8
North West		
Cheshire	116·7	105·9
Lancashire	182·5	153·6
Greater Manchester	345·8	291·3
Merseyside	154·7	119·8
North		
Cleveland	74·9	53·3
Cumbria	56·9	49·6
Durham	62·1	54·7
Northumberland	19·5	19·3
Tyne and Wear	126·0	99·0
Wales		
Clwyd	33·7	32·5
Dyfed	17·1	15·9
Gwent	52·8	46·1
Gwynedd	11·5	9·3
Mid-Glamorgan	52·5	44·7
Powys	7·0	6·9
South Glamorgan	26·6	25·2
West Glamorgan	36·9	28·8
Scotland (Region and Islands Areas)		
Borders	12·9	12·6
Central	31·1	22·8
Dumfries and Galloway	12·2	11·3
Fife	40·0	35·8
Grampian	36·8	35·2
Highland	12·4	10·2
Lothian	66·2	55·3
Strathclyde	249·8	215·4
Tayside	37·1	32·1
Orkney Islands	0·7	0·5
Shetland Islands	1·1	1·2
Western Isles	1·5	1·2

[1] The figures exclude the self-employed.

[2] The areas are defined in terms of ward boundaries as at 1981.

Table 2

Employees in employment[1] in Manufacturing Industries (Divisions 2-4 of the Standard Industrial Classification 1980) by region

Thousand

Standard Region	September									March	June	[2]September
	1979	1980	1981	1982	1983	1984	1985	1986	1987	1988	1988	1988
South East	1,880	1,796	1,677	1,589	1,522	1,486	1,463	1,408	1,374	1,353	1,321	1,328
Greater London (included in South East)	n.a.	n.a.	681	637	598	569	556	526	514	506	477	487
East Anglia	209	197	185	181	181	190	199	205	211	213	218	220
South West	440	421	398	381	367	376	377	371	367	362	364	367
West Midlands	983	901	800	747	714	709	709	698	696	689	697	702
East Midlands	611	573	533	509	489	488	496	493	494	487	493	493
Yorkshire and Humberside	708	649	580	536	502	485	484	461	453	443	443	448
North West	970	894	803	740	692	671	655	628	609	600	600	601
North	411	374	340	314	287	276	279	266	262	261	261	262
Wales	317	278	239	223	214	212	211	205	211	210	213	218
Scotland	602	550	502	471	442	434	430	409	392	386	385	387
Great Britain	7,123	6,629	6,058	5,691	5,411	5,327	5,302	5,142	5,069	5,004	4,995	5,025

[1] Excludes the self-employed.
[2] Latest available.
n.a. = Not available.

Young Employees (Overtime)

Mr. Hardy: To ask the Secretary of State for Employment what arrangements have been made to permit or discourage excessive overtime working by younger employees *(a)* on employment training schemes and *(b)* elsewhere; and what steps he has taken to ensure that employees are given adequate advice in regard to this matter.

Mr. Cope: Trainees in employment training who are receiving practical experience with an employer are not expected to attend for any period which could normally attract over-time or premium payments in the case of employees. The hours of attendance for the youth training scheme are limited to 40 per week, taking one week with another. In employment generally hours of work are a matter for negotiation between employer and employees or their representatives. Section 2 of the Health and Safety at Work Act, etc. 1974 requires every employer to ensure so far as is reasonably practicable the health, safety and welfare of all his employees at work. This does not permit excessive hours likely to lead to fatigue induced accidents or ill health.

Labour Statistics

Mr. Amos: To ask the Secretary of State for Employment (1) what was the level of unemployment, expressed as *(a)* a percentage and *(b)* in numbers of claimants for (i) the Hexham constituency, (ii) the Newcastle upon Tyne travel to work area, (iii) the Greater London travel to work area and (iv) England and Wales for the most recent month for which figures are available and for February 1985;

(2) if he will estimate the number of unfilled vacancies expressed as *(a)* a percentage and *(b)* in numbers of claimants for (i) the Hexham constituency, (ii) the Newcastle upon Tyne travel to work area, (iii) the Greater London travel to work area and (iv) England and Wales for the most recent month for which figures are available and for February 1985.

Mr. Lee: The following is the available information. Table A gives the total unfilled vacancies notified to jobcentres at December 1988 and February 1985. Table B shows unemployment level and percentage rates for December 1988 and February 1985. It is not meaningful to calculate a ratio of unemployed claimants to unfilled vacancies at jobcentres, since only about a third of all vacancies in the economy are notified to jobcentres.

Table A

Unfilled vacancies at jobcentres for December 1988 and February 1985

	February 1985 level	December 1988 level
Newcastle TTWA	1,851	3,134
Greater London TTWA	19,726	23,712
Hexham TTWA	79	125
England and Wales	122,877	202,614

Table B

Unemployment claimants for December 1988 and February 1985

	February 1985		December 1988	
	level	[1]rate	level	[1]rate
Newcastle TTWA	65,551	17·5	45,293	12·0
Greater London TTWA	370,377	10·7	232,323	6·7
Hexham TTWA	1,537	9·8	987	6·0
Hexham PCA	2,479	n/a	1,562	n/a
England and Wales	2,843,546	13·0	1,675,587	7·7

[1] Unemployed claimants expressed as a percentage of claimants plus employees in employment only.

The figures are affected by the change in the compilation of the count in March 1986 to reduce over-recording and by the change in the coverage from September 1988 due to the introduction of new benefit regulations for young people aged under 18.

Qualifications

Mr. McLeish: To ask the Secretary of State for Employment if he will give, based on the labour force survey *(a)* the total number of people of working age and *(b)* the percentage with (i) A level or equivalent or higher, (ii) O level or equivalent, (iii) below O level and (iv) no vocational or educational qualification for each standard English region, Wales and Scotland for 1983, 1984, 1985, 1986 and 1987.

Mr. Lee *[holding answer 19 January 1989]:* Estimates from labour force surveys, as requested, are shown in the following table:

Regional variations in highest qualification held be persons of working age[1]—Great Britain, Spring estimates

Thousands and per cent

Standard Region	*Total (000's)*	*of which: percentage possessing highest qualification*			
		'A' level or equivalent or higher	*'O' level or equivalent*	*Below 'O' level[2]*	*No vocational or educational qualificition*
1983					
Northern	1,876	27	13	11	49
Yorkshire and Humberside	2,939	29	13	9	49
East Midlands	2,329	28	13	10	49
East Anglia	1,137	29	14	12	46
South East (except Greater London)	6,143	35	17	11	37
Greater London	4,145	34	16	9	42
South West	2,564	32	17	10	41
West Midlands	3,143	26	13	10	51
North West	3,825	30	14	9	46
Wales	1,659	25	15	10	50
Scotland	3,102	37	13	4	46
Great Britain	32,861	31	15	9	45
1984					
Northern	1,879	32	14	8	46
Yorkshire and Humberside	2,956	31	14	9	46
East Midlands	2,355	33	15	9	43
East Anglia	1,151	32	16	10	43
South East (except Greater London)	6,228	37	18	11	34
Greater London	4,166	37	17	9	38
South West	2,594	37	18	10	35
West Midlands	3,162	30	14	10	46
North West	3,849	34	15	19	42
Wales	1,665	31	16	8	46
Scotland	3,119	41	13	3	43
Great Britain	33,125	35	16	9	41
1985					
Northern	1,879	32	13	10	45
Yorkshire and Humberside	2,964	33	15	10	42
East Midlands	2,377	34	15	10	42
East Anglia	1,170	32	16	11	40
South East (except Greater London)	6,292	38	19	10	33
Greater London	4,170	39	17	10	35
South West	2,629	37	18	11	35
West Midlands	3,175	30	14	9	46
North West	3,846	35	16	9	40
Wales	1,673	32	16	8	44
Scotland	3,127	41	14	3	42
Great Britain	33,301	36	16	9	39
1986					
Northern	1,877	34	15	10	41
Yorkshire and Humberside	2,969	33	16	10	40
East Midlands	2,398	34	15	11	40
East Anglia	1,185	33	16	13	37
South East (except Greater London)	6,344	38	20	12	31
Greater London	4,180	38	16	11	35
South West	2,660	36	18	12	33
West Midlands	3,179	31	15	11	42
North West	3,850	33	16	11	40
Wales	1,681	32	17	9	42
Scotland	3,102	41	14	3	42
Great Britain	33,425	35	17	10	38
1987					
Northern	1,878	35	16	12	38
Yorkshire and Humberside	2,977	34	17	11	39
East Midlands	2,418	32	16	12	40
East Anglia	1,201	35	18	13	35
South East (except Greater London)	6,391	39	20	12	29
Greater London	4,179	38	18	11	34
South West	2,697	37	18	12	32

Standard Region	Total (000's)	of which: percentage possessing highest qualification 'A' level or equivalent or higher	'O' level or equivalent	Below 'O' level[2]	No vocational or educational qualification
West Midlands	3,194	31	16	11	42
North West	3,858	35	16	10	38
Wales	1,694	31	17	10	42
Scotland	3,133	42	14	4	40
Great Britain	33,620	36	17	11	36

[1]Men aged 16-64, women aged 16-59.
[2]Includes those with CSE (below grade 11) or "other" qualifications.

Graduates

Mr. McLeish: To ask the Secretary of State for Employment (1) if he will give, based on the labour force survey the total number of graduates in employment as a percentage of all in employment in each of the standard English regions, Scotland and Wales and for each of the years 1983, 1984, 1985, 1986 and 1987.

(2) if he will give based on the labour force survey, the total number of graduates in employment in each of the standard English regions, Wales and Scotland and for each of the years 1983, 1984, 1985, 1986, and 1987.

Mr. Lee *[holding answer 19 January 1989]:* Estimates from labour force surveys as requested, are shown in following table:

Regional variations in graduate employment of persons of working Age [1] Great Britain, Spring estimates.

	1983		1984		1985		1986		1987	
	Graduates of working age in employment (000)'s	Graduate share[2] per cent.	Graduates of working age in employment (000)'s	Graduate share[2] per cent.	Graduates of working age in employment (000)'s	Graduate share[2] per cent.	Graduates of working age in employment (000)'s	Graduate share[2] per cent.	Graduates of working age in employment (000)'s	Graduate share[2] per cent.
Region										
South East	671	9·2	682	9	743	9·7	777	10·1	774	9·8
of which										
London	326	11·3	331	11·2	379	12·7	367	12·5	387	13·0
Rest of South East	345	7·8	352	7·6	363	7·8	409	8·6	386	7·9
East Anglia	43	5·3	45	5·4	47	5·7	54	6·3	59	6·7
South West	95	5·3	115	6·3	114	5·9	116	6·1	125	6·3
West Midlands	94	4·6	104	5·0	106	5·0	115	5·3	122	5·6
East Midlands	76	4·7	86	5·2	91	5·5	98	5·7	90	5·3
Yorkshire and Humberside	99	5·0	96	4·8	90	4·5	111	5·5	116	5·7
North West	147	5·9	132	5·2	145	5·6	137	5·3	174	6·6
Northern	57	4·8	58	4·9	49	4·2	63	5·3	73	5·8
Wales	50	3·0	56	3·4	55	3·3	73	7·0	60	5·6
Scotland	144	7·1	124	6·2	136	6·6	132	6·6	120	5·9
Great Britain	1,474	6·6	1,498	6·6	1,576	6·8	1,675	7·2	1,711	7·3

[1] Men aged 16-64. Women aged 16-59.
[2] Graduates as a percentage of all persons of all working age in employment.
Source: Labour Force Surveys.

High Moor Colliery (Accident)

Mr. Harry Barnes: To ask the Secretary of State for Employment if he will give details of the last section 123, and other inspections of 91s heading at High Moor colliery prior to the 30 m fall of roof on 13 January.

Mr. Nicholls: *[holding answer 19 January 1989]:* The last report of an inspection under section 123 on 91s heading at High Moor colliery was made on 9 January 1989. A copy of this report would have been required to be displayed at the mine.

The details of other statutory inspections made at the heading are still being gathered in the process of the investigation of the incident.

YTS Training Centre, Cyprus

Mrs. Gorman: To ask the Secretary of State for Employment what is the cost of the YTS training centre in Cyprus; who is eligible to attend the centre; and how many trainees have made use of the centre for the most recent period for which figures are available.

Mr. Sainsbury: I have been asked to reply by my right hon. Friend the Secretary of State for Employment. The current staff cost of running the centre is £32·5K per annum, and all dependants of armed forces and Civil Service personnel in Cyprus between the ages of 16 and 19½ years of age are eligible to attend. Since February 1987, 150 trainees have used the centre.

AGRICULTURE, FISHERIES AND FOOD

Set-aside

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food (1) how many applications and registrations he has received under the set-aside scheme on a county-by-county basis; and if he will make a statement;

(2) how many applications and registrations he has received under the set-aside scheme *(a)* within and *(b)* outside, less-favoured areas; and within each category how many applications he has received for (i) permanent fallow, (ii) rotational fallow, (iii) farm woodland and (iv) non agricultural use;

(3) how many set-aside agreements his Department has finalised by county in England and Wales; what is the total hectareage for each county taken out of production by such means; and what is his estimate by county of the total cost of this scheme.

Mr. Ryder: I shall shortly be announcing further details of the first year's uptake of the scheme.

Departmental Committees

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food if he will list all his departmental committees onto which he appoints outside representatives.

Mr. Donald Thompson: Public bodies, including advisory committees, sponsored by my Department, are listed in "Public Bodies 1988" of which a copy is in the Library. I also appoint representatives from outside the Government service to the Agricultural Development and Advisory Service and regional management board.

Pigmeat Imports

Mrs. Margaret Ewing: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the effect of the monetary compensatory amounts system on Dutch and Danish pigmeat imports into the United Kingdom.

Mr. Donald Thompson: United Kingdom, Dutch and Danish pigmeat monetary compensatory amounts are currently all zero; so that their effect on Dutch and Danish pigmeat imports into the United Kingdom is neutral.

Fish Foods

Mr. Ron Davies: To ask the Minister of Agriculture, Fisheries and Food whether he intends the code of practice on the production of animal feeding stuffs containing processed animal products to apply to the production of fish foods.

Mr. Donald Thompson: It is my intention that the code of practice on the production of animal feedingstuffs will apply to feedingstuffs and their ingredients, including animal protein, intended for feeding to food animals and poultry but not to fish.

Salmonella

Mr. Ron Davies: To ask the Minister of Agriculture, Fisheries and Food if he will list the locations of reports of salmonella under the Zoonoses Order 1975 during 1988; and if he will indicate in each case who reported it and what was the method by which it was identified.

Mr. Donald Thompson: The reporting of isolations of salmonella in food producing animals is required under the Zoonoses Order 1975. 2,167 reports have been submitted so far for 1988 for Great Britain. As there is a delay between finding an isolate and submitting a report, this figure must be regarded as provisional. Of these reported isolations, 1,559 were in England, 269 in Scotland and 339 in Wales.

Under the Zoonoses Order, any person who knows or has reason to believe that an animal or bird is or was a carrier of a salmonella organism is required to make a report. Those making reports include owners of animals, private veterinary surgeons; or reports can be made as a result of the isolation of a salmonella organism in a laboratory. It is not possible to give details of who reported the incidents, the methods by which they were identified or precise locations except at disproportionate cost.

Mr. Ron Davies: To ask the Minister of Agriculture, Fisheries and Food what procedures exist for the monitoring of the code of practice for poultry health scheme members for the control of salmonella.

Mr. Donald Thompson: Since the poultry health scheme code was introduced, veterinary officers of my Department have been assessing compliance with it in the course of visits which they make to the premises. Further checks are carried out if visits are made following the reporting of isolations under the Zoonoses Order 1975.

As part of the recently announced further measures the majority of the requirements at present in the code of practice will be made statutory.

Chicken Food

Mr. Ron Davies: To ask the Minister of Agriculture, Fisheries and Food, pursuant to the answer to the hon. Member for Caerphilly of 13 January, *Official Report*, column *795*, (1) how many *(a)* feed processing plants and *(b)* feed processing plants producing chicken food there were in each of the years from 1984 to 1988;

(2) if he will give *(a)* the number of inspections per feed processing plant and *(b)* the number of cases, by plant and by sample, where resampling revealed salmonella contamination in each of the years from 1984 to 1988.

Mr. Donald Thompson: The number of plants in Great Britain can vary from year to year as new ones opened and others closed down. Furthermore, not all operate on a continual basis.

The total numbers of protein processing plants producing animal protein for incorporation into animal feedingstuffs, known to have been operational in each year from 1984 to 1988 were:

	Number
1984	109
1985	112
1986	102
1987	86
[1]1988	85

[1] Provisional.

The numbers visited and sampled during the year, and the numbers of batches inspected each year were:

	Number of plants visited	*Number of batches inspected*
1984	107	251
1985	106	224
1986	99	212
1987	84	185
[1]1988	74	157

[1] Provisional.

The number of cases where re-sampling revealed salmonella contamination in each of the years from 1984 to 1988 were:

	1st sample	*2nd sample*
1984	10	2
1985	13	3
1986	13	5
1987	6	1
[1] 1988	4	0

[1] Provisional.

Notes:
1. 1988 figures are provisional and may understate the final level because there is a delay between inspection and the final recording of results.
2. In continuous production plants a batch comprises a series of samples collected over a five days production. The number of samples taken each day is proportional to the output.

Sub-standard Beef

Mr. Ron Davies: To ask the Minister of Agriculture, Fisheries and Food when his Department was first notified of imports of sub-standard beef arriving at Mid Cornwall Meatpackers.

Mr. Donald Thompson: On 24 November, Carrick district council's environmental health service sent a report to the Ministry's office at Truro. As soon as this was received, further details were requested in order that the matter could be raised with the authorities of the Republic of Ireland. These details were received on 19 December 1988.

Contaminated Meat

Mr. Ron Davies: To ask the Minister of Agriculture, Fisheries and Food whether he has any evidence that recent consignments of meat originating from Ireland which have been condemned in this country as unfit for human consumption had previously been the subject of cross-border trading between the Republic of Ireland and Northern Ireland for the purpose of fraudulently obtaining EEC export subsidies; and if he will make a statement.

Mr. Donald Thompson: This is a matter for the Irish authorities, and we have asked them to investigate it.

Deer (Tuberculosis)

Mr. Corbett: To ask the Minister of Agriculture, Fisheries and Food what steps are taken by his Department when an outbreak of tuberculosis is confirmed in farmed deer herds.

Mr. Donald Thompson: When an outbreak of tuberculosis is confirmed in farmed deer herds a notice is served under article 15 of the Tuberculosis (England and Wales) Order 1984 or the Tuberculosis (Scotland) Order 1984 preventing movement of deer on or off the premises. These restrictions are maintained until the herd has undergone two consecutive comparative tuberculin tests, at least 120 days apart, with negative results at severe interpretation. The first of these tests is carried out at least 120 days after removal of reactors or infected animals.

Mr. Corbett: To ask the Minister of Agriculture, Fisheries and Food what consideration he has given to the introduction of a tuberculocis eradication scheme for farmed deer; and whether he will make a statement.

Mr. Donald Thompson: I announced my proposals for the control of tuberculosis in farmed deer on 15 december 1988 at columns 674-75. A consultation letter on the proposals was sent to interested organisations on 21 December 1988. Consideration is now being given to the comments they have made.

Mr. Corbett: To ask the Minister of Agriculture, Fisheries and Food how many cases of tuberculosis have been confirmed in deer herds in the past 12 months in England and Wales, and in each of the preceding three years.

Mr. Donald Thompson: The numbers of deer herds in which tuberculosis has been confirmed are as follows:

	Number
1985	3
1986	—
1987	—
1988	6

WALES

Hospital Waiting Lists

14. **Mr. Win Griffiths:** To ask the Secretary of State for Wales what is his latest estimate of *(a)* in-patient and *(b)* out-patient waiting lists in the Mid-Glamorgan health authority area and in Wales as a whole; and if he will make a statement.

Mr. Grist: At 31 March 1988, the number of people waiting for in-patient treatment was 7,112 in Mid Glamorgan and 41,648 in Wales as a whole. The numbers waiting for a first out-patient appointment were 16,842 and 82,319 respectively.

Translation Costs

15. **Mr. Gwilym Jones:** To ask the Secretary of State for Wales what was the income and expenditure involved for the commemoration of the translation of the Bible into Welsh and the "Travels of Gerald of Wales"; and if he will make a statement.

Mr. Wyn Roberts: The Welsh Office contributed £25,000, over a three-year period, to support the work of the committee which co-ordinated arrangements for the numerous events to mark the 400th anniversary of the Welsh translation of the Bible. Celebration of the 800th anniversary of the travels of Gerald of Wales involved a number of events, including a major exhibition at the national museum of Wales. The final income and expenditure figures will take some time to establish.

M4

16. **Mr. Gareth Wardell:** To ask the Secretary of State for Wales in which month tenders will be invited for the four sections of the unfinished part of the M4; and when a decision on the successful tenderers will be announced.

Mr. Wyn Roberts: I hope shortly to be in a position to advertise my intention to invite tenders for the first phase of the Baglan-Lonlas section of the M4. Work on this is planned to start towards the end of 1989-90.

Gresford to Pulford Bypass

17. **Dr. Marek:** To ask the Secretary of State for Wales what was the cost of the Gresford to Pulford bypass.

Mr. Wyn Roberts: The total cost of this joint Welsh Office-Department of Transport scheme, including all works and land costs, is estimated to be £25 million. The Welsh Office share will be about £20 million.

Severn Bridge

18. **Mr. Flynn:** To ask the Secretary of State for Wales what are the implications for the travel costs for officials to be borne by his Department of the location of the inquiry into the proposed increase in tolls on the Severn bridge.

Mr. Wyn Roberts: Varying the location of the inquiry would have only marginal implications for such travel costs.

Eggs

19. **Mr. Martyn Jones:** To ask the Secretary of State for Wales what representations he has had from farming unions in Wales on the recent statement on compensation for egg producers.

Mr. Wyn Roberts: None.

28. **Sir Raymond Gower:** To ask the Secretary of State for Wales what is his latest information regarding the level of egg production in Wales; and what variations have occurred in the past two months.

Mr. Wyn Roberts: 315 million eggs were produced in Wales for human consumption in 1987. Prior to the recent disruption of the market, it was expected that 1988 production would be about 339 million. No information is yet available concerning recent fluctuations.

Mudiad Ysgolion Meithrin

20. **Mr. Butler:** To ask the Secretary of State for Wales if he will make it his policy to increase the headquarters grant to Mudiad Ysgolion Meithrin to a level sufficient to enable it to purchase an appropriate headquarters building.

Mr. Wyn Roberts: A core grant is made to Mudiad Ysgolion Meithrin each year, under section 64 of the Health Services and Public Health Act 1968 as a contribution to its headquarters expenditure. Careful consideration will be given to the application which Mudiad Ysgolian Meithrin has submitted for grant aid next year in the light of its needs, including its need for a new headquarters, the resources available and the demands from other organisations for grant assistance.

Phurnacite Plant, Cynon Valley

21. **Mrs. Clwyd:** To ask the Secretary of State for Wales if he will make a further statement on the proposed mild heat treatment process at the phurnacite plant in the Cynon Valley.

Mr. Peter Walker: I have nothing to add to the reply I gave the hon. Lady on this matter in the House on 5 December.

Welsh Language Teaching

22. **Mr. Nicholas Bennett:** To ask the Secretary of State for Wales what representations he has received in recent months on the compulsory teaching of Welsh as a foundation subject in the national curriculum.

Mr. Wyn Roberts: Since the Education Reform Act received Royal Assent last July, I have received a small number of letters about the teaching of Welsh. The majority have been supportive of the place of Welsh in the national curriculum, although several have had reservations about resource implications or about the impact on the teaching of other subjects, particularly in the later years of secondary school.

Economic Prospects

23. **Mr. Alan W. Williams:** To ask the Secretary of State for Wales if he will give an assessment on the prospects for the Welsh economy for 1989.

Mr. Peter Walker: There is every reason to suppose that the current year, like 1988, will be extremely successful for Wales and the Welsh economy.

NHS Land

24. **Mr. Coleman:** To ask the Secretary of State for Wales what are the total proceeds from the sale of National Health Service land and property in *(a)* Wales and *(b)* West Glamorgan since 1979.

Mr. Grist: Proceeds from the sale of surplus NHS land and property in Wales from 1979-80 to 1987-88 have amounted to £10·722 million, of which £0·722 million arose from sales by West Glamorgan Health Authority.

Government policy encourages district health authorities in Wales to dispose of surplus land and property; the receipts from which may be reinvested to the benefit of patient care.

Housing Need

25. **Mr. Foot:** To ask the Secretary of State for Wales what assessment he has made of present housing need in Blaenau Gwent and in Wales as a whole; and what impact the valleys initiative will have in meeting those needs.

Mr. Grist: Local authorities have the statutory responsibility for assessing the housing needs of their area. Blaenau Gwent will benefit substantially from the Programme for the Valleys which in total ought to provide 10,000 new homes with a further 32,000 homes improved.

Training and Enterprise Councils

26. **Mr. Raffan:** To ask the Secretary of State for Wales if he will make a statement on the establishment of the proposed training and enterprise councils in Wales.

Mr. Wyn Roberts: The Government will shortly be inviting local groups, led by employers, to submit proposals for the establishment of training and enterprise councils in England and Wales. A national training task force will advise on the establishment of TECs in England and Wales, and my right hon. Friend will be appointing a separate body to advise him on training and related enterprise and education matters, including the establishment of TECs, in the Principality.

Interest Rates

27. **Mr. Barry Jones:** To ask the Secretary of State for Wales what assessment he has made of the likely effect on Welsh industry of the recent rises in interest rates.

Mr. Peter Walker: The impact of high interest rates in other parts of the United Kingdom may well make firms

carefully consider their overhead costs and take advantage of the very positive regional policies that are being pursued in Wales. I am much encouraged that the regional assistance offers made in 1988 provide the promise of 31,500 new jobs, and inward investment in 1988 has been at an all-time high, promising 13,600 jobs.

Potato Marketing Board

29. **Mr. Geraint Howells:** To ask the Secretary of State for Wales if he is satisfied with the operations of the Potato Marketing Board in Wales; and if he will make a statement.

Mr. Peter Walker: The Government are considering the industry's response to the recent consultation paper about the future of the Potato Marketing Board. Welsh interests will be fully taken into account.

Water Privatisation

30. **Sir Anthony Meyer:** To ask the Secretary of State for Wales what arrangements he has made for the privatisation of water so as to ensure the protection of the environment of Wales and the interests of Welsh consumers.

Mr. Peter Walker: I refer my hon. Friend to the answer I gave to the hon. Member for Ogmore (Mr. Powell), earlier today.

Hormone Replacement Therapy

Mr. Barry Jones: To ask the Secretary of State for Wales if he proposes to make available hormone replacement therapy on a Wales-wide basis; and if he will make a statement.

Mr. Grist: Hormone replacement therapy is already prescribable through the NHS by registered medical practitioners in circumstances which in the exercise of clinical judgment they consider appropriate.

Cervical Cancer Screening

Mr. Barry Jones: To ask the Secretary of State for Wales what measures he is taking to extend facilities for screening for cervical cancer; and if he will make a statement.

Mr. Grist: Computerised call and recall for cervical screening is now operational in all parts of Wales. The Welsh Office has allocated over £800,000 a year of recurring funds to district health authorities in support of the screening programme. Subject to parliamentary approval, we shall be announcing the allocation of further significant funding later this year.

Lamb

Sir Raymond Gower: To ask the Secretary of State for Wales what success has attended the measures taken to improve the marketing of Welsh lamb; and if he will make a statement.

Mr. Peter Walker: In an expanding United Kingdom market for lamb over recent years, Welsh lamb has increased its market share and quality Welsh lamb continues to command a price premium.

Welsh lamb producers are also taking advantage of the export opportunities which have arisen through improved marketing.

Set-aside

Dr. David Clark: To ask the Secretary of State for Wales how many applications and registrations he has received under the set-aside scheme *(a)* within and *(b)* outside, less favoured areas; and within each category how many applications he has received for (i) permanent fallow, (ii) rotational fallow, (iii) farm woodland and (iv) non agricultural use.

Mr. Peter Walker: The number of applications and registrations received under the set-aside scheme in Wales are as follows:

	Within LFA	*Outside the LFA*	*Total*
Number of applications	9	26	[1]35
Number of registrations	132	201	333
For each category the number of applications received is:			
(i) Permanent Fallow	8	17	25
(ii) Rotational Fallow	2	7	9
(iii) Woodland	—	1	1
(iv) Non-agricultural use	—	6	6
			[1]41

[1] Some applications include more than 1 category.

Dr. David Clark: To ask the Secretary of State for Wales how many applications and registrations he has received under the set-aside scheme on a county by county basis; and if he will make a statement.

Mr. Peter Walker: The number of applications and registrations received under the set-aside scheme in Wales on a county by county basis is as follows:

	Applications	*Registrations*
Clwyd	1	14
Dyfed	18	111
Gwynedd	6	46
Powys	2	51
South Glamorgan	1	12
Mid Glamorgan	—	12
West Glamorgan	1	7
Gwent	6	50

Agriculture (Divisional Offices)

Mr. Ron Davies: To ask the Secretary of State for Wales if he has any plans to reduce the number of Welsh Office Agriculture Department and the Agricultural Development Advisory Service divisional offices in Wales.

Mr. Peter Walker: No.

Regional Grants

Mr. McLeish: To ask the Secretary of State for Wales what was the total number of applications *(a)* received and *(b)* approved for innovation grants from 1 April 1988 to 31 December 1988 and the total estimated expenditure planned for that period.

Mr. Peter Walker: Under the regional enterprise grant scheme, 84 applications for innovation projects were received by my Department and 21 offers of grant made in the period 1 April 1988 to 31 December 1988. The total provision for the 1988-89 financial year is £600,000.

Mr. McLeish: To ask the Secretary of State for Wales what was the total number of applications *(a)* received and *(b)* approved for investment grants from 1 April 1988 and 31 December 1988 and the total estimated expenditure planned for that period.

Mr. Peter Walker: Under the regional enterprise grant scheme 186 applications for investment projects were received by my Department and 78 offers of grant made in the period 1 April 1988 to 31 December 1988. The total provision for the 1988-89 financial year is £1·8 million.

Mr. McLeish: To ask the Secretary of State for Wales what was the total estimated expenditure on regional development grant and regional selective assistance in each of the years 1988-89, 1989-90 and 1990-91.

Mr. Peter Walker: Total provision in 1988-89 for expenditure on regional development grants and regional selective assistance in Wales is £109·4 million. Expenditure plans for 1989-90 and 1990-91 will be shown in the 1989 public expenditure White Paper and details of the regional selective assistance and regional development grants provision for 1989-90 in the Supply Estimates published in March.

Note:

(1) The figures given for 1988-89 are net of recoveries and domestic receipts, but gross of EC receipts.

(2) RSA includes industrial and training grants, and expenditure under the business improvement services and exchange risk guarantee scheme.

Rate Support Grant

Dr. Cunningham: To ask the Secretary of State for Wales if he will show for each local authority in Wales the rate support grant paid in each year since 1978-79, expressed in *(a)* cash terms and *(b)* real terms at 1988-89 prices; and what percentage of each council's total expenditure in each year this represented.

Mr. Peter Walker: The information requested is given in the following tables for all years from 1981-82 to 1988-89. It is not possible to provide meaningful figures for 1978-79 to 1980-81 on a comparable basis as the arrangements for paying rate support grant to each tier of local authorities in Wales were different and these grants were not directly linked to the expenditure of individual councils. Rate support grant comprises a block grant paid to individual county and district councils, and domestic rate relief grant, which is a direct subsidy to ratepayers, paid to district councils in order to reduce total domestic rate poundages, including county precepts, by 36p in 1981-82 and 18·5p from 1982-83 onwards. Domestic rate relief grant cannot sensibly be compared with districts' total expenditure. Block grant entitlements are compared with individual district expenditure figures in table (c) and rate support grant entitlements are compared with expenditure for county areas in table (d).

(a) Rate Support Grants in cash terms (£000s)

Local authority	*1981-82*	*1982-83*	*1983-84*	*1984-85*	*1985-86*	*1986-87*	*1987-88*	*1988-89*
Counties:								
Clwyd	76,600	84,833	84,772	85,581	89,887	92,747	99,993	106,781
Dyfed	67,940	75,714	79,272	79,625	81,719	88,529	97,665	106,385
Gwent	87,682	99,536	101,052	102,740	102,098	111,319	116,782	123,768
Gwynedd	49,040	53,398	55,662	54,334	54,557	59,546	62,731	68,580
Mid Glamorgan	131,173	141,148	142,405	144,489	152,107	159,068	173,220	188,728
Powys	30,790	35,945	36,700	35,966	36,587	38,390	41,389	43,773
South Glamorgan	61,364	71,332	70,776	69,536	69,354	71,153	76,781	81,281
West Glamorgan	68,467	79,659	78,868	81,220	85,767	88,647	94,437	98,416
Districts:								
Alyn and Deeside	3,621	3,222	3,220	3,297	3,217	3,404	3,464	3,460
Colwyn	3,062	2,724	2,765	2,604	2,549	2,611	2,525	2,839
Delyn	4,491	3,915	3,930	4,010	3,933	4,156	4,285	4,384
Glyndwr	2,340	2,010	2,149	2,000	2,013	2,187	2,165	2,185
Rhuddlan	3,469	2,944	3,310	3,246	3,239	3,342	3,806	4,270
Wrexham Maelor	6,664	5,397	5,671	5,751	6,080	6,182	6,044	6,113
Carmarthen	3,106	2,569	2,769	2,700	2,820	3,049	3,221	3,268
Ceredigion	3,381	3,035	3,154	3,020	3,193	3,401	3,710	3,747
Dinefwr	1,922	1,840	1,767	1,781	1,801	1,852	1,979	1,987
Llanelli	5,053	4,429	4,724	4,686	4,814	4,932	4,984	5,018
Preseli	3,157	2,809	3,184	3,194	3,268	3,492	3,821	4,045
South Pembrokeshire	1,398	1,361	1,305	1,040	1,446	1,478	1,936	1,742
Blaenau Gwent	6,098	6,012	6,240	6,359	7,271	7,193	7,304	7,591
Islwyn	4,443	3,929	4,294	4,238	4,495	5,293	5,457	5,734
Monmouth	3,739	3,236	3,375	3,226	3,123	3,251	3,129	3,038
Newport	7,125	6,237	6,755	7,017	6,435	7,473	6,999	7,073
Torfaen	5,841	4,875	5,015	5,325	5,250	5,230	4,692	4,970
Aberconwy	3,459	2,841	2,990	2,963	2,849	2,779	2,723	2,767
Arfon	3,545	3,406	3,436	3,016	2,781	2,966	2,810	2,617
Dwyfor	1,674	1,681	1,859	1,789	1,847	1,933	2,006	2,184
Meirionydd	1,691	1,754	1,956	1,780	1,907	2,027	2,062	2,094
Ynys Môn	3,797	3,399	3,820	3,528	3,447	3,487	3,629	3,746
Cynon Valley	4,861	4,853	4,743	4,696	4,837	5,127	5,345	5,839
Merthyr Tydfil	4,967	4,710	4,665	5,014	5,197	5,397	5,440	5,564
Ogwr	8,152	7,312	6,779	7,590	7,559	7,574	7,983	8,158
Rhondda	6,664	7,596	7,939	7,352	8,231	8,703	9,028	9,045
Rhymney Valley	7,991	6,967	6,810	7,306	6,866	6,971	7,096	7,425
Taff Ely	5,446	5,234	4,989	4,823	4,580	4,699	4,522	4,835
Brecknock	2,324	1,881	1,935	1,983	1,965	2,099	2,085	2,258
Montgomeryshire	2,377	2,197	2,517	2,384	2,325	2,535	2,590	2,525
Radnor	1,158	1,008	1,062	999	966	992	1,172	1,078

Local authority	1981-82	1982-83	1983-84	1984-85	1985-86	1986-87	1987-88	1988-89
Cardiff	16,903	15,677	16,702	16,356	16,545	17,982	18,916	19,453
Vale of Glamorgan	5,745	4,889	4,778	4,464	4,357	5,036	5,778	6,154
Port Talbot	2,360	2,391	2,173	2,922	2,572	2,782	2,863	3,257
Lliw Valley	3,274	3,187	3,316	3,274	3,309	3,451	3,508	3,697
Neath	3,652	3,145	3,210	3,131	3,076	2,874	3,403	4,125
Swansea	12,814	11,076	12,755	12,905	14,128	14,184	14,525	14,918
Wales	744,820	797,313	811,568	814,360	836,369	881,524	940,004	1,000,915

(b) Rate Support Grants in real terms at 1988-89 prices (£000s)

Local authority	1981-82	1982-83	1983-84	1984-85	1985-86	1986-87	1987-88	1988-89
Counties:								
Clwyd	109,829	113,524	108,500	104,263	103,900	103,747	106,242	106,781
Dyfed	97,412	101,320	101,460	97,007	94,459	99,028	103,769	106,385
Gwent	125,718	133,199	129,336	125,168	118,015	124,521	124,081	123,768
Gwynedd	70,314	71,457	71,142	66,196	63,036	66,609	66,652	68,580
Md Glamorgan	188,076	188,884	182,264	176,031	175,821	177,933	184,047	188,728
Powys	44,147	48,102	46,972	43,817	42,291	42,943	43,976	43,773
South Glamorgan	87,984	95,456	90,586	84,716	80,166	79,592	81,580	81,281
West Glamorgan	98,168	106,600	100,943	98,950	99,138	99,160	100,339	98,416
Districts:								
Alyn and Deeside	5,192	4,312	4,122	4,017	3,719	3,808	3,681	3,460
Colwyn	4,390	3,645	3,539	3,173	2,946	2,920	2,682	2,839
Delyn	6,439	5,239	5,030	4,885	4,546	4,649	4,553	4,384
Glyndwr	3,355	2,690	2,750	2,437	2,327	2,447	2,300	2,185
Rhuddlan	4,974	3,940	4,236	3,954	3,744	3,738	4.044	4,270
Wrexham Maelor	9,555	7,222	7,258	7,006	7,027	6,915	6,421	6,113
Carmarthen	4,453	3,438	3,544	3,290	3,260	3,410	3,423	3,268
Ceredigion	4,848	4,061	4,037	3,679	3,691	3,804	3,942	3,747
Dinefwr	2,756	2,462	2,262	2,169	2,082	2,072	2,103	1,987
Llanelli	7,245	5,972	6,047	5,710	5,565	5,517	5,295	5,018
Preseli	4,527	3,759	4,075	3,891	3,778	3,907	4,059	4,045
South Pembrokeshire	2,004	1,821	1,670	1,267	1,671	1,654	2,057	1,742
Blaenau Gwent	8,743	8045	7,987	7,748	8,404	8,046	7,761	7,591
Islwyn	6,370	5,258	5,496	5,163	5,196	5,921	5,799	5,734
Monmouth	5,361	4,330	4,320	3,930	3,610	3,636	3,324	3,038
Newport	10,216	8,346	8,646	8,549	7,438	8,359	7,437	7,073
Torfaen	8,375	6,524	6,418	6,487	6,069	5,850	4,986	4,970
Aberconwy	4,960	3,802	3,826	3,609	3,293	3,109	2,893	2,767
Arfon	5,083	4,558	4,397	3,674	3,214	3,318	2,986	2,617
Dwyfor	2,400	2,250	2,379	2179	2,135	2,162	2,132	2,184
Meirionydd	2,425	2,347	2,503	2,169	2,204	2,268	2,191	2,094
Ynys Mon	5,444	4,549	4,889	4,298	3,984	3,901	3,856	3,746
Cynon Valley	6,970	6,494	6,070	5,721	5,591	5,735	5,679	5,839
Merthyr Tydfil	7,122	6,303	5,971	6,109	6,007	6,037	5,780	5,564
Ogwr	11,688	9,785	8,677	9,247	8,738	8,472	8,482	8,158
Rhondda	9,555	10,165	10,161	8,957	9,514	9,735	9,592	9,045
Rhymney Valley	11,457	9,323	8,716	8,536	7,936	7,798	7,540	7,425
Taff Ely	7,808	7,004	6,386	5,876	5,294	5,256	4,805	4,835
Brecknock	3,332	2,517	2,477	2,416	2,271	2,348	2,215	2,258
Montgomeryshire	3,408	2,940	3,221	2,905	2,688	2,835	2,752	2,525
Radnor	1,660	1,349	1,359	1,217	1,116	1,109	1,245	1,078
Cardiff	24,236	20,979	21,377	19,926	19,124	20,115	20,098	19453
Vale of Glamorgan	8,237	6,542	6,115	5,438	5,037	5,634	6,139	6,154
Port Talbot	3,384	3,200	2,782	3,560	2,973	3,112	3,042	3,257
Lliw Valley	4,694	4,265	4,244	3,989	3,825	3,860	3,727	3,697
Neath	5,236	4,209	4,108	3,815	3,555	3,215	3,616	4,125
Swansea	18,373	14,822	16,325	15,722	16,331	15,866	15,433	14,918
Wales	1,067,923	1,066,964	1,038,726	992,865	966,759	986,072	998,754	1,000,915

(c) Block Grant expressed as a percentage of total expenditure[1]

Local authority	1981-82	1982-83	1983-84	1984-85	1985-86	1986-87	1987-88	1988-89
Counties:								
Clwyd	59	61	58	57	57	55	56	55
Dyfed	63	67	66	63	63	60	61	60
Gwent	59	65	63	62	59	60	58	56
Gwynedd	64	65	64	60	58	59	57	57
Mid Glamorgan	72	72	69	66	70	67	67	67
Powys	74	77	74	70	69	68	70	67
South Glamorgan	51	55	51	49	47	44	44	42
West Glamorgan	54	58	56	56	57	54	54	51

Local authority	1981-82	1982-83	1983-84	1984-85	1985-86	1986-87	1987-88	1988-89
Districts:								
Alyn and Deeside	55	58	61	58	52	53	50	47
Colwyn	57	60	56	54	51	49	43	47
Delyn	63	65	63	67	64	64	63	60
Glyndwr	61	66	67	62	61	65	61	56
Rhuddlan	57	55	61	60	56	56	60	62
Wrexham Maelor	59	57	58	60	62	57	50	47
Carmarthen	70	67	75	70	68	70	70	66
Ceredigion	70	75	76	70	68	69	75	66
Dinefwr	75	74	84	80	78	73	75	69
Llanelli	66	70	69	67	63	64	61	58
Preseli	58	63	66	63	62	64	68	69
South Pembrokeshire	29	43	37	28	39	36	47	39
Blaenau Gwent	69	68	68	73	70	73	75	73
Islwyn	72	76	77	77	75	73	74	70
Monmouth	60	61	59	57	48	49	44	38
Newport	42	49	50	52	40	53	44	41
Torfaen	60	48	55	61	60	58	46	47
Aberconwy	57	57	60	58	53	49	46	43
Arfon	66	71	68	59	52	56	49	40
Dwyfor	63	66	70	65	63	61	60	61
Meirionydd	47	58	62	54	56	54	51	48
Ynys Mon	60	58	62	59	54	48	48	47
Cynon Valley	75	74	79	78	77	76	76	76
Merthyr Tydfil	72	75	73	76	73	70	67	68
Ogwr	65	69	58	68	65	60	61	58
Rhondda	83	84	85	80	84	84	84	84
Rhymney Valley	72	66	75	74	72	71	65	64
Taff Ely	60	59	57	57	53	55	48	49
Brecknock	72	69	78	64	65	62	56	56
Montgomeryshire	78	75	76	69	64	78	71	62
Radnor	59	67	65	59	54	58	72	57
Cardiff	56	63	63	61	60	66	65	64
Vale of Glamorgan	48	55	52	46	43	49	56	57
Port Talbot	29	38	32	46	38	44	43	49
Lliw Valley	70	63	68	67	66	67	65	65
Neath	59	68	69	67	65	47	62	79
Swansea	58	52	62	64	64	60	60	59
Wales	61	64	62	61	60	58	58	57

[1] Total expenditure figures for 1986-87, 1987-88 and 1988-89 are calculated in accordance with the rules set out in schedule 1 to the Rate Support Grants Act 1988.

(d) Rate Support Grants as a percentage of Total Expenditure by county area[1]

County area	1981-82	1982-83	1983-84	1984-85	1985-86	1986-87	1987-88	1988-89
Clwyd	64	63	61	60	60	57	57	57
Dyfed	67	69	68	65	64	62	63	62
Gwent	63	66	64	64	60	62	59	57
Gwynedd	67	67	66	61	59	60	57	57
Mid Glamorgan	75	74	70	69	71	68	69	68
Powys	77	78	76	72	70	70	71	68
South Glamorgan	57	59	55	53	51	49	49	48
West Glamorgan	58	59	58	59	59	56	56	54
Wales	65	66	64	62	62	60	60	59

[1] Percentages are based on totals for the county council and all district councils within the relevant county boundaries.

DUCHY OF LANCASTER

Justices of the Peace

Mr. Andrew F. Bennett: To ask the Chancellor of the Duchy of Lancaster if he will list the number of justices of the peace in Stockport and Tameside by electoral ward and sex.

Mr. Newton [*pursuant to his answer*, 22 December 1988 c. *390-91*]: Following is the information for Tameside:

	Male	Female
South Tameside PSD		
Dukinfield	2	2
Dukinfield Stalybridge	4	1
Hyde Godley	—	1
Hyde Newton	4	1
Hyde Werneth	7	1
Longdendale	11	6
Stalybridge North	2	1
Stalybridge South	2	7
Within North Tameside PSD		
Aston Hurst	—	2
Denton West	1	—
Mossley	—	2
Outside both PSDs	9	9
	42	33
North Tameside (Ashton-Under-Lyne PSD)		
Ashton St. Michael's	4	1
Ashton St. Peter's	4	1
Ashton Waterloo	2	2
Ashton Hurst	7	7
Audenshaw	3	—
Denton South	1	2
Denton West	4	3

	Male	Female
Denton West	4	3
Denton North East	4	1
Droylsden West	5	1
Droylsden East	1	1
Mossley	4	2
Within South Tameside PSD		
Dukinfield	1	1
Dukinfield Stalybridge	—	1
Hyde Werneth	—	1
Longdendale	2	2
Stalybridge South	7	7
Outside both PSDs	11	10
	60	43

TRADE AND INDUSTRY

GATT

Sir Richard Body: To ask the Chancellor of the Duchy of Lancaster if he will set out details of the agreement on tropical agricultural products reached at the recent GATT mid-term review in Montreal; and if he will specify decisions taken about the treatment of processed agricultural products from less-developed countries.

Mr. Alan Clark: Provisional agreement was reached among 32 developed and developing countries* to contribute to an initial package of measures liberalising trade in tropical products. This, like the other provisional agreements reached in Montreal, is subject to confirmation by the trade negotiations committee of the GATT meeting in Geneva early in April. In the meantime some importing countries are implementing parts of the tropical products package unilaterally.

The European Communities' contribution to the package covers the reduction of elimination of duty in 153 product categories including cut flowers, tropical fruits and nuts, tea, coffee, spices, vegetable oils for industrial purposes, fruit juices, essential oils, tropical woods, ropes and cordage and jute products. Elimination of import duties is proposed for certain raw materials, and reductions of up to 50 per cent. are proposed for others and for processed and semi-processed products. Import quotas will also be ended for woven fabrics of jute and other bast fibres. These concessions will apply equally to all GATT member countries. The EC offer also included reductions in import duty on tobacco products from developing countries. Those reductions, together with reductions in duty on fresh pineapples and mixtures of tropical fruits and nuts from the least developed countries, were implemented on 1 January 1989 through the Community's generalised scheme of preferences for developing countries.

* Australia, Austria, Brazil, Canada, the Central American Countries (Costa Rica, El Salvador, Guatemala, Honduras, Nicaragua), Colombia, the members of the European Communities, Finland, Japan, Malaysia, Mexico, New Zealand, Norway, Philippines, Sweden, Switzerland, Thailand.

Malta

Mr. Harry Barnes: To ask the Chancellor of the Duchy of Lancaster if he will make a statement on current trading relations with Malta.

Mr. Alan Clark: United Kingdom-Malta trade relations are very good. Provisional trade figures for January-November 1988 show United Kingdom exports of £110 million and imports of just over £37 million.

Takeovers

Mr. Robert B. Jones: To ask the Chancellor of the Duchy of Lancaster whether he will set out in the form of a table for the most recent available 12-month period, the information he has on the value and number of companies acquired *(a)* in the United Kingdom by European companies, *(b)* in Europe by United Kingdom companies, *(c)* in the United States of America by United Kingdom companies and *(d)* in the United Kingdom by United States companies.

Mr. Alan Clark: The information required in respect of United Kingdom cross-border acquisitions and mergers for the latest available 12 month period is as follows:

	Quarter 4 1987 Value £ million	*Quarter 3 1988 Number*
(a) European acquisitions in the United Kingdom	4,111	30
(b) United Kingdom acquisitions in Europe	1,587	184
(c) United Kingdom acquisitions in the United States	9,046	260
(d) United States acquisitions in the United Kingdom	649	17

An article on cross-border acquisitions and mergers in the third quarter of 1988 was published in *British Business* on 9 December 198.

Motor Vehicles

Mr. David Shaw: To ask the Chancellor of the Duchy of Lancaster if he will publish a table showing the number and value of motor vehicles imported into the United Kingdom by country of origin and manufacturing company in respect of manufacturers importing over 1,000 motor cars into the United Kingdom for each of the last 15 years' and the overall total for all those manufacturers importing fewer than 1,000 motor cars.

Mr. Alan Clark: The information is not available.

Mr. David Shaw: To ask the Chancellor of the Duchy of Lancaster what is his estimate of (i) the proportion of United Kingdom imports, (ii) the trade deficit represented by such imports, and (iii) the deficit in the trade, of motor vehicles and accessories in the current year; and what are the comparable figures for the previous 15 years.

Mr. Alan Clark: The required information is given in the following tables:

United Kingdom imports of motor vehicles and accessories 1973 to November 1988
Table 1
Division 78 as percentage of total imports

	per cent.
1973	4·2
1974	2·9
1975	3·8
1976	4·6

	per cent.
1977	5·9
1978	7·1
1979	8·4
1980	6·7
1981	6·7
1982	7·9
1983	8·7
1984	7·5
1985	8·0
1986	9·2
1987	9·4
[1]1988	10·6

[1] January to November.

Table 2

Value in £ millions

	Exports		*Imports*			
	Total trade	*Division 78*	*Total trade*	*Division 78*	*Crude balance of trade*	*Crude balance of trade for division 78*
1973	12,087·0	1,168·7	15,723·6	668·1	−3,636·6	+500·6
1974	16,309·2	1,397·6	23,138·9	668·7	−6,829·7	+728·9
1975	19,606·9	1,854·0	24,046·4	909·8	−4,439·5	+944·2
1976	25,276·6	2,376·9	31,084·1	1,431·6	−5,807·5	+945·3
1977	31,990·1	2,871·9	36,219·1	2,133·5	−4,229·0	+738·4
1978	35,380·3	3,070·3	39,533·0	2,796·9	−4,152·7	+273·4
1979	40,637·0	3,148·1	46,924·9	3,943·2	−6,287·9	−795·1
1980	47,357·1	3,158·0	49,772·9	3,351·6	−2,415·8	−193·6
1981	50,998·1	3,170·5	51,168·6	3,408·1	−170·5	−237·6
1982	55,557·8	3,109·0	56,978·2	4,489·6	−1,420·4	−1,380·6
1983	60,684·3	3,092·2	66,101·1	5,753·8	−5,416·8	−2,661·6
1984	70,488·3	3,318·8	78,967·4	5,957·6	−8,479·1	−2,638·8
1985	78,391·8	3,910·6	85,027·0	6,800·6	−6,635·2	−2,890·0
1986	72,987·7	3,953·5	86,175·5	7,938·8	−13,187·8	−3,985·3
1987	79,851·4	4,876·8	94,015·7	8,807·2	−14,164·3	−3,930·4
1988[1]	74,029·1	4,457·1	97,874·4	10,328·0	−23,845·3	−5,870·9

[1] January to November.
Source: Overseas Trade Statistics.
Notes:
1. Motor vehicles and accessories defined as Division 78 of the Standard International Trade Statistics.
2. Imports cif, exports fob.
3. 1987 and 1988 data are provisional.

Sarin (Sales to Iraq)

Mr. Peter Hardy: To ask the Chancellor of the Duchy of Lancaster how many kilos of Sarin methyl phosphonyl difluoride were sold *(a)* to Iran and *(b)* to Iraq; whether this substance is known to be a nerve gas of lethal character; and what controls there are on such sales.

Mr. Atkins: Methyl phosphonyl difluoride is not itself a nerve gas of lethal character: it can however be used in the preparation of the nerve gas Sarin.

Following the first confirmation in March 1984 of the use of chemical weapons in the Gulf conflict, controls were imposed on exports of methyl phosphonyl difluoride from the United Kingdom to all destinations under the Export of Goods (Control) Order. No licences have been issued for the export of this substance to Iran or Iraq since the imposition of controls in 1984.

Betting

Mr. Tim Smith: To ask the Chancellor of the Duchy of Lancaster if, in the light of the recent takeover in the off-course betting market, the Director General of the Office of Fair Trading will look again at the monopoly position of the big three bookmakers.

Mr. Maude: I understand that the Director General of Fair Trading is continuing to monitor developments in the off-course bookmaking market under the competition legislation for which he is responsible.

Libya

Mr. Ron Brown: To ask the Chancellor of the Duchy of Lancaster what was the value of British goods and services exported to Libya in 1988; and if he will make a statement.

Mr. Alan Clark: For the 11 months January to November 1988 the United Kingdom exported goods to the value of £209·3 million. Information on the value of services is not available.

House of Fraser plc

Mr. Teddy Taylor: To ask the Chancellor of the Duchy of Lancaster when he now expects to hear from the serious fraud office about the inquiries which it has initiated into the implications of the report on the acquisition of House of Fraser plc; and if he will make a statement.

Mr. Maude: I cannot say.

Mr. Teddy Taylor: To ask the Chancellor of the Duchy of Lancaster what is the last day on which he can refer the House of Fraser acquisition report to the Monopolies and Merger Commission; and if he will make a statement.

Mr. Maude: Sunday 22 January 1989.

Innovation and Investment Grants

Mr. McLeish: To ask the Chancellor of the Duchy of Lancaster (1) what is the total estimated expenditure on *(a)* innovation grants and *(b)* investment grants for each of the years 1988-89, 1989-90 and 1990-91;

(2) if he will give for innovation grants and investment grants the total number of applications *(a)* received and *(b)* approved from 1 April 1988 to 31 December 1988, and the total estimated expenditure for that period.

Mr. Atkins: Between 1 April 1988 and 31 December 1988 my Department received 1,054 applications, and made 509 offers of regional enterprise grants. The offers are valued at £4·1 million, and payments of £331,217 have been made.

Current Estimates provision for regional enterprise grants is £12·3 million in 1988-89. This figure is gross of any receipts, or expected receipts, from the European regional development fund. Information about planned expenditure on regional assistance in 1989-90 and 1990-91 will shortly be published in the Public Expenditure White Paper.

Business Development Consultancy Initiative

Mr. McLeish: To ask the Chancellor of the Duchy of Lancaster what was the total estimated expenditure on the business development consultancy initiative in each of the years 1988-89, 1989-90 and 1990-1991 for England, Scotland and Wales.

Mr. Newton: The current Estimates provision for 1988-89 for the consultancy initiatives in England, Scotland and Wales is £74 million. Details of estimated expenditure for 1989-90 and 1990-91 will shortly be published in the Public Expenditure White Paper.

Mr. McLeish: To ask the Chancellor of the Duchy of Lancaster what was the total number of applications (a) received and *(b)* approved for business development consultancy initiatives from 1 April 1988 to 31 December 1988, the total amount of expenditure involved and the total estimated expenditure for that period for Scotland, Wales and and each of the standard regions.

Mr. Newton: In the period from 1 April to 31 December 1988 a total of 13,461 applications was received for the six business development consultancy initiatives. In the same period 10,352 applications were approved for consultancy. The Department's contribution to the cost of completed consultancies totalled £5·9 million. It is estimated that those consultancies not completed by 31 December 1988 will cost the Department £21·3 million. A breakdown of numbers and cost for each DTI region* and for Scotland and Wales is as follows:

DTI Region[1]*/Country*	*(a) No. of applications received*	*(b) No. of applications approved for consultancy*	*(c) DTI Expenditure on completed consultancies (£'000)*	*(d) Estimated expenditure on outstanding consultancies (£'000)*
North East	659	529	282	1,125
North West	2,093	1,783	1,159	4,115
Yorkshire and Humberside	1,351	990	671	2,234
West Midlands	1,399	993	672	2,497
East Midlands	785	657	400	1,594
South West	1,337	852	353	1,498
South East:				
Cambridge	943	688	247	1,147
London	1,432	1,124	582	1,918
Reading	772	631	224	1,322
Reigate	724	580	282	983
Scotland	1,105	903	724	1,770
Wales	861	622	288	1,110
TOTAL	13,461	10,352	5,884	21,313

[1] Data is collected for DTI regions and for Scotland and Wales. DTI regions are similar to standard economic regions except that DTI north west includes Cumbria and the High Peak district which are in the north and east midlands standard economic regions respectively, and DTI south east includes the East Anglia standard economic region.

Regional Assistance

Mr. McLeish: To ask the Chancellor of the Duchy of Lancaster what was the total estimated expenditure on regional development grant and regional selective assistance in England for each of the years 1988-89, 1989-90 and 1990-91.

Mr. Atkins: Department of Trade and Industry current Supply Estimates provision for expenditure on regional development grant (RDG) and regional selective assistance (RSA) in England in 1988-89 is £157·9 million and £154·2 million, respectively. The RDG figure covers both the original and revised schemes. The RSA figure incorporates expenditure on industrial and training grants, as well as assistance under the business improvement services and exchange risk guarantee schemes. Both figures are net of domestic receipts but gross of expected receipts from the European regional development fund.

Information about planned expenditure on regional assistance in 1989-90 and 1990-91 will shortly be published in the Public Expenditure White Paper.

Asian Community Radio

Mr. Cox: To ask the Chancellor of the Duchy of Lancaster what action has been taken by his Department over the last 12 months against the radio station broadcasting in south London called Asian Community Radio.

Mr. Atkins: No action has been taken by my Department's radio investigation services (RIS) in the last 12 months against an unlicensed broadcasting station in south London calling itself Asian Community Radio. However, on 16 January a station of that name broadcasting in north London was raided and the transmitter seized.

DEFENCE

Emergencies (Food Distribution)

Mr. Redmond: To ask the Secretary of State for Defence under what circumstances military personnel are used to distribute food to the civil population during disasters or emergencies.

Mr. Archie Hamilton: Under the military aid to the community scheme, the use of military personnel to distribute food to the civil population during a disaster or civil emergency would be considered where there is a danger to life and no alternative means of food distribution are available. An example might be the use of service helicopters to reach a community cut off by flooding or a heavy snowfall.

Emergencies (Liaison)

Mr. Redmond: To ask the Secretary of State for Defence what liaison is undertaken by military personnel with the police, fire service, health authorities and local government in the event of civil emergencies.

Mr. Archie Hamilton: The precise form of liaison would depend on the circumstances, but when service assistance is provided, a liaison officer from the operational headquarters which is co-ordinating the service response would be sent as soon as possible to the incident centre set up by the civil emergency services. Advice on the initial point of contact for any request for service assistance is contained in a pamphlet issued for the guidance of civil authorities; I shall place a copy of this pamphlet in the Library of the House.

Lockerbie Air Disaster

Mr. Redmond: To ask the Secretary of State for Defence what is the estimated cost to date of the use of military personnel in the Pan Am Lockerbie air disaster.

Mr. Archie Hamilton: We are not yet able to calculate the additional costs of providing military assistance to the police and the air accident investigation branch in the Lockerbie air disaster as returns from many participating units and establishments are not yet complete.

Disaster and Emergency Training

Mr. Redmond: To ask the Secretary of State for Defence what percentage of training for service men is devoted to training for disasters or emergencies.

Mr. Archie Hamilton: Apart from specialist search and rescue units, service men do not train specifically for civil disaster relief or non-military emergencies, as responsibility for dealing with these lies with the civil authorities. On occasions, however, the particular skills and equipment which the services possess can be of assistance, and established procedures exist for the civil authorities to call upon such assistance in certain circumstances.

Quality Assurance

Mr. Cartwright: To ask the Secretary of State for Defence when he received the results of the investment appraisal on the future location of the directorate general of defence quality assurance; and when he expects to be able to announce a decision.

Mr. Sainsbury: My right hon. Friend received the results of the investment appraisal on the future location of the directorate general of defence quality assurance in October last year, and we are continuing to have discussions with interested parties.

Procurement Expenditure

Mr. Salmond: To ask the Secretary of State for Defence if he will indicate for each year since 1974 the annual expenditure on defence procurement at *(a)* cash and *(b)* constant 1988-89 prices; and if he will express these figures as a proportion of the total defence budget for each year since 1974.

Mr. Sainsbury: Defence equipment expenditure is shown each year in volume 2 (table 2.2) of the "Statement of Defence Estimates" and, since 1981, it has also been shown as a percentage of total defence expenditure. Figures are not yet available at 1988-89 prices and the figures in column *(c)* of the table are given at Estimates 1988-89 prices. These figures have been calculated using a measure of inflation based on movements in the price of defence equipment.

(a) *Financial year*	*(b)* *Equipment expenditure at cash*	*(c)* *Column (b) at Estimates 1988-89 prices*	*(d)* *Column (b) as a percentage of defence expenditure*
	£ million	*£ million*	
1974-75	1,030	5,754	31·3
1975-76	1,792	6,418	33·5
1976-77	2,138	6,306	34·7
1977-78	2,565	6,448	37·8
1978-79	2,984	6,695	40·0
1979-80	3,640	7,003	39·7
1980-81	4,885	7,924	43·7
1981-82	5,638	8,078	44·7
1982-83	6,297	8,575	43·7
1983-84	6,939	8,901	44·8
1984-85	7,838	9,441	45·8
1985-86	8,193	9,336	45·7
1986-87	7,885	8,474	43·4
1987-88	8,270	8,555	43·9

Mr. Ingram: To ask the Secretary of State for Defence (1) what is his policy on authorising foreign air force units to fly at less than 250 ft over the United Kingdom;

(2) if any foreign air forces have been authorised to fly at less than 250 ft over the United Kingdom at any time since 1979.

Mr. Neubert: There are no records of foreign military aircraft having been authorised to carry out low-flying training in the United Kingdom at less than 250 ft. Any such requests to operate in a tactical training area would be considered on a case-by-case basis on their merits.

Mr. Ingram: To ask the Secretary of State for Defence what types of flying at less than 250 ft other than work-up training for Flag exercises in the United States of America and Canada take place in the Borders tactical training area.

Mr. Neubert: Training in the Borders tactical training area consists mainly of work-up training for operational low-flying exercises in the United States and Canada. Occasional continuation training may also be carried out to maintain aircrew skills between such exercises, thereby reducing the quantity of work-up training required.

Mr. Ingram: To ask the Secretary of State for Defence (1) if he will list the proportions of flying at less than 250 ft over the United Kingdom since 1979 which have taken place *(a)* between 7 am and 7 pm, *(b)* between 7 pm and 11 pm and *(c)* between 11 pm and 7 am; and what plans exist to increase the amount of such flying in the evenings and at night;

(2) if he will ban low flying at less than 250 ft between the hours of 7 pm and 7 am.

Mr. Neubert: Activity within the three tactical training areas has been confined to the hours between 7 am and 7 pm although the vast majority takes place from mid-morning to mid-afternoon. We do not at present envisage any change in this practice or any significant increase in the requirement for low-flying training below 250 ft as a whole.

Mr. Ingram: To ask the Secretary of State for Defence (1) on what date sorties at less than 250 ft took place for the first time in low flying area 20 (T) west;

(2) on what date the ministerial decision was made to extend the Borders tactical training area by the creation of low flying area 20 (T) west;

(3) on what date the westward extension of the Borders tactical training area, known as low flying area 20 (T) west, was first marked on the low flying chart covering southern Scotland.

Mr. Neubert: Ministerial approval to extend the Borders tactical training area was given in March 1988. Following that, the extension was first marked on the low flying chart which became current on 27 May 1988, and the first sorties at less than 250 ft in the new extended area took place on 29 June 1988.

Mr. Ingram: To ask the Secretary of State for Defence on what date the military low flying management group first discussed proposals to create a new 100 ft low flying area in south-west Scotland.

Mr. Neubert: The records currently available indicate that such proposals were first discussed on 27 September 1985.

Mr. Menzies Campbell: To ask the Secretary of State for Defence what are the locational requirements for the training of fighter pilots in terms of the ground facilities needed and the terrain necessary for low-flying practice.

Mr. Neubert: I will write to the hon. and learned Member.

Mr. Ingram: To ask the Secretary of State for Defence if he will list the occasions on which flights at less than 250 ft took place over the western portion of the Borders tactical training area in 1988, giving the dates, number of sorties on each date, and types of aircraft and units involved.

Mr. Neubert: The information requested cannot be provided without disproportionate effort.

Mr. Ingram: To ask the Secretary of State for Defence what research is being conducted by his Department on the medical effects of exposure to the noise levels from military jet aircraft flying at 100 ft above ground level.

Mr. Neubert: I refer the hon. Member to the answer given by my predecessor on 27 July 1988 at column *350*. The NATO working group on noise is expected to report on its proposals toward the end of 1989.

Artillery

Mr. Menzies Campbell: To ask the Secretary of State for Defence if he will list the numbers of artillery, mortars and multiple rocket launchers currently possessed by the British Army and the number of these that are currently held in storage.

Mr. Archie Hamilton: On 1 January 1988, a total of 394 pieces of equipment of these types were in use, excluding mortars of a calibre less than 100 mm. Since the number held in storage is directly related to reserve stocks, it is not our practice to disclose this figure.

Mr. Menzies Campbell: To ask the Secretary of State for Defence how many anti-aircraft artillery and fixed and mobile surface-to-air missile launchers are currently possessed by Her Majesty's Forces; how many are presently in storage; and what percentage are currently located in Great Britain.

Mr. Archie Hamilton: On 1 January 1988, a total of 350 pieces of equipment of these types were in use. Since the number of equipments held in storage is directly related to reserve stocks, it is not our practice to disclose this figure. I refer the hon. Member to Annexes B and C of the "Statement on the Defence Estimates 1988" (Cm 344-I) for the proportion of our air defence forces which are located in Great Britain.

Military Carriers

Mr. Menzies Campbell: To ask the Secretary of State for Defence what are the numbers of *(a)* armoured personnel carriers and *(b)* military support carriers presently in use by the British Army.

Mr. Archie Hamilton: The term "military support carriers" is not a term used within the British Army, but on 1 January 1988 the Army had a total of 5,048 armoured vehicles in service which were not main battle tanks, armoured vehicle bridge layers, armoured infantry fighting vehicles, artillery pieces or air defence launchers.

Search and Rescue

Mr. Menzies Campbell: To ask the Secretary of State for Defence how many search and rescue operations were carried out during the hours of darkness and from which defence establishments in the last five years for which information is available.

Mr. Neubert: Central records are held in a form which distinguishes between search and rescue missions which begin in daylight and those which begin in darkness. For the latter, the figures are:

Station	*Number of callouts commencing in darkness*				
	1984	*1985*	*1986*	*1987*	*1988*
RAF Helicopters[1]					
Boulmer	6	7	12	4	6
Brawdy	12	5	12	9	14
Chivenor	3	1	—	1	2
Coltishall	7	—	6	5	6
Leconfield	5	4	—	—	5
Leuchars	12	7	4	6	9
Lossiemouth	12	11	12	11	17
Manston	8	2	5	6	2
Valley	11	7	6	5	11

Station	Number of callouts commencing in darkness 1984	1985	1986	1987	1988
RN Helicopters					
Culdrose	5	2	8	5	9
Lee on Solent[2]	1	2	1	2	—
Portland	—	—	—	—	2
Prestwick	1	3	1	—	1
Fixed Wing Aircraft					
St. Mawgan	6	8	6	14	7
Kinloss	7	6	5	3	12
Mountain Rescue Teams					
Leuchars	—	—	1	—	—
Kinloss	—	—	—	1	—
Valley	4	3	—	1	—
St. Atan	—	—	1	1	1
Stafford	—	—	2	—	1
Linton on Ouse	—	—	1	—	—

Notes:

[1] The figures exclude a small number of callouts undertaken by units which are not assigned to the search and rescue (SAR) role.

[2] The statistics for Lee on Solent cover the period up to 15 May 1988, when the military SAR service was withdrawn. A temporary RAF flight operated from Lee between 31 March (when the RN flight was withdrawn) and 15 May.

Armoured Vehicles

Mr. Menzies Campbell: To ask the Secretary of State for Defence what consideration he has given to purchasing armoured infantry fighting vehicles for the British Army; and if he will make a statement.

Mr. Sainsbury: The new warrior vehicle currently being purchased is an armoured infantry fighting vehicle, sometimes also known as a mechanised infantry combat vehicle. The first battalion's worth of vehicles entered service in 1988 and, on current plans, a total of 13 battalions will eventually be equipped with Warrior.

Defence Communications Centre

Mr. Menzies Campbell: To ask the Secretary of State for Defence if he has any plans to move the defence communications centre from its present position under his Department; and if he will make a statement.

Mr. Sainsbury: There are no plans to move the defence communications centre from its present position.

Monetary Rewards

Mr. Menzies Campbell: To ask the Secretary of State for Defence (1) what is the maximum monetary reward currently allowed as a payment to soldiers for actions beyond the normal call of duty; and when this amount was last reviewed;

(2) what regulations officers in the British Army must follow in order to obtain a monetary reward for their men in return for actions beyond the normal call of duty; and when these regulations were last reviewed.

Mr. Neubert: My reply to the hon. and learned Member on 16 January 1989 at column *28* explained the justification for paying the x factor to service men. Articles 228 and 485 of the Army pay warrant provide for officers and soldiers to receive an extra 90p a day whilst engaged in work of an objectionable nature. Under the regulations, Ministry of Defence approval has to be sought before payment is made. This payment is reviewed annually by the armed forces pay review body, and was last increased from 1 April 1988. In addition the armed forces pay review body reviews the case for this type of payment periodically—normally every five years. The last such review was in 1986.

United States Submarines (Discharges)

Mr. Foulkes: To ask the Secretary of State for Defence what information he has regarding the discharging of radioactive primary coolant by United States submarines into Scottish waters since 1960.

Mr. Archie Hamilton: Her Majesty's Government are satisfied that any releases of radioactivity have not breached established national and international standards.

Mr. Foulkes: To ask the Secretary of State for Defence when United States Polaris submarines were ordered not to discharge radioactive primary coolant into Scottish waters; and on whose initiative this action was taken.

Mr. Archie Hamilton: I cannot comment about specific orders given to United States Navy Polaris submarines, which are a matter for the United States Government.

Accommodation Charges

Dr. Cunningham: To ask the Secretary of State for Defence (1) if he will publish in the *Official Report* the annual charges for married and single quarters made to service men and women in respect of quarters in *(a)* Scotland in 1988-89 and 1989-90 and *(b)* England, in 1988-89 and 1989-90;

(2) what amount of charges made for married and single quarters for service men and women reflects the Treasury calculations in lieu of rates on Crown property.

Mr. Neubert: Accommodation charges for 1988-89 in Scotland and England are as in the table; the figures in brackets are a composite element within these charges, covering rates and water rates. Charges for 1989-90 will be set in the light of recommendations from the armed forces pay review body, and have yet to be determined. In Scotland they will not include elements for rates.

The rates and water rates elements of married and single accommodation charges are recommended by the armed forces pay review body on the basis of the total amounts payable as contributions in lieu of rates and the estimated cost of water supplies. No further breakdown is available.

Type	Grade 1		Grade 2		Grade 3		Grade 4	
Married Quarters								
Other ranks								
A	810	(243)	730	(219)	558	(168)	369	(111)
B	1,212	(442)	1,085	(401)	840	(307)	551	(202)
C	1,354	(513)	1,226	(464)	945	(358)	621	(235)
D	1,518	(591)	1,372	(534)	1,066	(415)	690	(268)
Officers								

Type	Grade 1		Grade 2		Grade 3		Grade 4	
V	1,924	(751)	1,745	(681)	1,329	(519)	891	(348)
IV	2,219	(867)	2,008	(784)	1,555	(608)	1,011	(395)
III	2,566	(1,039)	2,321	(940)	1,778	(720)	1,172	(474)
II	2,894	(1,138)	2,613	(1,028)	2,000	(786)	1,318	(518)
I	3,223	(1,267)	2,916	(1,147)	2,230	(877)	1,471	(578)
Single Accommodation								
Rank								
Young servicemen	299	(96)	266	(85)	204	(67)	139	(44)
Cpl and below	398	(128)	361	(116)	274	(90)	183	(58)
WO/SNCO	745	(256)	675	(232)	515	(179)	339	(117)
Capt and below	1,040	(376)	938	(342)	719	(259)	485	(174)
Major and above	1,256	(434)	1,135	(392)	869	(304)	573	(198)

(Annual charges rounded to the nearest £)

Rating Reform

Dr. Cunningham: To ask the Secretary of State for Defence what guidance has been issued in respect of liability for community charge as to whether a service men has his sole or main residence in Scotland if he is stationed in Scotland but has married quarters in England.

Mr. Neubert: Decisions on sole or main residence in Scotland will be made by community charge registration officers, and subject to the right of appeal to the sheriff. Service personnel who have a married quarter in England but are stationed in Scotland for more than six months are expected to be regarded as solely or mainly resident in Scotland for that time, and guidance has been issued to this effect.

Dr. Cunningham: To ask the Secretary of State for Defence what instructions he has issued to commanding officers in relation to registering service personnel, their dependants and others living in military accommodation for community charges in *(a)* Scotland and *(b)* England and Wales.

Mr. Neubert: Commanding officers in Scotland have been instructed to nominate a responsible person or persons to provide community charge registration officers with the information required by the Abolition of Domestic Rates Etc. (Scotland) Act 1987, to enable them to compile and maintain the community charges register. Similar instructions will be issued in due course for England and Wales.

Dr. Cunningham: To ask the Secretary of State for Defence if he has made arrangements in Scotland for the liability for community charge for service personnel and their dependants to be paid by way of direct deductions from service pay.

Mr. Neubert: Army personnel who so elect to pay their personal community charge, and that of their dependants by direct deduction from service pay under standard allotment procedures. Because Royal Navy and Royal Air Force personnel are normally paid by direct credit transfer to their bank or other accounts, they will be expected to make their own arrangements for paying their personal community charge direct to the relevant local authority.

Challenger Tank

Mr. Conway: To ask the Secretary of State for Defence when he expects to place the demonstration phase contract with Vickers Defence Systems for the Challenger II mark 2 tank.

Mr. Sainsbury: Contractual negotiations have been successfully concluded between MOD and Vickers Defence Systems and a contract for the demonstration phase of the Challenger II mark 2 tank was placed on Friday 20 January, in accordance with the procurement strategy set out by my right hon. Friend the Secretary of State for Defence in his statement on 20 December 1988 columns 283-84 and with the precise criteria as set out in the answer given by my right hon. Friend to the hon. Member on 20 December at column *259*.

Grooms

Mr. Marlow: To ask the Secretary of State for Defence what is the rate charged for military personnel employed as grooms when tending privately owned horses.

Mr. Neubert: Since service men are not permitted to tend privately owned horses as part of their military duties, any reimbursement which they may receive for doing so in their own time is by private arrangement.

ENVIRONMENT

Heritage (Protection)

Mr. Redmond: To ask the Secretary of State for the Environment what legislation he intends to introduce to protect Britain's archaeological sites from destruction by developers in the light of forthcoming directives from the EEC; if he will be providing for archaeological surveys to be made before developers commence work; and what further protection he will give to save Britain's heritage.

Mrs. Virginia Bottomley: The regulations which brought the EC directive on environmental assessment on 15 July 1988, require environmental statements to be prepared.

Water Authorities

Mr. Redmond: To ask the Secretary of State for the Environment what action he will take against water authorities which do not meet the legal requirements he has set out by the year 1992; and if he will make a statement.

Mr. Moynihan: I understand that the question relates to consents for discharges from sewage treatment works. The Water Bill proposes that the National Rivers Authority will have the responsibility for ensuring compliance with

these and other discharge consents. It will be for the authority to set out its policy on enforcement of consent conditions when it is established.

Rivers (Classification)

Mr. Redmond: To ask the Secretary of State for the Environment if he will list by rivers the classification grades of rivers in Yorkshire; what are the comparable grades for rivers *(a)* in southern England and *(b)* nationally; what the classifications represent; and if he will make a statement.

Mr. Moynihan: The 1985 river quality survey for England and Wales reported the water quality classification of river lengths in each water authority area. The classification of river lengths in the Yorkshire, Southern and Thames water authority areas, together with overall results, are as follows:

Percentage

	Class 1 Good quality	*Class 2 Fair quality*	*Class 3 Poor quality*	*Class 4 Bad quality*
Yorkshire Water Authority	77	12	8	3
Southern Water Authority	75	22	2	0·2
Thames Water Authority	65	28	7	0·1
England and Wales	68	22	9	2

The classifications of different rivers are best illustrated in the map which formed part of the report on the 1985 survey and I am sending the hon. Member a copy of this, together with details of the river classification scheme on which the 1985 survey was based. Further details are contained in the survey report, copies of which are available in the Library.

Radon Radiation

Mr. Redmond: To ask the Secretary of State for the Environment (1) in what form records are kept of public buildings in England and Wales that are affected by radon radiation; and if he will state their locations;

(2) in what form records are kept of the action readings of public buildings affected by radon radiation; and if he will state the action readings and the location of buildings so affected.

Mr. Chope: Occupational exposure to Radon in public buildings, in common with other workplaces, is subject to the provisions of the Ionising Radiations Regulations 1985, which are administered by the Health and Safety Executive. The obligation to measure Radon levels in public buildings and maintain records rests with employers, including Government Departments. There is no centrally held records of public buildings affected by Radon radiation.

Water Act 1973

Mr. Wigley: To ask the Secretary of State for the Environment on how many occasions his Department has made any orders under section 23 of the Water Act 1945 or section 67 of the Water Resources Act 1963 in connection with the construction or operation of a reservoir in England, giving the date of any such order and the location to which it applied.

Mr. Moynihan: A large number of orders have been made under both provisions. The information requested is not readily available and could be obtained only at disproportionate cost.

Football Clubs (Membership Scheme)

Mr. Canavan: To ask the Secretary of State for the Environment how many representations he has received to date about Government proposals for a scheme of identification cards for football supporters.

Mr. Moynihan: I have received over 1,800 representations relating to the idea of a scheme. In addition I have received a large number of proposals to implement the scheme from computer companies and others.

Mr. Harry Barnes: To ask the Secretary of State for the Environment if he will provide details of the membership scheme operated by Torquay United and give details of his Department's contacts with the club to examine the operation of its scheme.

Mr. Moynihan: I am aware that Torquay United introduced a 100 per cent. home only membership scheme in November 1986 and that the club considers that this has played an effective part in curbing hooliganism. I congratulate the club on introducing the scheme.

Mr. Wareing: To ask the Secretary of State for the Environment with which football authorities in other countries the Under-Secretary of State with responsibility for sport has discussed his proposals for a national membership scheme for attendance at football matches; what their response has been; and if he will make a statement.

Mr. Moynihan *[holding answer 19 January 1989]:* The British Government is a member of the Council of Europe standing committee on spectator violence. Through this committee, we have kept other European Governments in close touch with developments on a national membership scheme in England and Wales. A number of other Governments have expressed an interest in our proposals.

We have also kept the European Union of Football Associations (UEFA) informed of developments.

Mr. Wareing: To ask the Secretary of State for the Environment if he will list the computer firms with whom the Parliamentary Under-Secretary of State, the Minister for Sport, has discussed his proposals for the introduction of a national membership scheme for attendance at football league matches.

Mr. Moynihan *[holding answer 19 January 1989]:* I have received proposals from a number of computer and other companies concerning the implementation of a national membership scheme. I have discussed the proposals with some of them. It would not be appropriate for me to list individual companies by name without their consent.

Mrs. Mahon: To ask the Secretary of State for the Environment how many representations he has received from Halifax about Government proposals for a scheme of identification cards for football supporters.

Mr. Moynihan *[holding answer 19 January 1989]:* The hon. Member wrote to me on 16 November about the

proposed membership scheme for football supporters. I have also received a letter from the chairman of Halifax Town football club and one from a resident of Halifax about the idea of a scheme.

County Hall

Mr. Cartwright: To ask the Secretary of State for the Environment whether, in deciding the distribution of the proceeds from the sale of County hall, he will make it his policy to take into account the fact that Inner London ratepayers have met the full debt charges and running costs of that part of the building used for educational administration.

Mrs. Virginia Bottomley: No. The Greater London council's general debt liabilities were distributed pro rata to population at abolition.

The Department is at present consulting all London authorities about London residuary capital money matters including the distribution of the County hall receipt. I am sending a copy of the consultation letter to the hon. Member.

Local Authorities (Wages)

Mr. Ian Taylor: To ask the Secretary of State for the Environment what discretion is allowed to local authorities in determining wage rates for local authority employees.

Mrs. Virginia Bottomley: Subject to certain statutory exceptions, a local authority is free to employ staff on such reasonable terms and conditions as the authority thinks fit. In practice the pay rates of approximately 75 per cent. of local authority employees are determined in national negotiations between the local government employers and the appropriate unions. The Government will continue to urge individual local authorities to take greater control of their own payroll costs by moving away from national agreements and adopting local pay bargaining.

Docklands

Ms. Gordon: To ask the Secretary of State for the Environment how many firms or businesses have moved out of the London Docklands Development Corporation area since 1981; and how many firms or businesses operating in the urban development area in 1981 have subsequently ceased to trade.

Mr. Trippier: Information on firms which move out of the urban development area is not collected (other than for firms which relocate with LDDC assistance). A total of 41 firms employing 10 or more people closed between 1981 and 31 March 1988.

Ms. Gordon: To ask the Secretary of State for the Environment (1) if he will give an estimate of the proportion of construction jobs in the London Docklands Development Corporation area in 1988 that are held by residents of Tower Hamlets, Southwark, Newham, Lewisham and Greenwich;

(2) how many of the newly created jobs in the London Docklands Development Corporation area since 1981 have been taken by (i) women, (ii) people from ethnic minority groups and (iii) people who were previously unemployed; and how many are part-time jobs;

(3) how many of the jobs lost in Docklands since 1981 were held by residents of Tower Hamlets, Southwark, Newham, Lewisham and Greenwich.

Mr. Leighton: To ask the Secretary of State for the Environment if he will list the business establishments in the London Docklands urban development area that have been relocated by the London Docklands Development Corporation; and for each of these establishments what is *(a)* the date of relocation, *(b)* the employment level at relocation, *(c)* the location prior to relocation, *(d)* the reason for relocation, *(e)* the predicted costs to the London Docklands Development Corporation of relocation, *(f)* the actual costs to the London Docklands Development Corporation of relocation, *(g)* the level of compensation paid, *(h)* the location after relocation and *(j)* the current level of employment if still operating.

Mr. Trippier: This information is not collected, or could be provided only at disproportionate cost.

Ms. Gordon: To ask the Secretary of State for the Environment (1) from which economic sectors jobs have been lost in the London Docklands Development Corporation area since 1981;

(2) how many of the jobs newly created in the London Docklands Development Corporation area since 1981 have been taken by the residents of Southwark, Tower Hamlets, Newham, Lewisham and Greenwich;

(3) what is the breakdown of newly created jobs in the London Docklands Development Corporation area since 1981, by economic sector;

(4) what is the breakdown of transferred jobs in the London Docklands Development Corporation area since 1981, by economic sector;

(5) if he will give a breakdown by type of industry of new jobs in London Docklands since 1981;

(6) how many new jobs in London Docklands since 1981 have been in the construction sector;

(7) how many of the jobs created in Docklands since 1981 are located in the Isle of Dogs enterprise zone.

Mr. Trippier: Most of this information will be available shortly, when the corporation completes work on a survey of employment in docklands. I shall write to the hon. Member when details are available.

Ms. Gordon: To ask the Secretary of State for the Environment (1) how many jobs have been lost in the London Docklands Development Corporation area since 1981;

(2) what is the latest estimate of net job creation in the London Docklands Development Corporation area since 1981;

(3) how many jobs have been created in the London Docklands Development Corporation area since 1981; how many are transfers from outside the urban development area; and how many are newly created.

Mr. Trippier: The information requested is as follows:

London Docklands Urban Development Area 1981-87

	Number
Jobs lost to the area	11,145
Jobs created and attracted	20,315
Net increase in jobs	9,172

Details of the breakdown between jobs created and those transferred will be available shortly. I shall write to the hon. Member.

Mr. Leighton: To ask the Secretary of State for the Environment how many business establishments, with what levels of employment, the London Docklands Development Corporation is currently attempting to relocate; and how many it proposes to relocate by the end of 1992.

Mr. Trippier: I shall write to the hon. Member.

Isle of Dogs

Ms. Gordon: To ask the Secretary of State for the Environment what is the total amount of rate allowance claimed so far in the Isle of Dogs enterprise zone.

Mr. Trippier: Schedule 32 of the Local Government, Planning and Land Act 1980 provides that my right hon. Friend shall make grants to rating authorities who lose revenue from properties within enterprise zones that are exempt from the payment of rates. To date, the rating authorities affected by the Isle of Dogs enterprise zone have claimed £37,764,136.

Amusement Arcades

Mr. Cox: To ask the Secretary of State for the Environment what recent discussions he has had with London borough councils as to granting such local authorities greater control over the operation of amusement arcades in their borough; and if he will make a statement.

Mr. Chope: I have not discussed this subject with any London borough council. Powers to regulate the operation of amusement arcades are primarily the responsibility of my right hon. Friend the Home Secretary.

Nuclear Waste

Mr. McGrady: To ask the Secretary of State for the Environment what information he has as to when the Nuclear Industry Radioactive Waste Executive will publish its report on sites for the storage of radioactive waste; and if he will make a statement.

Mrs. Virginia Bottomley: My right hon. Friend the Secretary of State expects to receive a report from Nirex shortly. No decision has yet been taken on publication.

Rating Reform

Sir Eldon Griffiths: To ask the Secretary of State for the Environment (1) what indications he has to date of local authorities increasing or decreasing the number of staff they employ to collect community charge as compared with the number they employed to collect rates;

(2) how he intends to monitor the progress of implementation by local authorities of their arrangements for the collection of community charge; and if the timetable and checklists to be sent to all authorities following receipt of part II of the Price Waterhouse report on this matter are the basis for this monitoring.

Mr. Gummer: We are monitoring progress through visits and other contacts with charging authorities, and have asked for a short summary of progress so far from each community charges registration officer. This will be followed up with a more detailed questionnaire in the spring. The timetable and checklist in the Price Waterhouse report will be of assistance in the monitoring process. It is hoped that the summaries of progress which have been requested will give a preliminary indication of charging authorities' proposals for the use of staff in comparison with the numbers of staff now working on rating.

Mr. Robert G. Hughes: To ask the Secretary of State for the Environment what a typical ward sister would pay *(a)* in rates, *(b)* in community charge and *(c)* in a system of capital value rates plus local income tax paid in the proportions of 80-20, respectively, if she lived in a typical one bedroom flat in Streatham.

Mr. Gummer: A ward sister earning £15,000, living in a flat in Streatham worth £60,000 with a rateable value of £250, would pay a rates bill of £648, a community charge of £490 (disregarding the transitional safety net), and £1,325 under a system of capital value rates plus local income tax.

Dr. John Cunningham: To ask the Secretary of State for the Environment what response he has had to his Department's letter of December 1988 to chief finance officers of metropolitan and non-metropolitan districts and London boroughs asking for a progress report on the implementation of the community charge; and whether he will *(a)* publish the results of his survey and *(b)* place copies of the individual responses in the Library.

Mr. Ridley: We have so far received responses from around half of the 366 charging authorities. When a more complete set of responses has been analysed, I shall place a summary in the Library. Authorities were not informed that the responses themselves would be made public and it will be necessary to ask them, at the next suitable opportunity, whether they are content for them to be placed in the Library.

Dr. Cunningham: To ask the Secretary of State for the Environment what information he took into account from Scotland's poll tax registration process undertaken during April-May 1988 when deciding to defer the commencement date of the community charges regulations to 22 May 1989.

Mr. Ridley *[holding answer 20 January 1989]:* The equivalent Scottish regulations came into force on 1 April 1988, and Scottish registers had to be compiled by 1 October, a period of exactly six months. Registers in England and Wales have to be compiled by 1 December 1989. Bringing the regulations into force on 22 May will therefore allow a slightly longer period for registration than in Scotland. I have no doubt that the registration process can be carried out as successfully in England and Wales as it has been in Scotland.

Housing

Mr. Harry Barnes: To ask the Secretary of State for the Environment if he will list by year for the last 15 years for which figures are available the annual number of completions, within North East Derbyshire district council area of *(a)* private sector houses and flats, *(b)* council houses and flats and *(c)* housing association housing and flats.

Mr. Trippier: Housebuilding completions, as reported by North East Derbyshire district council, for years as

from 1980 appear in table 1 of "Housebuilding in England by Local Authority Areas: 1980 to 1987". For earlier years figures appear in the following issues of "Local Housing Statistics":

	Issue number	*Table*
1974	33	5
1975	37	5
1976	41	5
1977	45	5
1978	49	5
1979	59	4(a)

Copies of these publications are available in the Library.

Comparable figures for 1973 are not available because of the reorganisation of local government in 1974.

Planning Permission

Mr. John Marshall: To ask the Secretary of State for the Environment whether he intends to seek to make it an offence to start building works prior to obtaining planning permission.

Mr. Chope: This is one of the issues being considered by Mr. Robert Carnwath QC in his current review of local planning authorities' planning enforcement powers. My right hon. Friend will consider whether any amendment should be made in the light of Mr. Carnwath's recommendation on this issue.

Caravan Sites Act 1968

Mr. Porter: To ask the Secretary of State for the Environment what recent representations he has received about the Caravan Sites Act 1968; and if he has any plans to seek to repeal the Act.

Mr. Trippier: I receive occasional correspondence on the subject. I have no plans to repeal the Act. A review of policy was completed only two years ago and the conclusions were announced by my right hon. Friend in a reply to my hon. Friend the Member for Hornsey and Wood Green (Sir H. Rossi) on 6 February 1987.

Nuclear Waste (Liverpool Bay)

Mr. Alton: To ask the Secretary of State for the Environment what information he has on the Nuclear Industry Radioactive Waste Executive proposal to site a dump for nuclear waste in Liverpool bay; and if he will make a statement.

Mrs. Virginia Bottomley: My right hon. Friend the Secretary of State for the Environment is not aware of any proposal by Nirex to site a radioactive waste repository in Liverpool bay. Until Nirex's proposals have been received and a decision is made, no part of the country can be ruled out.

Dogs

Mr. Gale: To ask the Secretary of State for the Environment if he will bring forward proposals to achieve a reduction in the numbers of dogs that are at present destroyed annually in the United Kingdom.

Mrs. Virginia Bottomley: There are no plans to do so.

Mr. Gale: To ask the Secretary of State for the Environment when he intends to exercise the powers granted to him under the Local Government Act 1988 to introduce a national dog registration scheme.

Mrs. Virginia Bottomley: We have no plans to do so.

"Deadline"

Mr. Gale: To ask the Secretary of State for the Environment if he has received a copy of the RSPCA film entitled, "Deadline"; and if he will make a statement.

Mrs. Virginia Bottomley: No copy has been received.

Football Spectators Bill

Mr. Barry Jones: To ask the Secretary of State for the Environment if he will seek to exempt Wales from the Football Spectators Bill; and if he will make a statement.

Mr. Moynihan: I refer the hon. Member to the answer given by my right hon. Friend the Secretary of State for Wales on 17 January to my hon. Friend the Member for Cardiff, North (Mr. Jones) at column *146*.

Spectator Control

Mr. Menzies Campbell: To ask the Secretary of State for the Environment if his Department has made any study examining methods used for spectator control at large sporting events in the United States of America, or any other foreign country; and if he will make a statement.

Mr. Moynihan: No. We have studied the final report of the committee of inquiry into crowd safety and control at sports grounds, chaired by Mr. Justice Popplewell. I commend it to the hon. Member.

Water

Dr. Cunningham: To ask the Secretary of State for the Environment if he will list the cost and proportion of annual expenditure spent on advertising and publicity by each water authority for the last five years.

Mr. Ridley *[holding answer 19 January 1989]:* This information is not held centrally. I suggest that the hon. Gentleman writes to each water authority.

Mr. Spearing: To ask the Secretary of State for the Environment in the light of his policy for comparative competition within the water industry, if he will indicate the main financial indicators of cost comparison he has already applied to regional water authorities, and if he will publish a table in the *Official Report* showing their respective performance for the latest convenient financial year, in pence per thousand gallons.

Mr. Moynihan *[holding answer 19 January 1989]:* The Government have set performance aims for the water authorities' real terms operating costs for three consecutive three year periods, the last ending in 1989-90. Performance against the aims is reported in the authorities' annual reports and accounts which are laid before Parliament. In setting the Performance aims the Government make use of a series of performance indicators which standardise operating cost measures in terms of equivalent population in each water authority.

The performance indicators are published as a five-year rolling series in the water authorities' annual reports and in *Waterfacts* which is also available in the Library. Performance indicators in terms of pence per thousand gallons are not available.

Ms. Mahon: To ask the Secretary of State for the Environment what action he intends to take to reduce the aluminium content in the water supplied to consumers in Halifax.

Mr. Moynihan *[holding answer 19 January 1989]:* Last year three of the water supplies to Halifax exceeded the aluminium standard in the EC drinking water directive. One of these supplies now complies and the other two should comply by 1990. Current aluminium concentrations are not considered to be a health risk.

Housing (London)

Mr. Marlow: To ask the Secretary of State for the Environment what information he has on the relative efficiency in terms of price and build time of the private sector and direct labour organisations building houses in inner London.

Mrs. Virginia Bottomley *[holding answer 19 January 1989]:* This information is not available in the form requested. Under the Local Government, Planning and Land Act 1980 direct labour organisations are required to make a rate of return of 5 per cent. on capital employed, my right hon. Friend has given directions to Lambeth and Hackney borough councils to cease from undertaking works of new construction in the light of their failure to achieve this rate of return.

Protection of Birds

Mr. Tony Banks: To ask the Secretary of State for the Environment, pursuant to his reply of 10 January, *Official Report*, column 510, if he will report on the progress made by the RSPCA and RSPB in rescuing birds affected by the recent oil pollution in the Channel; and what is his latest estimate of damage caused to seabird populations.

Mrs. Virginia Bottomley *[holding answer 19 January 1989]:* I understand that so far this month the RSPCA, assisted by local volunteer members of the RSPB, have in the course of sea and beach patrols responded to five separate incidents involving a total of about 500 birds affected by oil. Many of the affected birds have been taken for cleaning at RSPCA and private centres. It is estimated that while up to 1,000 birds may have died, a further 1,000 affected birds will survive.

Domestic (Water Supplies Disconnections)

Mr. Rowlands: To ask the Secretary of State for the Environment whether he will meet the chairmen of the water authorities to discuss improvements to a code of conduct relating to the disconnection of domestic water supplies.

Mr. Moynihan *[holding answer 17 January 1989]:* My right hon. Friend regularly meets the chairmen of the water authorities to discuss a number of issues. His officials are at present discussing with the water industry additional customer safeguards that might be inserted into the code of practice relating to the disconnection of domestic water supplies.

Football Statistics

Mr. Pendry: To ask the Secretary of State for the Environment if, pursuant to his answer on football statistics, *Official Report*, 19 December 1988, columns 55 to 60, he will show in similar tables the average arrests per match by division in conjunction with the average arrest figures for football clubs in the Professional Footballers Association community programme scheme.

Mr. Moynihan *[holding answer 13 January 1989]:* The following information relates to Football League matches played in the 1987-88 season. The clubs listed are those which operated the PFA community programme scheme throughout that season.

	Average arrests per match
Division 1	
Everton	1·20
Liverpool	1·65
For Division	5·3
Division 2	
Blackburn Rovers	3·6
Manchester City	1·59
Oldham Athletic	0·86
For Division	4·2
Division 3	
Blackpool	1·6
Bury	0·2
Chester City	0·96
Preston North End	0·9
Wigan Athletic	0·17
For Division	1·5
Division 4	
Bolton Wanderers	0·9
Burnley	3·9
Crewe Alexandra	1·9
Rochdale	1·4
For Division	1·7

Football Matches (Arrests)

Mr. Harry Barnes: To ask the Secretary of State for the Environment if he will obtain details from the Association of Chief Police Officers of the categories of offences under which people were arrested at football league matches in England during the 1987-88 season, and the numbers in each category.

Mr. Douglas Hogg *[holding answer 10 January 1989]:* I have been asked to reply.

This information is not collected from individual police forces by the Association of Chief Police Officers.

Pollution

Mr. Malcolm Bruce: To ask the Secretary of State for the Environment what figures he has for the volume of waste deposits dumped in internal waters behind the Oslo convention baselines in each of the last five years in the North sea.

Mr. Donald Thompson: I have been asked to reply.

The amount of material dumped in internal waters behind the Oslo convention baselines in the North sea by the United Kingdom in the last five years for which figures are available, are as follows:

000's tonnes	Dredged spoil	Colliery minestone
1983	7,391	3,830
1984	10,371	564
1985	16,791	2,262
1986	12,429	2,264
1987	13,029	2,037

Comparable figures are not available for other North sea states as the Oslo convention does not yet include dumping in internal waters and there is therefore no common control and reporting procedure for such dumpings.

The United Kingdom has been actively supporting proposals to extend the coverage of the Oslo convention to include internal waters and we hope that agreement on this will be reached soon.

Written Answers to Questions

Tuesday 24 January 1989

TRANSPORT

Severn Bridge

Mr. Barry Jones: To ask the Secretary of State for Transport if he has any plans to end the imposition of tolls on the Severn bridge; and if he will make a statement.

Mr. Peter Bottomley: No.

Vehicle Weights

Mr. Ward: To ask the Secretary of State for Transport whether he has any plans to require that all commercial vehicles entering the United Kingdom by sea pass over a weighbridge before travelling on the public roads; and if he will make a statement.

Mr. Peter Bottomley: We are about to install automatic equipment in the main ferry ports which will indicate whether incoming vehicles are overloaded. This will supplement the existing weighbridges used by the Department's traffic examiners.

Air Traffic Control

Mr. Kirkwood: To ask the Secretary of State for Transport (1) what was the number of air traffic controllers employed at each of Heathrow, Gatwick and Manchester airports for each of the past 20 years;

(2) what was the number of new air traffic controllers employed in positions in England in each of the past 20 years;

(3) what was the total number of air traffic controllers employed in England in each of the past 20 years;

(4) what has been the capital investment in air traffic control systems for each of the past 20 years;

(5) what was the capital expenditure on air traffic control facilities at Heathrow airport, both on general facilities and on computer systems, in each of the 10 years prior to privatisation.

Mr. Peter Bottomley: These matters have all been within the responsibility of the Civil Aviation Authority and the National Air Traffic Services since 1972. I suggest the hon. Member writes to the chairman of the authority.

Heathrow Airport

Mr. Kirkwood: To ask the Secretary of State for Transport what was the capital expenditure on general facilities at Heathrow by the airport authority itself in each of the 10 years prior to privatisation.

Mr. Peter Bottomley: The Department does not hold this information.

For the years 1977-78 to 1983-84 such information was given in the authority's annual report and accounts, which are in the Library; for the three subsequent years I suggest the hon. Member approaches BAA plc direct.

M3 Extension

Mr. Ward: To ask the Secretary of State for Transport whether contracts have yet been let for the southern section of the M3 extension.

Mr. Peter Bottomley: Necessary works in advance of the main contract for the Compton to Bassett section of the M3 are under way. We hope to invite tenders for the main contract shortly to enable work to start this summer.

Mr. Ward: To ask the Secretary of State for Transport if he has now received the independent inspector's report on the latest public inquiry about the final link between the M27 and M3 motorways; and if he will make a statement.

Mr. Peter Bottomley: Yes. The inspector's report of the reopened inquiry into the Bar End to Compton section of the M3 extension was received at the end of November. It will be considered together with that of the 1985 inquiry inspector. The reports cover the many complex issues covered at the inquiries. My right hon. Friends will announce their joint decisions as quickly as they can.

Dangerous Cargoes

Ms. Ruddock: To ask the Secretary of State for Transport what permission needs to be sought by the United Kingdom Atomic Energy Authority, British Nuclear Fuels Limited or commercial handlers of nuclear materials to transport by air radiotoxic materials such as plutonium or tritium within the United Kingdom, or from the United Kingdom.

Mr. Peter Bottomley: The consignors of all radioactive materials by air must satisfy the Department of Transport that the arrangements comply fully with the national and international regulations.

Ms. Ruddock: To ask the Secretary of State for Transport if he will make it his policy to review the safety of air transportation of dangerous toxic cargoes, including radio isotopes, depleted uranium, radioactive wastes and plutonium.

Mr. Peter Bottomley: The transport of radioactive materials by all modes of transport must comply fully with the national and international regulations which are under continuous review by the International Atomic Energy Agency.

The IAEA is currently undertaking a special review to decide whether any regulatory changes are needed to cover the particular circumstances of air transport.

Ms. Ruddock: To ask the Secretary of State for Transport if, during the next meeting of the Council of European Transport Ministers, he will make it his policy to initiate an EEC review of the hazards of the air, sea, road and rail transport of radiotoxic nuclear materials.

Mr. Peter Bottomley: The transport of all radioactive materials must comply with the international regulations of the International Atomic Energy Agency, which is a United Nations body. These are under continuous review. All EEC countries are member states of the IAEA, and there is no need for a special EEC review.

Ms. Ruddock: To ask the Secretary of State for Transport if he will make it his policy to set up a review

study of the rail transport of spent nuclear fuel on the north and south London rail network lines, to study the appropriateness of the routeing and the preparedness of emergency plans in the event of an accident involving the significant release of radioactivity.

Mr. Portillo: All movements of spent nuclear fuel must comply with regulations of the International Atomic Energy Agency. The required design of the steel flasks ensure that even in the event of a severe railway accident there would be no significant release of the contents.

Long-standing and well-rehearsed emergency arrangements exist to provide a rapid response to any incident involving nuclear materials in transit.

Boeing 757 (Safety)

Mr. William Ross: To ask the Secretary of State for Transport what information he has as to the time and date when the Boeing Aircraft Company first became aware of wiring problems in their 757 aircraft; when the Federal Aviation Authority was notified; when the federal authority gave instructions that the aircraft were to be checked; what the time and date was when the Civil Aviation Authority was notified; and when the Civil Aviation Authority notified United Kingdom airlines operating these aircraft.

Mr. Peter Bottomley: I understand that the United States Federal Aviation Administration and the Boeing Company are investigating the chronology of the notification of wiring faults in the hold fire warning and extinguishing system of the Boeing 757.

My information is that the Civil Aviation Authority was notified by the FAA, by telephone, at 5.30 pm on Friday, 13 January, that an airworthiness directive was being issued which concerned the wiring of the B757 hold fire warning and extinguishing system. By 7.30 that evening the CAA had notified all United Kingdom operators of the forthcoming airworthiness directive.

On Saturday morning, 14 January, the full airworthiness directive was received by the CAA by telex. The CAA confirmed immediately that all United Kingdom operators of the aircraft had received the telex. Action was by then under way and by the end of the morning British Airways, for example, had already inspected and cleared 12 of their B757s.

Urban Programme

Mr. Gordon Brown: To ask the Secretary of State for Transport what is his provision for the urban programme for 1988-89 and for the next three years at cash prices and at 1987-88 constant prices.

Mr. Portillo: The Department of Transport's cash provision for the urban programme in 1988-89 and each of the succeeding three years is £11 million. This is £10 million per annum at 1987-88 constant prices.

In addition to the urban programme works, which are administered by the Department of the Environment, urban areas receive substantial benefit from the Department of Transport's other programmes, including those for trunk road construction, local authority roads and public transport.

Cash Limits

Mr. Squire: To ask the Secretary of State for Transport what changes he proposes to make to the cash limits on his votes and to his Department's running costs limit.

Mr. Channon: Subject to parliamentary approval of the necessary Supplementary Estimates, the cash limits for my votes are to be changed as follows:

£'000

		Current cash limit	*Change*	*Revised cash limit*
Class VIII Vote	1	1,027,307	14,145	1,041,452
	2	215,838	3,390	212,448
	4	122,453	1,130	123,583

The increase in class VIII, vote 1 will be charged to the Reserve and will not therefore add to the planned total of public expenditure. This increase takes account of a reduction of £1,585,000 to compensate for an overspend of the cash limit in 1987-88. This follows the normal practice of reducing the cash limit for one financial year by the amount of the previous year's overspend.

The reduced cash limit on class VIII, vote 2 takes account of transfers of:

(a) £1,130,000 to class VIII, vote 4 to offset an equivalent increase on that vote;
(b) £2,110,000 to class VIII, vote 5 as a partial offset to increased public expenditure on rural bus grants on that vote; and
(c) £150,000 to class XI, vote 3 in respect of a transfer of civil defence provision to the Home Office.

The balance of the increased requirement for rural bus grants will be offset by savings on class VIII, vote 5 and will not therefore add to the planned total of public expenditure.

The running costs limit of the Department of Transport has been reduced by £38,000 from £257,017,000 to £256,979,000. This amount will be transferred to the running costs limit of Her Majesty's Treasury to cover the cost of additional work incurred in respect of the forthcoming transfer of the Department of Transport payroll to the Chessington computer centre.

TRADE AND INDUSTRY

Sales Practices

Mr. David Nicholson: To ask the Chancellor of the Duchy of Lancaster (1) whether he intends to introduce further measures to curb the practice known as telephone cold calling;

(2) how many representations he has received since 1 January 1988 regarding the sale practice known as telephone cold calling; and if he will make a statement.

Mr. Forth: My Department has received 39 complaints from consumers about unsolicited telephone sales calls since 1 January 1988. The Office of Fair Trading, the Office of Telecommunications and local authority trading standards departments have also received complaints about this practice.

The British Direct Marketing Association is planning to introduce a telephone preference service which would enable telephone subscribers to choose to have their details excluded from lists used by direct selling organisations. Discussions about the form of such a service are taking

place with the Office of Fair Trading and other interested Government bodies. My Department is keeping in touch with these developments.

Local Pay Additions

Mr. Sean Hughes: To ask the Chancellor of the Duchy of Lancaster what is the number of staff in his Department, by grade, in receipt of local pay additions outside London and the south east economic planning region; what are the different amounts paid to staff by grade; whether this figure varies due to location; what qualifying period of scale-related criteria is used; and whether this varies by location.

Mr. Forth: Nine administrative officers, four administrative assistants and two personal secretaries are receiving local pay additions in offices of the Department of Trade and Industry in Cambridge, which is outside London and the south-east economic planning region. The annual salaries of the administrative officers and administrative assistants are increased to £300 above the national rate in the first year of service in the Department; thereafter annual salaries are increased to £600 above the national rate, except where staff are on the maximum of their salary scale, when the annual salaries are increased to £400 above the national rate. The annual salaries of personal secretaries are adjusted in the same manner, except that they are increased to £600 above the national rate in the first year of service. The criteria for payment of these additions do not vary between offices.

Aircraft (Research)

Mr. Colvin: To ask the Chancellor of the Duchy of Lancaster what progress has been made in the review of support for civil aircraft and aero engine research.

Mr. Atkins: In the White Paper "DTI—The Department for Enterprise" (CM 278, January 1988) my right hon. and noble Friend the Secretary of State for Trade and Industry announced that the Government intended to review during 1988 the Department's support for civil aircraft and aeroengine research and demonstration.

A comprehensive review has now been carried out by officials of my Department and implementation of the recommendations is under way. It concluded that there is a continuing need for the Government to fund research in support of the United Kingdom civil aircraft industry in view of the particular circumstances of this international market. At the same time, the review recommended that the Government should seek measures in the international arena to reduce the market distortions which play their part in making such Government support necessary. We are considering further how to take this forward.

As a result of the review, we shall be taking a number of steps and introducing procedures that are designed both to bring the support in line with wider Government and departmental research objectives and to ensure that we obtain good value for money from the funding. These include withdrawing near market support and encouraging more collaborative research. Because of the particular nature of the industry we shall continue, exceptionally, to make available support for longer-term single company research projects in the airframe, aeroengine and helicopter sectors, limited to a maximum funding of 25 per cent. of total project costs. Also, for research carried out either in Government research establishments or agencies, we shall in future expect aerospace companies, as major beneficiaries of the work, to contribute to the funding, usually by seconding staff to the research teams.

Century Newspapers Ltd., Belfast

Mr. John D. Taylor: To ask the Chancellor of the Duchy of Lancaster how many days he has allowed for consultation between the date of the announcement of the proposed takeover of Century Newspapers Ltd., Belfast, by Thompson Regional Newspapers and the date when the submissions must be received by him before a decision on referral to the Monopolies and Mergers Commission, what is the normal period for such consultation; and whether he has received any representations from the National Graphical Association and the National Union of Journalists about the possibility of a monopoly of newspaper ownership being created in Northern Ireland.

Mr. Maude *[holding answer 16 January 1989]:* On 10 January my Department issued a press notice inviting comments on the proposal by 17 January.

The Department's procedures for a formal consultation period were introduced in October 1988. This is the first application for consent to a newspaper merger under the financial urgency provisions received since then. I have received seven representations on the proposal including a full submission from the National Graphical Association.

Net Book Agreement

Mr. Adley: To ask the Chancellor of the Duchy of Lancaster if he will set up an inquiry into the working of the net book agreement with a view to examining its effect on booksellers, publishers and book purchasers; and if he will make a statement.

Mr. Forth *[holding answer 19 January 1989]:* The Restrictive Practices Court has considered the net book agreement on two occasions and has found it not to be contrary to the public interest. Under the relevant legislation, the Director General of Fair Trading may apply to the court for a review of its decision if at any time he considers that there has been a material change in circumstances on which the original judgment was based. It is not open to Ministers to make such an application.

In the circumstances it would serve no useful purpose for the Government to set up an inquiry. However, the Government have proposed fundamental reforms to restrictive trade practices legislation under which, among other things, it is intended that arrangements such as the net book agreement which have been cleared under existing legislation should be reconsidered in due course by the appropriate competition authority under criteria laid down in the new legislation.

Inner Cities Initiative

Mr. Gordon Brown: To ask the Chancellor of the Duchy of Lancaster what is the allocation for the inner cities initiative for 1988-89 and each of the next three years at cash prices and at 1987-88 constant prices.

Mr. Newton: The inner cities unit of my Department has an allocation of £21·3 million for 1988-89 (£20·0 million in 1987-88 constant prices). Information about

planned expenditure in the following three years will shortly be published in the public expenditure White Paper.

FOREIGN AND COMMONWEALTH AFFAIRS

Eritrea

Mr. Steel: To ask the Secretary of State for Foreign and Commonwealth Affairs whether, in view of the greater use now being made of the United Nations Security Council in the sphere of conflict resolution, the Government have raised the issue of Eritrea in informal contacts in Security Council circles; and if he will make a statement.

Mr. Waldegrave: We are concerned about the continuing conflict in Eritrea and take every opportunity to urge all those involved to reach a solution by negotiation. We do not believe it would be helpful to raise the issue in the Security Council.

British Embassies and High Commissions

Mr. Galbraith: To ask the Secretary of State for Foreign and Commonwealth Affairs what is the total number of British embassies and high commissions; what is the number of staff employed in them, and what is the total annual cost.

Mr. Waldegrave: There are 130 embassies and high commissions, and 78 subordinate and miscellaneous other posts. The total running cost in financial year 1987-88 was £241·4 million.

UN Security Council

Mr. Galbraith: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will give for the last full year for which figures are available the number of meetings of the United Nations Security Council; and the number of times it voted.

Mr. Eggar: Between 16 June 1987 and 15 June 1988 (the last full year for which figures are available), the United Nations Security Council held 67 meetings, and voted 33 times.

British Antarctic Territory

Mr. Shersby: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps he proposes to take with regard to the administration of the British Antarctic Territory; and whether he will make a statement.

Mr. Eggar: The British Antarctic Territory was established as a separate dependent territory in 1962. Since then, as a matter of convenience, the territory has been administered by an high commissioner resident in Stanley. Following consideration of the future administrative needs of the territory, we have decided that from 1 July this year the administration of the BAT will be repatriated to London and that the commissioner will be a senior official of the Foreign and Commonwealth Office. The present high commissioner has been informed and is informing the Falkland Islands Councillors. The British Indian Ocean Territory has been similarly administered from London since 1977.

EDUCATION AND SCIENCE

Capital Allocation (Warwickshire)

Mr. Pawsey: To ask the Secretary of State for Education and Science if he will set out in the *Official Report* his Department's capital allocation in real terms to Warwickshire county council for each year since 1978-79.

Mr. Butcher: The information requested for the years 1981-82 to 1989-90 is set out in tables 1 and 2. Before 1981-82 local education authorities did not receive block allocations but were notified annually, in the context of a rolling programme, of a limit on the value of building starts in the following year.

Table 1
Warwickshire Lea: Prescribed capital expenditure 1981-82 to 1989-90

	Cash Prices £000s	[1]*Constant Prices* £000s
1981-82	1,366	1,843
1982-83	1,367	1,722
1983-84	1,991	2,398
1984-85	1,428	1,637
1985-86	1,703	1,853
1986-87	1,236	1,301
1987-88	1,162	1,162
1988-89	1,375	1,294
1989-90	1,729	1,550

[1] These figures are calculated at 1987-88 prices using the GDP deflator.

Table 2
Allocations for capital expenditure by Governors of Aided Schools in Warwickshire 1981-82 to 1989-90

	Cash prices	*Constant prices*
1981-82	—	—
1982-83	259	326
1983-84	346	417
1984-85	110	126
1985-86	245	267
1986-87	19	20
1987-88	80	80
1988-89	715	673
1989-90	631	566

Notes:
1. Allocations for 1981-82 and earlier years were made on a different basis and have therefore been omitted.
2. The allocations shown are those announced before the start of the financial year in question and do not reflect subsequent revision.
3. These figures are calculated at 1987-88 prices using the GDP deflator.

Teacher Numbers

Mr. McLoughlin: To ask the Secretary of State for Education and Science if he will give the figures for the total number of teachers employed in schools maintained by the local education authorities of Derbyshire, Staffordshire, Nottinghamshire and Hereford/Worcester.

Mr. Butcher: The total number of full-time equivalent teachers in January 1988 were as follows:

LEA	Qualified teachers within schools[1]	Total number of teachers paid by the local education authority[2]
Derbyshire	7,859	8,353
Staffordshire	8,124	8,746
Nottinghamshire	8,315	8,702
Hereford and Worcester	4,894	5,273

[1] Full-time equivalent qualified teachers within maintained nursery primary and secondary schools.
[2] The total number of full-time equivalent teachers including qualified teachers, student teachers and instructors employed for service in maintained nursery, primary and secondary schools.

Pupil Numbers

Mr. McLoughlin: To ask the Secretary of State for Education and Science if he will give the figures for the total number of pupils attending schools maintained by the local education authorities up to the age of 19 years, in Derbyshire, Staffordshire, Nottinghamshire and Hereford/Worcester.

Mr. Butcher: The total number of pupils up to and including those aged 19 and over attending maintained schools in January 1988 were as follows:

LEA	Pupil Numbers[1]
Derbyshire	143,000
Staffordshire	160,998
Nottinghamshire	154,699
Hereford and Worcester	96,527

[1]Total number of pupils in maintained nursery, primary, middle, secondary and special schools. Includes those attending part-time.

Superannuation (Compensation)

Mr. Redwood: To ask the Secretary of State for Education and Science if he has made compensation regulations under section 24 of the Superannuation Act 1972.

Mr. Butcher: My right hon. Friend has made the following compensation regulations under section 24 of the Superannuation Act 1972

1. The Colleges of Education (Compensation) Regulations 1975.
2. The Teachers' (Compensation for Redundancy and Premature Retirement) Regulations 1985.

Special Educational Needs

Mr. John Evans: To ask the Secretary of State for Education and Science if his Department has plans to increase funds available for the education of children with special educational needs.

Mr. Butcher: The Government's expenditure plans for 1989-90 provide for local authorities to spend £59 million, or over 10 per cent., more in cash on maintained special schools than was allowed for within the 1988-89 plans, at a time when pupil numbers in special schools are declining. Expenditure on pupils with special educational needs in ordinary schools cannot be separately identified.

Mr. John Evans: To ask the Secretary of State for Education and Science what steps his Department is taking to safeguard special educational needs after the implementation of the Education Act 1988.

Mr. Butcher: The Education Act 1988 contains many safeguards for children with special educational needs. The National Curriculum Council and the Schools Examination and Assessment Council are fully aware of the particular difficulties faced by such children. The Government believe that all children, including those with special educational needs will benefit from the provisions of the 1988 Act. Nevertheless, provision for children with special educational needs will continue to be monitored after the implementation of the Act, as it is at present, by Her Majesty's inspectorate.

Glandular Fever

Sir David Price: To ask the Secretary of State for Education and Science what research he is supporting into infectious mononucleosis—known as glandular fever; and what are the prospects of developing a successful anti-body to the Epstein-Barr virus.

Mr. Jackson: The Medical Research Council, which receives its grant-in-aid from this Department, is currently supporting a virological study of Paul-Bunnell negative glandular fever at the communicable diseases division of the MRC clinical research centre. In addition, the MRC and university departments and medical schools support a range of basic research which may have relevance to glandular fever.

The council's sub-committee on herpes virus vaccines has recently concluded that it is now possible to undertake studies of whether an Epstein-Barr virus antigen will stimulate immunity in humans. Proposals for such studies are presently being formulated.

Viraj Mendis

Mr. Nicholas Bennett: To ask the Secretary of State for Education and Science what information he has as to the cost to public funds of Mr. Viraj Mendis's maintenance and tuition at the University of Manchester Institute of Science and Technology between 1973 and 1979.

Mr. Jackson: I understand that Mr. Mendis is recorded as having supported himself during his attendance at the university of Manchester Institute of Science and Technology between 1973 and 1979. However, the tuition fees charged to overseas students at that time were subsidised and an element of the cost of Mr. Mendis' tuition will therefore have been met through the public funding of higher education institutions. It is not possible to quantify this element.

List 99

Mr. Nicholas Bennett: To ask the Secretary of State for Education and Science if he will list in the *Official Report* for each academic or calendar year since 1970 *(a)* the total number of teachers on list 99, *(b)* the number included on the list under each of the four principal reasons for inclusion, *(c)* the number removed and granted permission to resume teaching and *(d)* the number subsequently relisted; and if he will make a statement on the operation of the list 99 process.

Mr. Butcher: The table shows the number of persons added to list 99 in each financial year from 1 April 1970 to 31 March 1988 categorised as requested, and the number

of persons removed from the list in each year. The total number of persons on list 99 at present is 1,471. The other information requested is not available.

List 99 contains the names, dates of birth, and departmental reference numbers, of teachers, youth workers, and others whom the Secretary of State has directed should be excluded wholly or partially from teaching or work with children or young persons under the age of 19, on grounds of misconduct, in accordance with the Education (Teachers') Regulations 1982. Copies of the list are held on a confidential basis by local education authorities and certain other employers and national bodies concerned with the employment of teachers or workers with children or young people.

Year	*Number of persons included on list 99 categorised by type of misconduct*					*Total*	*Number of persons removed from list 99*
	(1)	*(2)*	*(3)*	*(4)*	*(5)*		
1970-71	55	3	19	4	2	83	19
1971-72	49	8	7	2	4	70	6
1972-73	53	2	10	3	3	71	14
1973-74	21	1	3	—	1	26	9
1974-75	44	1	7	—	—	52	14
1975-76	32	—	5	1	5	43	7
1976-77	30	2	3	—	3	38	10
1977-78	22	1	—	1	1	25	11
1978-79	16	1	1	1	4	23	10
1979-80	31	1	4	—	1	37	6
1980-81	29	—	4	1	4	38	4
1981-82	34	2	7	—	2	45	7
1982-83	28	1	7	—	3	39	1
1983-84	25	2	5	—	7	39	6
1984-85	35	2	6	—	1	44	6
1985-86	31	7	9	—	4	51	3
1986-87	47	7	10	—	1	65	8
1987-88	28	7	2	3	7	47	6

Categories:

1. Sexual misconduct.
2. Drugs cases.
3. Financial cases.
4. False claims as to qualifications.
5. Others.

University Lecturers (Pay)

Mr. Redwood: To ask the Secretary of State for Education and Science when was the last independent review of university lecturers' pay; what it recommended; and to what extent its findings have been implemented.

Mr. Jackson: Since 1970 the pay of university lecturers has been settled by negotiations between employers and employees under an independent chairman. The last such settlement was in 1987: it provided for pay rises of 16·6 per cent. with effect from 1 December 1986 and a further 7·4 per cent. with effect from 1 March 1988. Those increases have been implemented.

Urban Programme

Mr. Gordon Brown: To ask the Secretary of State for Education and Science what is his provision for the urban programme for 1988-89 and for the next three years at cash prices and at 1987-88 constant prices.

Mr. Rumbold: My right hon. Friend has made provision for education projects under the urban programme of:

£ million

	Cash	*1987-88 prices*
1988-89 forecast outturn	44	41
1989-90 plans	45	42
1990-91 plans	46	43
1991-92 plans	47	44

Under-fives

Mr. Gordon Brown: To ask the Secretary of State for Education and Science what is the relevant current expenditure on schools for under-fives in 1988-89 and for the next three years.

Mrs. Rumbold: Information for local authority actual spending on education in 1988-89 is not yet available. Provisional outturn spending on under-fives in 1988-89 is £495 million, a 25 per cent. increase in cash over spending in 1986-87. The Government's plans for spending in 1989-90 provide for £536 million to be spent on the under-fives, a further cash increase of over 8 per cent. over provisional outturn in 1988-89. The information requested on spending on under-fives beyond 1990 is not available.

Schools (Opting Out)

Mr. John Marshall: To ask the Secretary of State for Education and Science when he expects to be able to make his first decisions about the applications by schools to opt out under the Education Reform Act 1988.

Mr. Butcher *[holding answer 23 January 1989]:* The first schools have now published proposes for grant-maintained status, and a number of others are preparing to do so. My right hon. Friend will determine such proposals as quickly as the statutory procedures and his consideration of all the relevant factors permit.

WALES

Hospital Equipment

Mr. Barry Jones: To ask the Secretary of State for Wales if he will list those hospitals in Wales which have (i) echo cardiagrams, and (ii) lithotripsy machines; and if he will make a statement.

Mr. Grist: Information on the acquisition of echo cardiagram equipment by NHS hospitals in Wales is not held centrally. No NHS hospital in Wales has yet acquired a lithrotripter. The Welsh Office is currently considering proposals for the provision of a lithotripsy service in Wales.

Education (Special Needs)

Mr. Barry Jones: To ask the Secretary of State for Wales if he will make a statement concerning his plans to safeguard the schooling of children with special needs.

Mr. Wyn Roberts: The Education Act 1981 and the Education Reform Act 1988 make comprehensive provision to safeguard the schooling of children with special educational needs. The Department is also issuing this week for consultation a draft circular on procedures for assessments and statements of special educational needs.

Mr. Barry Jones: To ask the Secretary of State for Wales what assessment he has made of the impact of the Education Reform Act upon the professional activity of those teachers engaged at primary and secondary school level in the special needs section; and if he will make a statement.

Mr. Wyn Roberts: The Education Reform Act offers the opportunity for a significant improvement in the provision made for children with special educational needs. The entitlement of all children to a basic curriculum from five to 16, together with the extensive flexibility which the Act provides for this to be tailored to the needs of individual children, sets a framework which should encourage a better educational experience for many children with special needs. Further work is being undertaken to provide their teachers, with helpful guidance in the light of the Act.

Pupil-teacher Ratios

Mr. Nicholas Bennett: To ask the Secretary of State for Wales if he will publish a table in the *Official Report* showing pupil-teacher ratios in schools in each Welsh local education authority by type of school for the latest available date for which such information is available; and if he will give the figures for the previous 10 years.

Mr. Wyn Roberts: Pupil-teacher ratios within maintained schools are shown by type of school in the following tables:

Nursery Schools[1]

Welsh counties	*1977-78*	*1978-79*	*1979-80*	*1980-81*	*1981-82*	*1982-83*	*1983-84*	*1984-85*	*1985-86*	*1986-87*	*1987-88*
Clwyd	15·3	16·7	18·3	19·6	20·8	20·1	19·9	19·7	19·6	18·6	16·5
Dyfed	19·0	16·8	15·4	17·7	18·9	20·1	18·5	18·9	22·4	22·4	22·7
Gwent	18·3	20·7	19·9	21·2	21·6	23·6	23·0	22·8	22·5	22·8	23·1
Gwynedd	—	—	—	—	—	—	—	—	—	—	—
Mid Glamorgan	17·8	18·9	19·4	18·9	18·8	19·1	19·2	19·2	18·7	20·4	19·4
Powys	—	—	—	—	—	—	—	—	—	—	—
South Glamorgan	20·2	20·3	20·4	17·9	18·8	19·1	18·8	18·1	18·4	19·5	18·6
West Glamorgan	19·2	21·0	18·5	16·0	23·5	23·7	22·7	24·0	29·1	23·4	23·4

Primary Schools[1]

Welsh counties	*1977-78*	*1978-79*	*1979-80*	*1980-81*	*1981-82*	*1982-83*	*1983-84*	*1984-85*	*1985-86*	*1986-87*	*1987-88*
Clwyd	23·2	23·0	23·1	22·9	23·3	23·2	23·2	23·4	23·8	24·1	24·0
Dyfed	19·0	19·3	18·4	18·8	19·1	19·2	19·0	19·7	20·7	20·6	20·8
Gwent	23·8	22·7	22·8	22·8	22·8	22·1	22·3	22·3	22·2	21·9	22·5
Gwynedd	21·3	21·0	20·5	19·9	19·5	19·8	19·7	20·0	20·2	20·4	20·3
Mid Glamorgan	23·8	23·3	23·6	23·6	23·5	23·5	22·3	22·9	22·9	23·3	22·9
Powys	18·3	18·1	18·7	18·7	19·5	18·8	18·6	19·5	19·5	19·3	19·3
South Glamorgan	23·2	23·4	23·2	22·8	22·9	22·9	22·9	22·8	22·9	22·9	22·7
West Glamorgan	21·8	21·2	21·1	20·7	21·2	21·4	21·5	21·7	21·6	21·2	21·3

Secondary schools[1]

Welsh counties	*1977-78*	*1978-79*	*1979-80*	*1980-81*	*1981-82*	*1982-83*	*1983-84*	*1984-85*	*1985-86*	*1986-87*	*1987-88*
Clwyd	16·9	16·9	17·0	17·0	17·2	16·9	16·7	16·8	16·7	16·5	15·9
Dyfed	17·9	17·1	16·8	16·6	16·4	16·4	16·1	16·1	16·0	15·8	15·5
Gwent	16·7	16·5	16·1	16·6	16·4	16·1	15·8	15·8	15·5	15·3	15·0
Gwynedd	17·3	16·8	16·2	16·1	16·0	16·0	15·5	15·6	15·2	15·3	14·8
Mid Glamorgan	17·2	16·9	16·8	16·8	17·6	17·4	16·6	16·7	16·7	16·5	16·0
Powys	16·3	16·2	16·0	15·9	15·7	15·9	15·5	15·2	14·9	14·8	14·5
South Glamorgan	17·2	17·0	16·8	16·9	16·9	16·7	16·7	16·6	16·5	16·5	16·4
West Glamorgan	16·7	16·4	16·4	16·1	16·0	15·8	15·7	15·9	15·6	15·3	14·8

Special schools[1]

Welsh counties	*1977-78*	*1978-79*	*1979-80*	*1980-81*	*1981-82*	*1982-83*	*1983-84*	*1984-85*	*1985-86*	*1986-87*	*1987-88*
Clwyd	8·6	7·3	8·5	8·6	8·6	8·4	8·5	8·2	7·9	7·7	7·2
Dyfed	7·6	7·2	7·5	7·5	7·2	7·2	7·5	6·7	6·8	6·8	6·7
Gwent	8·4	8·9	8·6	8·3	8·5	7·8	7·1	7·2	7·3	7·6	6·8

Welsh counties	1977-78	1978-79	1979-80	1980-81	1981-82	1982-83	1983-84	1984-85	1985-86	1986-87	1987-88
Gwynedd	7·7	6·9	7·7	7·8	[2]7·7	7·6	7·0	6·6	6·9	7·3	7·3
Mid Glamorgan	10·2	7·8	7·9	8·1	8·5	8·6	[2]8·4	8·0	7·9	7·7	7·4
Powys	7·6	7·2	7·3	6·5	5·9	6·5	6·5	6·3	5·7	6·1	6·0
South Glamorgan	7·4	7·0	7·0	7·2	7·0	6·7	6·5	6·1	6·2	6·1	6·2
West Glamorgan	7·3	7·0	7·3	7·1	7·3	7·3	7·2	6·9	6·2	6·1	5·9

[1] At January for each academic year.
[2] Estimated figure.

Second Homes

Mr. Nicholas Bennett: To ask the Secretary of State for Wales what estimates he has as to the number of second houses liable for community charge in each district council area.

Mr. Grist: The Welsh Office is presently consulting on where the boundary between domestic and non-domestic properties should be drawn and thus which properties should be subject to the standard community charge. It is therefore not yet possible to provide the figures requested. General information on second homes is, however, available, and table 2.7 of the 1986 Welsh intercensal survey, a copy of which is in the Library, provides estimates of their distribution among districts. These figures can only provide a broad indication of this distribution as they are derived from a sample survey of about 60,000 Welsh households and there are some difficulties in distinguishing between second homes and other categories of housing in a general survey of this type.

Retirement Homes

Mr. Nicholas Bennett: To ask the Secretary of State for Wales if he will list for the Pembroke constituency the number of registered places in residential homes for the elderly in *(a)* each local authority home and *(b)* each privately owned home; and if he will indicate in each case the number of beds provided for people requiring nursing care.

Mr. Grist: The information requested is given in the following tables.

Local authority homes for the elderly in the Pembroke constituency as at 31 March 1988

Home	Number of residential[1] places
Heywood	18
Havenhurst	38
Prendergast House	36
Riverside Home	40
Merlin House	41
Sunnybank Home	58

[1] Local authority homes do not provide nursing beds.

Private Homes for the Elderly in the Pembroke Constituency as at 31 March 1988

Home	Number of Residential Places	Number of Nursing Places[1]
Bangeston Hall	27	—
Ridgeway Home for the Elderly	25	20
Glenwood House	16	—
Parc-y-Llyn	11	15
Montrose	12	—
Nightingales	10	—
Cartref	24	—
Brooklands	7	—
Rostley	8	—
Apley Lodge	8	—
Maesteg House	6	2
Roschill Country Home	17	—
Belvedere Residential Home	15	—
Ashdale Residential Home	30	—
Lynnefield	6	—
Canterbury House	12	—
Castle View	12	—
Woodfield House	15	—

[1] Registered with the health authority under Part II of the Registered Homes Act 1984. Nursing places are not included in the residential places shown in this table.

Environmental Research

Mr. Barry Jones: To ask the Secretary of State for Wales what was Welsh Office expenditure on environmental research in Wales in each year since 1979; and if he will make a statement.

Mr. Grist: The information is as follows:

	£000s cash
1979-80	93
1980-81	80
1981-82	126
1982-83	165
1983-84	187
1984-85	205
1985-86	270
1986-87	887
1987-88	367

The increase in expenditure in 1986-87 was due to payments for studies relating to: the redevelopment of Cardiff bay, the staging of a national garden festival in Wales, and the intensive monitoring of sheep and other agricultural produce following the Chernobyl accident in 1986.

Environmental Health Services

Mr. Barry Jones: To ask the Secretary of State for Wales what is the total expenditure on local authority environmental health services in Wales and the number of environmental health officers employed, in each year since 1979; and if he will make a statement.

Mr. Grist: Expenditure on local authority environmental health staff and the staff employed in each financial year since 1979-80 is shown in the following table:

	Current expenditure (£000)	Capital expenditure (£000)	Environmental health officers and support staff (fte)[1]
1979-80	12,373	508	1,258
1980-81	16,142	746	1,253
1981-82	18,111	608	1,235
1982-83	20,368	580	1,238
1983-84	22,011	750	1,292
1984-85	23,093	721	1,407
1985-86	24,312	609	1,353
1986-87	25,511	1,071	1,342

[1] In March each financial year.

Information on the number of Environmental Health Officers alone is not held centrally.

Doctors (Working Hours)

Mr. Barry Jones: To ask the Secretary of State for Wales how many junior hospital doctors work *(a)* more than 104 hours a week in (i) Wales, (ii) Clwyd health authority, (iii) East Dyfed health authority, (iv) Gwent health authority, (v) Gwynedd health authority, (vi) Mid Glamorgan health authority, (vii) Pembrokeshire health authority, (viii) Powys health authority, (ix) South Glamorgan health authority, and (x) West Glamorgan health authority and *(b)* more than 112 hours a week in (i) Wales, (ii) Clwyd health authority, (iii) East Dyfed health authority, (iv) Gwent health authority, (v) Gwynedd health authority, (vi) Mid Glamorgan health authority, (vii) Pembrokeshire health authority, (viii) Powys health authority, (ix) South Glamorgan health authority, and (x) West Glamorgan health authority.

Mr. Ian Grist: Information about the hours worked by junior hospital doctors is not available centrally. The numbers of junior doctors who are contracted for the standard working week and to be available on standby or on-call together totalling more than 104 hours is eight out of a total of approximately 1,400 junior doctors in Wales.

Exhaust Emissions

Mr. Barry Jones: To ask the Secretary of State for Wales what estimate he has of the scale of pollution in Wales from road vehicle emissions of *(a)* carbon monoxide, *(b)* hydrocarbons, and *(c)* nitrogen oxides; and if he will make a statement.

Mr. Wyn Roberts: Information about emissions from road vehicles is not held in this form but total United Kingdom figures are published annually in the Department of the Environment's "Digest of Environmental Protection and Water Statistics".

Nitrogen dioxide figures can be taken as an adequate indicator of the level of road vehicle pollution. A United Kingdom wide survey of Nitrogen dioxide made for the Department of the Environment by Warren Spring laboratory in 1986 showed levels in Welsh cities to be generally below the average for the United Kingdom.

Noise Pollution

Mr. Barry Jones: To ask the Secretary of State for Wales what information he has on the number of noise pollution complaints received by environmental health officers in Wales; what are the sources of that noise pollution; and if he will make a statement.

Mr. Grist: The information is not maintained centrally.

Water Pollution

Mr. Barry Jones: To ask the Secretary of State for Wales what is the number of water pollution incidents in Wales for each year since 1979 and the sources of that pollution; and if he will make a statement.

Mr. Grist: The annual reports of the Welsh water authority, copies of which are in the Library, contain some references to the number of pollution incidents affecting water in the Welsh water authority's area.

The detailed information is not held centrally, so I have asked the chairman of the Welsh water authority to write to the hon. Gentleman.

Mr. Barry Jones: To ask the Secretary of State for Wales what are the numbers of lakes in Wales without fish due to pollution or acid rain; what steps he is taking to improve the situation; and if he will make a statement.

Mr. Grist: There is no definite evidence to show that any lake in Wales has become fishless because of the effect of acid rain. However, it is generally accepted that acidic deposition can bring about the acidification of lakes in areas with sensitive strata. The Welsh Office, with the Department of the Environment, funds an extensive programme of research with the aim of assessing the relative contribution which air pollution, afforestation, land type, land use and practice makes to the acidification of Welsh lakes and the effect that acidification has on fish populations.

Hospital Waiting Lists

Mr. Barry Jones: To ask the Secretary of State for Wales what are the latest waiting list figures for *(a)* in-patients for each Welsh health authority, *(b)* in-patients for each Welsh health authority (i) waiting more than one month for an urgent operation and (ii) waiting more than one year for a non-urgent operation and *(c)* out-patients.

Mr. Grist: All the information requested by the hon. Gentleman is contained in the 10th issue of the "Welsh Hospital Waiting List Bulletin," a copy of which is in the Library.

PRIME MINISTER

President Bush

Q27. **Mr. Latham:** To ask the Prime Minister when she next expects to meet President Bush.

The Prime Minister: I met Mr. Bush in November. On present plans, we shall next meet at the economic summit in Paris.

Ash-cum-Ridley

Q66. **Mr. Dunn:** To ask the Prime Minister if she has any plans to pay an official visit to Ash-cum-Ridley.

The Prime Minister: I have at present no plans to do so.

Food

Q72. **Mr. Devlin:** To ask the Prime Minister if she will transfer all responsibility for matters relating to food to the Ministry of Health.

The Prime Minister: I refer my hon. Friend to the reply which I gave to my hon. Friend the Member for Holland with Boston (Sir R. Body) on 17 January 1989, at column *128*.

Engagements

Mr. Barry Field: To ask the Prime Minister if she will list her official engagements for Tuesday 24 January.

Mr. Hind: To ask the Prime Minister if she will list her official engagements for Tuesday 24 January.

Mr. McLoughlin: To ask the Prime Minister if she will list her official engagements for Tuesday 24 January.

Mr. Cran: To ask the Prime Minister if she will list her official engagements for Tuesday 24 January.

Mr. Harry Greenway: To ask the Prime Minister if she will list her official engagements for Tuesday 24 January.

Mr. Sumberg: To ask the Prime Minister if she will list her official engagements for Tuesday 24 January.

Mr. Pike: To ask the Prime Minister if she will list her official engagements for Tuesday 24 January.

Mr. Ian Taylor: To ask the Prime Minister if she will list her official engagements for Tuesday 24 January.

Mr. Stern: To ask the Prime Minister if she will list her official engagements for Tuesday 24 January.

The Prime Minister: This morning I had meetings with Ministerial colleagues and others. In addition to my duties in the House, I shall be having further meetings later today.

Windscale Fire 1957

Mr. McGrady: To ask the Prime Minister if she will now review the decision not to release all the documents in respect of the fire at Windscale in 1957.

The Prime Minister: The release of public records is governed by the requirements of the Public Records Acts. I have nothing to add to the replies that I gave the hon. Gentleman on 19 January 1988 at column 597 and to the hon. Member for Copeland (Dr. Cunningham) on 14 January 1988 at column 353.

OVERSEAS DEVELOPMENT ADMINISTRATION

Aid (Cash Limits)

Mr. Sims: To ask the Secretary of State for Foreign and Commonwealth Affairs what change has been agreed in the 1988-89 cash limits for overseas aid.

Mr. Chris Patten: Subject to parliamentary approval of the necessary spring supplementary estimate the cash limit for the overseas aid vote (class II, vote 5) will be increased by £51,204,000 from £1,223,114,000 to £1,274,318,000. The change includes allowance for the increase in the overall provision for overseas aid announced on 14 November 1988 (at column 371). Voted provision is being further increased by £1,400,000 for emergency assistance provided in the current financial year following the earthquake in Armenia. The increase will be charged to the reserve and will not therefore add to the planned total of public expenditure. The running costs limit for the Overseas Development Administration within the voted provision will be reduced by £1,000 to £42,932,000. This decrease will be matched by an increase in the running costs limits for the Office of the Minister for the Civil Service (class XX, vote 1) and reflects the transfer of costs for recruitment under the direct entry grade 7 competition, 1988.

CHURCH COMMISSIONERS

Parliamentary Questions

Mr. French: To ask the right hon. Member for Selby, as representing the Church Commissioner, how many oral parliamentary questions he has answered by written reply because the question was not reached at Question Time, for the most recent year for which figures are available.

Mr. Alison: In 1988, of a total of 38 oral questions, 10 were answered as written replies because the question was not reached in the time allotted.

Clergy

Mr. John Marshall: To ask the right hon. Member for Selby, as representing the Church Commissioners, if he will make a statement about the number of *(a)* clergy who are likely to retire and *(b)* ordination candidates during the next 15 years.

Mr. Alison: It is estimated that the number of clergy retiring over the next 15 years will average 410 per year. Taking into account the numbers likely to move in and out of the parochial ministry in mid career, it is estimated that to produce a stable total number of full-time male clergy over the same period would require an ordination rate of about 375 a year. This would represent an increase over the recent steady average, which is about 320 a year. However, any shortfall could be made up, at least in part, by the increased numbers of women entering the ministry.

ATTORNEY-GENERAL

Land Registry

Mr. Anthony Coombs: To ask the Attorney-General what is the number of *(a)* the Land Registry Office's backlog of substantive searches, *(b)* its backlog of preliminary searches and *(c)* the extra staff who have been taken on to deal with the backlog.

The Attorney-General: The total number of applications held at the Land Registry at the various stages of processing at the end of December 1988 was 1,171,402. Preliminary searches have always received priority. 90 per cent. of these searches are processed within four working days. Since April 1988 over 2,000 staff have been recruited and trained. An additional authorisation in August of 900 posts was approved to meet the high intakes.

Viraj Mendis

Mr. Nicholas Bennett: To ask the Attorney-General what estimates he has as to the cost of court proceedings in the case of Mr. Viraj Mendis.

The Solicitor-General: The costs of court proceedings in the case of Viraj Mendis include the costs of Mr. Mendis's original application to the Queen's Bench Divisional Court and the Court of Appeal, and his two recent applications for judicial review relating to his deportation to Sri Lanka. He received legal aid for all these applications.

The fees payable to Mr. Mendis's legal advisers have not yet been finally assessed by the court. The legal aid administration has not, therefore, yet received any claims in respect of those costs. My right hon. Friend the Home Secretary has provided details of the legal costs incurred by the Home Office, in answer to a question from the hon. Member for Halifax (Mrs. Mahon) on 23 January 1989.

CIVIL SERVICE

Parliamentary Questions

Mr. French: To ask the Minister for the Civil Service how many oral parliamentary questions he has answered by written reply because the question was not reached at Question Time, for the most recent year for which figures are available.

Mr. Luce *[holding answer 19 January 1989]:* In 1988 a total of 60 questions were tabled to the Minister for the Civil Service, of which 18 received a written reply. These figures do not include oral questions which were subsequently withdrawn, unstarred or transferred to other Departments.

THE ARTS

Parliamentary Questions

Mr. French: To ask the Minister for the Arts how many oral parliamentary questions he has answered by written reply because the question was not reached at Question Time, for the most recent year for which figures are available.

Mr. Luce *[holding answer 19 January 1989]:* In 1988 a total of 222 questions were tabled to the Minister for the Arts, of which 186 received a written reply. These figures do not include oral questions which were subsequently withdrawn, unstarred or transferred to other Departments.

Museums and Galleries (Attendances)

Mr. Faulds: To ask the Minister for the Arts whether he will publish in the *Official Report* the attendance figures for 1988 reported by the national museums and galleries in England for which he is responsible, broken down into the individual institutions but including their outstations, with figures in each case of the percentage increase or decrease on the attendance figures for 1987.

Mr. Luce *[holding answer 16 January 1989]:* The estimated number of visitors during 1988 to the 11 national museums and galleries for which I am responsible are as follows:

	Estimated attendance in 1988	*Percentage change from 1987*
British Museum	4,172,472	+4·1
British Museum (Natural History)	1,671,380	−16·4
Imperial War Museum	1,086,587	−8·3
National Gallery	3,228,153	−9·5
National Maritime Museum	707,399	+60·0
National Museum and Galleries on Merseyside	1,525,672	+14·8
National Portrait Gallery	638,595	+8·1
Science Museum	3,861,433	−18·4
Tate Gallery	[1]2,091,267	+20·0
Victoria and Albert Museum	1,430,637	+2·3
Wallace Collection	157,524	−6·3
TOTAL	20,571,119	

[1] Figure includes Tate Gallery Liverpool which opened in May 1988.

NATIONAL FINANCE

Competitive Tendering (Merit Pay)

Mr. Sean Hughes: To ask the Chancellor of the Exchequer whether there have been any instances of rewarding staff through merit pay for carrying through a successful competitive tendering exercise.

Mr. Brooke: Merit pay is awarded by individual Departments and the information requested is not available centrally. Personal salary details, as opposed to the pay rate for the job are, however, normally confidential to the individual concerned.

Developing Countries (Debt)

Sir John Stanley: To ask the Chancellor of the Exchequer if he will give the information relating to official

debts by all developing countries outstanding at the end of 1987 in the same format as that given as at the end of 1986 to the hon. Member for Eccles (Miss Lestor) on 18 April 1988, *Official Report*, columns *328-30*.

Mr. Lawson: I regret that this information is not yet available.

Oil and Gas (Taxes and Royalties)

Mr. Salmond: To ask the Chancellor of the Exchequer if he will publish a table, similar to table 18 on page 72 of the current edition of "Development of Oil and Gas Resources of the United Kingdom", showing taxes and royalties attributable to United Kingdom and United Kingdom continental shelf oil and gas, at constant prices.

Mr. Lilley *[holding answer 23 January 1989]:* The figures are as follows:

Taxes and Royalties attributable to United Kingdom and UKCS oil and gas (and gas levy) at 1978-79 [1] prices

£ million

Financial Year	*1978-79*	*1979-80*	*1980-81*	*1981-82*	*1982-83*	*1983-84*	*1984-85*	*1985-86*	*1986-87*	*1987-88*
Royalty	289	537	716	917	1,000	1,117	1,365	1,092	471	490
Supplementary Petroleum Duty	—	—	—	1,331	1,468	—	—	—	—	—
Petroleum Revenue Tax[2]	183	1,228	1,740	1,570	2,006	3,529	4,039	3,384	609	1,120
Total Corporation tax before ACT set-off	93	214	246	447	319	514	1,365	1,545	1,372	680
ACT set-off	40	67	70	177	124	252	696	573	579	340
Mainstream CT	53	147	176	270	196	262	669	972	792	340
Total[3] Revenues	565	1,979	2,703	4,265	4,793	5,160	6,769	6,021	2,451	2,290
Gas Levy	—	—	—	252	289	306	281	279	264	245

[1] By reference to movements in the GDP deflator.
[2] Includes Advance Petroleum Revenue Tax (APRT).
[3] Constituent figures do not add up due to rounding.

SCOTLAND

Fisheries

Mr. Canavan: To ask the Secretary of State for Scotland whether he will make a statement on the up-to-date situation regarding the application for a Loch Awe Protection Order under the Freshwater and Salmon Fisheries (Scotland) Act 1976.

Mr. Michael Forsyth: On 26 September 1988 the consultative committee on freshwater fisheries decided that it could not recommend that the Secretary of State should grant proposals for statutory protection of freshwater fishing rights in Loch Awe, Loch Avich and the River Avich.

My right hon. and learned Friend is currently considering whether to accept or to reject the proposals or to hold a local inquiry in the light of the consultative committee's advice, the views of objectors and the comments of the proposers. A decision will be announced as soon as possible.

Conservation

Mr. Ron Davies: To ask the Secretary of State for Scotland what steps he proposes to take to limit the amount of compensation paid to farmers and landowners to prevent them damaging areas of special conservation interest.

Mr. Michael Forsyth: While my right hon. and learned Friend makes payments to facilitate the conservation of certain areas, compensation payments in relation to sites of special scientific interest are made by the Nature Conservancy Council from funds provided by the Department of the Environment.

Cash Limits

Mr. Allan Stewart: To ask the Secretary of State for Scotland whether the Lord Advocate proposes any changes to the Crown Office and Procurator Fiscal Service cash and running cost limits for 1988-89.

Lord James Douglas-Hamilton: The cash limit on class XI, vote 14 will be reduced by £100,000 from £21,267,000 to £21,167,000 and the running costs limit by £100,000 from £18,820,000 to £18,720,000.

East End Executive, Glasgow

Mr. David Marshall: To ask the Secretary of State for Scotland how many jobs in each classification have been created to date by the East End Executive, Glasgow.

Mr. Lang *[holding answer 16 January 1989]:* Such statistics are not held centrally. I understand that the East End Executive's records show that, from its inception in August 1987 until 31 December 1988, businesses in receipt of advice and counselling from the executive have provided a total of 1,627 jobs in the area; of these, 558 were in manufacturing industry and 1,069 in the service sector.

Employment Training

Mr. McLeish: To ask the Secretary of State for Scotland what was the total number of authorised places in employment training in 1988-89 and 1989-90.

Mr. Lang *[holding answer 19 January 1989]:* There is provision for 41,473 employment training places in Scotland in 1988-89 once the programme is fully operational. Provision for 1989-90 has not yet been finalised.

Mr. McLeish: To ask the Secretary of State for Scotland what was the total amount of planned expenditure on employment training in 1988-89 and 1989-90.

Mr. Lang *[holding answer 19 January 1989]:* Up to £180 million is available for employment training in Scotland in 1988-89. Expenditure plans for 1989-90 have not yet been finalised.

Mr. McLeish: To ask the Secretary of State for Scotland if he has any plans to reduce the number of authorised employment training places.

Mr. Lang *[holding answer 19 January 1989]:* Provision for employment training in Scotland is kept under review in the light of changing circumstances including the level of long-term unemployment.

Mr. McLeish: To ask the Secretary of State for Scotland if he will give in percentage form the local government rate support grant settlement for each of the years 1977-78 to 1987-88.

Mr. Lang *[holding answer 23 January 1989]:*
The information requested is as follows:

Scotland

	Percentage
1977-78	68·5
1978-79	68·5
1979-80	68·5
1980-81	68·5
1981-82	66·7
1982-83	64·2
1983-84	61·7
1984-85	60·2
1985-86	57·7
1986-87	56·1
1987-88	55·5

NORTHERN IRELAND

Gipsies

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland how many gipsies have been encamped at the junctions of the Middletown-Rookford roads, Armagh, during December 1988; how many caravans were there; how many caravans were burnt; what assistance he has given towards the replacement of damaged caravans; on how many occasions the Royal Ulster Constabulary and fire authority were called to this camp in December; whether the gipsy children attended school; what financial and social assistance was given to these gipsies; how many of them came from the Republic of Ireland; what action he took to remove them; and whether any public nuisance was caused by them.

Mr. Ian Stewart: During December 1988 some 40-50 travelling people were encamped at the junctions of the Middletown/Rookford roads, Armagh. Two of the 19 caravans on the site were burnt. No claim under the Criminal Damage (Compensation) (Northern Ireland) Order 1977 has been received for damage caused during December 1988 to property at that location.

I understand that the Royal Ulster Constabulary was called to the site on 16 occasions during December 1988. The Northern Ireland Fire Authority was called to the site on two occasions in December.

It is understood that the children of the itinerant families did not attend school while at the location.

It has been possible to identify five travellers from the site who during this time were in receipt of social security benefit. However, any of the people on the site who applied would have received the benefits to which they were entitled. Social work help, mainly in relation to welfare rights inquiries, was provided.

Details of the number of travelling people from the Republic of Ireland are not available.

It was considered by the district council that a public health nuisance was caused by those at the site and 12 statutory notices to remove them were issued. In addition, it was also considered that a road traffic hazard was being caused.

Community Unit of Management (Belfast)

Mr. Jim Marshall: To ask the Secretary of State for Northern Ireland if he will provide details of the budgetary provision for 1987-88 and 1988-89 for the community unit of management in north and west Belfast; and if he will make a statement.

Mr. Needham: The final budget allocation to the north and west Belfast community unit of management in 1987-88 was £18,250,758, including capital. The unit's initial budget allocation for 1988-89 was £18,410,452. In addition, in 1988-89 the unit received an additional allocation of £611,250 through the "Making Belfast Work" initiative. The final budget allocations for 1988-89 have not yet been determined.

Health Standards (Belfast)

Mr. Jim Marshall: To ask the Secretary of State for Northern Ireland if he will make a statement on the standards of health of the population of north and west Belfast.

Mr. Needham: A recent report by the Eastern health and social services board indicates that in general morbidity and mortality rates are higher among the population in north and west Belfast than in other parts of the city. Action is being taken on a number of fronts to tackle this problem. These include the allocation of special funds for health related projects in north and west Belfast as part of the "Making Belfast Work" initiative, which also aims to relieve social deprivation; the setting up of an action team to improve low immunisation uptake rates; and the participation of Belfast in the World Health Organisation's healthy cities project.

Eastern Health and Social Services Board

Mr. Jim Marshall: To ask the Secretary of State for Northern Ireland what action is to be taken on the Eastern health board's complementarity study on the Royal Victoria hospital, Belfast City hospital and Mater hospital; and if he will make a statement.

Mr. Needham: The recommendations of the complementarity study have recently been considered by the Eastern board and have now been included in the board's draft operational plan for 1989-90 as a basis for consultation. When this process has been completed I will wish to discuss with the chairman the board's conclusions.

Mr. Jim Marshall: To ask the Secretary of State for Northern Ireland if he will make a statement on the likely

costs and savings of the recommendations contained within the Eastern health board's complementarity study, giving details for each relevant recommendation.

Mr. Needham: Estimates of the costs and savings of the recommendations contained in the complementarity study report are not yet available.

Mr. Jim Marshall: To ask the Secretary of State for Northern Ireland if he will make a statement on the Eastern health board's proposal to close the Mater hospital's casualty unit at night and the likely impact on the population of north Belfast.

Mr. Needham: This proposal is one of the recommendations of the Eastern board's complementary study which are currently the subject of consultation as part of the board's draft operational plan for 1989-90. When the board reaches conclusions on the study I shall want to discuss with the chairman the implications for the Mater hospital and the population it serves.

Mr. Jim Marshall: To ask the Secretary of State for Northern Ireland if he will make a statement on the Eastern health board's proposal to close the Royal Victoria hospital's casualty service on certain nights and the impact on the population of north and west Belfast.

Mr. Needham: The proposal is one of the recommendations of the Eastern board's complementarityy study which is currently the subject of consultation as part of the board's draft operational plan for 1989-90. When the board reaches conclusions on the study I shall want to discuss with the chairman their implications, including the impact on the population served.

Mr. Jim Marshall: To ask the Secretary of State for Northern Ireland if he will make a statement on the Eastern health board's proposal to close the Royal College of Surgeons' recommended trauma unit on certain nights.

Mr. Needham: The proposal is one of the recommendations of the Eastern board's complementarity study which are currently the subject of consultation as part of the board's draft operational plan for 1989-90. When the board reaches conclusions on the study I shall want to discuss their implications with the chairman. In case of accident and emergency services I will take into account all the recommendations contained in the recent report by the Royal College of Surgeons on the management of patients with major injuries.

Mr. Jim Marshall: To ask the Secretary of State for Northern Ireland if he will make a statement on the Eastern health board's proposal to develop a unified management structure for the Royal Victoria, Mater and Belfast City hospitals and the budgetary implications.

Mr. Needham: I believe that it is essential to improved management and delivery of acute hospital services in Belfast to secure greater co-ordination and harmonisation between these three hospitals. I welcome the recommendation from the complementarity study for a unified management structure and I await with interest detailed proposals from the Eastern board to take this forward.

Mr. Jim Marshall: To ask the Secretary of State for Northern Ireland if he will list the number of gynaecology beds in the Royal Victoria, Mater and Belfast City hospitals in the years 1986, 1987 and 1988; and if he will make a statement on the Eastern health board's proposals for the future of gynaecological services for those three hospitals.

Mr. Needham: The information is as follows:

	1986	*1987*	*1988*
Royal Victoria	38	38	38
Belfast City	60	60	60
Mater	20	20	20

The current proposals for rationalisation of gynaecology services in these hospitals stem from the Eastern board's complementarity study which is currently the subject of consultation as part of the board's draft operational plan for 1989-90. When the board reaches conclusions on the study I shall be discussing their implications with the chairman of the board.

Mr. Jim Marshall: To ask the Secretary of State for Northern Ireland if he will make a statement on the future of all specialties presently provided by the Royal Victoria hospital in the light of the Eastern health board's recent complementarity study.

Mr. Needham: The Eastern board has yet to reach decisions on the recommendations of the complementarity study, some of which relate to the Royal Victoria hospital. The hospital however is, and will continue to be, the major centre of excellence in Northern Ireland, providing the bulk of regional medical services to the population as a whole.

Mr. Jim Marshall: To ask the Secretary of State for Northern Ireland if he will list the number of gynaecology re-admissions at the Royal Victoria, Mater and Belfast City hospitals in the years 1986, 1987 and 1988; and if he will make a statement.

Mr. Needham: This information is not available.

North and West Belfast Health District

Mr. Jim Marshall: To ask the Secretary of State for Northern Ireland if he will make a statement on the relocation of the salaries and wages department of the North and West Belfast health district.

Mr. Needham: In view of the poor standard of accommodation occupied by the salaries and wages office of the royal group of hospitals unit of management (formerly north and west Belfast district) the Eastern health and social services board decided to relocate the office in more suitable accommodation in the centre of Belfast. Staff were consulted about the move and agreed to it.

Royal Victoria Hospital

Mr. Jim Marshall: To ask the Secretary of State for Northern Ireland if he will make a statement on action being taken to upgrade the buildings of the Royal Victoria hospital.

Mr. Needham: Over the past few years there has been an extensive programme of works designed to improve and extend the buildings and facilities at the royal group of hospitals. This is in addition to routine or day-to-day

maintenance (including redecoration and repairs) undertaken by both directly employed maintenance staff and private contractors. The total cost of the programme of works carried out in the three financial years from 1985/86 was £8,839,550. Estimated expenditure on works in the current financial year, some of which will carry over into 1989-90, is £2,192,475, giving a total over the four years of £11,032,025. Details of the projects undertaken are available in the Library.

Mr. Jim Marshall: To ask the Secretary of State for Northern Ireland if he will list the number of patients not treated at the Royal Victoria hospital due to (i) lack of access, and (ii) security problems in each year since 1975.

Mr. Needham: This information is not available.

Mr. Jim Marshall: To ask the Secretary of State for Northern Ireland if he will list staffing levels within the internal security work force of the Royal Victoria hospital in each year since 1975.

Mr. Needham: The number of staff engaged specifically on security duties at the royal group of hospitals, including the Royal Victoria hospital, at 30 September each year was as follows:

	Staff in post
1975	n/a
1976	n/a
1977	n/a
1978	48
1979	48
1980	48
1981	48
1982	47
1983	42
1984	43
1985	39
1986	37
1987	37
1988	39

The figures for the years prior to 1985 relate to staff employed by the former north and west Belfast district, which included those hospitals forming the present royal group of hospitals unit of management.

Mr. Jim Marshall: To ask the Secretary of State for Northern Ireland if he will make a statement on plans to remedy internal security problems within the Royal Victoria hospital.

Mr. Needham: Security at the Royal Victoria hospital site is primarily the responsibility of the Eastern health and social services board, which has recently spent £400,000 on security measures recommended by the Royal Ulster Constabulary. The board has now issued a consultative document proposing further measures aimed at reducing all crime on the site. I am satisfied that the board is taking seriously the problem of protecting the interests of patients, staff and visitors while, at the same time, preserving reasonable access to the hospital's services.

Mr. Jim Marshall: To ask the Secretary of State for Northern Ireland if he will publish the Royal Ulster Constabulary report on security at the Royal Victoria hospital; and if he will make a statement on the reasons for this report not being made available to the Health Service trade unions.

Mr. Needham: For obvious reasons, reports by the crime prevention unit of the Royal Ulster Constabulary are confidential documents. However, the additional measures recommended by the RUC to combat crime and vandalism on the site are contained in a paper which has been issued to interested parties, including the trade unions, for comment.

Mr. Jim Marshall: To ask the Secretary of State for Northern Ireland if he will make a statement on present negotiations between the Northern Ireland Office, the Eastern health board and Health Service trade unions on security at the Royal Victoria hospital.

Mr. Needham: I understand that the royal group of hospitals unit of management has recently invited interested parties, including the Health Service trade unions, to participate in discussions on its proposals for additional security measures to combat the level of crime and vandalism on the royal site. I welcome this initiative and hope that all concerned will react positively to this invitation in the interest of providing the best possible protection to patients, staff and visitors using the hospitals.

Mr. Jim Marshall: To ask the Secretary of State for Northern Ireland if he will make a statement on the level of funding being made available in 1988-89 and 1989-90 for improving internal security at the Royal Victoria hospital.

Mr. Needham: I understand that in 1988-89 the Eastern health and social services board expects to spend some £580,000 on salaries and wages for security staff at the royal group of hospitals, including the Royal Victoria hospital. Expenditure on non-staff costs associated with security on the site is not separately identifiable. The budget for 1989-90 will be determined in the light of the outcome of the consultations with trade unions and other interests on the additional security measures which the board has now proposed.

Mr. Jim Marshall: To ask the Secretary of State for Northern Ireland if he has any plans for the use of a new site as part of the rebuilding plans for parts of the Royal Victoria hospital; and if he will make a statment.

Mr. Needham: Options for the use of the former Kelvin school site which adjoins the royal group of hospitals are currently being examined by the Eastern health and social services board. The board has recently approved a proposal by the unit of management group to use part of the site for additional car parking. This is an interim measure and does not prejudice continuing consideration of the best use of the Kelvin school site to meet the longer term development needs of the royal group of hospitals.

Mr. Jim Marshall: To ask the Secretary of State for Northern Ireland if he has any plans to carry out a study on the role of the Royal Victoria hospital as a district hospital serving north and west Belfast, as a general hospital serving the whole city and greater Belfast area and as the home of regional specialties; and if he will make a statement.

Mr. Needham: I have no plans to carry out such a study. The royal group of hospitals, including the Royal Victoria hospital, is the major centre of excellence with the bulk of regional specialties based there; it also provides acute

services for the Eastern board population. I intend that it will continue to fulfil these roles and as evidence of the Government's commitment I have recently announced that two capital schemes will proceed in 1989-90—the regional neonatal referral unit and expanded recovery facilities for cardiac surgery.

Health Service (Staffing)

Mr. Jim Marshall: To ask the Secretary of State for Northern Ireland if he will list the number of senior management posts presently being filled by secondments within the royal group of hospitals.

Mr. Needham: The following three senior management posts are currently being filled by secondments within the royal group of hospitals:

a. Group Administrator
b. Catering Manager
c. Senior Administrative Officer (Clinical Activity and Resource Analysis).

Mr. Jim Marshall: To ask the Secretary of State for Northern Ireland if he will make a statement on the operation of the secondment process for senior management positions in the Royal group of hospitals, detailing the steps taken to safeguard fair employment practices.

Mr. Needham: The use of secondments at the royal group of hospitals is a matter for the Eastern health and social services board. Currently three managerial positions are being filled on this basis at the royal group.

Fair employment practices are safeguarded by the board's policy on equality of opportunity which provides for equal opportunity for all staff regardless of religious affiliation, sex or disability.

Antrim Hospital

Mr. Beggs: To ask the Secretary of State for Northern Ireland what representations he has received from general practitioners in the Northern health and social services board area opposing the provision of the new Antrim hospital; and if he will make a statement on the reasons given for opposition.

Mr. Needham: I have received representations recently on behalf of a number of general practitioners in the Northern board area opposing the new Antrim hospital and questioning the underlying strategy for the development of acute hospital services in that board. I have indicated the Government's view that the project is essential to ensure that the population of the Northern board have in the future the high quality medical care to which they are entitled.

Accidents (Donaghadee)

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland how many accidents have occurred, in each of the past 10 years, in the vicinity of the junction of Windmill road and Killaughey road, Donaghadee; what is the recorded number of injuries and fatalities; and if he will consider undertaking a scheme to improve road safety at this junction.

Mr. Needham: No statistical record of damage only accidents in this vicinity is kept, but the personal injury and fatal accident history over the past 10 years is as follows:

Number of personal injury/fatal accidents

Year	*Number*
1979	Nil
1980	1
1981	Nil
1982	[1]1
1983	Nil
1984	1
1985	Nil
1986	1
1987	Nil
1988	Nil

[1] Fatal.

The Department of the Environment's roads service is currently considering measures to improve this junction.

Handyman's Course (Donaghadee Technical College)

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland why the handyman's course, due to commence on 10 January 1989 at Donaghadee technical college, has been withdrawn; and if arrangements are being made to offer this course later in the present academic year.

Dr. Mawhinney: The organisation of courses is a matter for the South-Eastern education and library board.

This course was withdrawn because potential participants were unable to obtain a training grant from the Department of Economic Development's action for community employment (ACE) programme as funds available had already been committed and applicants were not themselves prepared to pay the required tuition fees. If the necessary fees support can be provided it may be possible to mount the course later this year.

Stalker-Sampson Inquiry

Mr. McNamara: To ask the Secretary of State for Northern Ireland how many Royal Ulster Constabulary officers have been *(a)* the subject of disciplinary proceedings, *(b)* dismissed from the Royal Ulster Constabulary, *(c)* required to resign, *(d)* allowed to resign due to ill health, *(e)* permitted to take premature retirement, *(f)* demoted, *(g)* repremanded or *(h)* otherwise disciplined, following the events investigated by Mr. Stalker and Mr. Sampson.

Mr. Ian Stewart: Disciplinary proceedings have not yet been concluded in respect of any of the 20 RUC officers referred to in the Chief Constable's statement of 4 July 1988. The answer to *(b) (c) (e) (f) (g) (h)* of the hon. Member's question is none. The two suspended officers to whom my right hon. Friend referred in his statement of 17 February 1988, at column 977, who have never been the subject of any disciplinary proceedings, have since been medically discharged under the RUC Pensions Regulations 1973 (as amended) because they were not fit to carry out the duties expected of them.

Council Houses

Mr. Ross: To ask the Secretary of State for Northern Ireland if he will publish a table in the *Official Report* to show the number of dwellings in each council area in Northern Ireland which have a net annual valuation below £60; how many of these in each council area are in *(a)* the public sector and *(b)* the private sector; in each sector how

many are owner-occupied; and what percentage of the dwellings in each council area such dwellings represent in each category of ownership and occupation, or as much of the information sought as is available to him.

Mr. Needham: The information requested is not readily available and could be obtained only at disproportionate cost.

Rates

Mr. Ross: To ask the Secretary of State for Northern Ireland how many domestic hereditaments for rating purposes there are in *(a)* Limavady council area, *(b)* Coleraine council area and *(c)* Magherafelt council area.

Mr. Needham: The information at 31 December 1988 is as follows:

Council area	*Number of domestic hereditaments*
Limavady	8,723
Coleraine	19,725
Magherafelt	11,245

AGRICULTURE, FISHERIES AND FOOD

Ministerial Staff (Pay)

Mr. Sean Hughes: To ask the Minister of Agriculture, Fisheries and Food what is the number of staff in his Ministry, by grade, in receipt of local pay additions outside London and the south-east economic planning region; what are the different amounts paid to staff by grade; whether this figure varies due to location; what qualifying period of scale-related criteria is used; and whether this varies by location.

Mr. Donald Thompson: Outside London and the south-east economic planning region 52 administrative assistants in Ministry offices in Cambridge receive a local pay addition of £300 per annum. There is no qualifying period for receipt of the allowance.

Meat Exports

Mr. Andrew Smith: To ask the Minister of Agriculture, Fisheries and Food what volume of British meat exports to the United States of America has been debarred or delayed so far, as a result of United States retaliation against the European Economic Community ban on imports of hormone-treated meat.

Mr. Donald Thompson: When the European Community banned imports from third countries of meat derived from animals treated with hormone growth promoters, the United States response was to impose penal levels of import duties—at 100 per cent.—on certain EC exports, rather than a complete ban. The list includes two meat items only: boneless beef and hams and shoulders. There were no United Kingdom exports to the United States of these products during the last 12 months for which statistics are available; the United States action is therefore most unlikely to affect United Kingdom meat exporters.

ENVIRONMENT

Rating Reform

Mr. Allen: To ask the Secretary of State for the Environment if he will publish in the *Official Report* a list of all those categories of people who will *(a)* be excluded from liability to pay the community charge and *(b)* be entitled to a rebate on community charge payments; and what the scale of such rebates will be.

Mr. Gummer: The categories of people who will be exempt from liability to pay the personal community charge are listed in schedule 1 to the Local Government Finance Act 1988.

People whose income is at or below the level of income support will receive rebates of 80 per cent., and income support will be increased to take account of the 20 per cent. liability. We estimate that there will be 5 million adults in this category, and that an additional 4½ million adults, whose income is above the level of income support, will receive rebates, on a sliding scale, of up to 80 per cent. In addition, ¾ million full-time students will pay only 20 per cent. of the full charge.

Sir Eldon Griffiths: To ask the Secretary of State for the Environment what savings in staff per thousand accounts he expects local authorities on average to achieve on the basis of the report he commissioned from Price Waterhouse on the costs of collection of the community charge.

Mr. Gummer: Price Waterhouse estimated that if authorities maintained their existing performance levels on rate collection one employee would be required for every 1,700 community charge accounts. However, Price Waterhouse also estimated that if all authorities were to work as efficiently as the most efficient in their category, one employee would be required for every 2,100 accounts. I would expect authorities to be working towards this higher productivity level, which could save nearly 5,000 staff.

Mr. Cryer: To ask the Secretary of State for the Environment if he will list the statutory instruments now being prepared connected with the preparation of poll tax registers in England and Wales and the likely dates of laying them; and if he will make a statement.

Mr. Gummer *[holding answer 23 January 1989]:* There will be no statutory instruments dealing with poll tax registers, since the Government have no plans to introduce a poll tax. We intend to lay before the House in March one statutory instrument covering the administration and enforcement of the community charge, including the compilation of registers.

Mr. Cryer: To ask the Secretary of State for the Environment what replacement funding will be provided for fire, police and transport services on the advent of the poll tax; and if he will make a statement.

Mr. Gummer *[holding answer 23 January 1989]:* The Government have no plans to introduce a poll tax. In metropolitan areas, joint police and joint fire and civil defence authorities will precept on the collection funds operated by each charging authority within their areas. Precepts on the collection fund will be met by income from

the community charge, needs grant and business rates. In addition, police authorities will continue to receive police grant from the Home Office. Passenger transport authorities will issue levies to their constituent district councils.

In shire areas, these services are provided by county councils or district councils as appropriate. Their expenditure will also be supported by income from community charges, needs grant and business rates, and by police grant.

Homeloan Scheme

Mr. Colvin: To ask the Secretary of State for the Environment how many first-time buyers received assistance under the homeloan scheme, in the latest year for which figures are available, in each of the regions of England.

Mr. Trippier: Information on the take-up of the homeloan scheme is not available for individual regions. The number of people receiving assistance in 1987-88, the last year for which figures are available, is estimated to be 2,580.

Mr. Colvin: To ask the Secretary of State for the Environment when he last reviewed the homeloan scheme of assistance for first-time home buyers.

Mr. Trippier: The homeloan scheme is reviewed from time to time, both with regard to its general effectiveness and to the price limits for the home purchased.

Mr. Colvin: To ask the Secretary of State for the Environment what criteria are used to upgrade the price limits on house purchases under the homeloan scheme; when these limits were last reviewed; and when they will next be reviewed.

Mr. Trippier: The price limits in the homeloan scheme are intended to allow about two thirds of first-time buyers to qualify for the scheme's benefits. They are based on the prices actually paid by first-time buyers borrowing from building societies, and are reviewed as often as changing house prices makes necessary. The present limits were introduced on 18 March 1988. They have been reviewed recently, and we shall be tabling an order shortly which proposes increases in all areas in Great Britain.

Hedgerows

Dame Janet Fookes: To ask the Secretary of State for the Environment how many miles of hedgerow have been destroyed in the last 20 years.

Mrs. Virginia Bottomley: There has been a certain amount of hedgerow removal in recent years as a result of changing agricultural circumstances and for other reasons. The current rate is not easy to establish. Estimates have been made for past periods, though none covers the last 20 years.

A survey of landscape change in England and Wales carried out for the Department and the Countryside Commission by Hunting Surveys and Consultants Ltd. showed annual losses of some 2,900 miles of hedgerow between 1969 and 1980 and 4,000 miles between 1980 and 1985. A survey of environmental topics on farms carried out by the Ministry of Agriculture, Fisheries and Food showed annual losses of 500 miles between 1980 and 1985. The two surveys were very different in approach and neither can be regarded as definitive. The Hunting survey used air photography covering 1·1 per cent. of England and Wales, backed up by ground survey. The MAFF survey used a postal questionnaire to some 6,000 farmers asking them to estimate changes in hedgerow lengths and covered approximately 6 per cent. of England and Wales. Work is continuing to improve information both on the rate of removal and on the extent of new planting.

Dame Janet Fookes: To ask the Secretary of State for the Environment how many miles of hedgerow have been destroyed in Devon in the last 10 years.

Mrs. Virginia Bottomley: The sample surveys of landscape change so far completed have not provided information at the level of individual counties.

Dame Janet Fookes: To ask the Secretary of State for the Environment if he will take steps to stem the loss of hedgerows by the introduction of landscape conservation orders or by other means.

Mrs. Virginia Bottomley: Hedgerows need positive management to keep them in good condition. The main priority is to ensure that farmers and other owners continue to maintain them voluntarily. Agricultural advisers from the Ministry of Agriculture, Fisheries and Food encourage farmers to retain hedgerows wherever possible and to manage them effectively. MAFF aids the planting of new hedgerows and hedgerow laying under the agriculture improvement scheme. It is anticipated that such grants will form part of the new farm and conservation grant scheme which my right hon. Friend the Minister of Agriculture, Fisheries and Food announced last November. Where appropriate the Countryside Commission and the Nature Conservancy Council can also offer assistance.

Ozone Layer

Mr. McGrady: To ask the Secretary of State for the Environment what steps have been taken to implement the European Environmental Council directive about the Montreal protocol on substances that deplete the ozone layer.

Mrs. Virginia Bottomley: The EC regulation to implement the Montreal protocol is directly applicable in all member states and therefore forms part of the law of each member state. The Department is considering whether any topping-up regulations may be required under the European Communities Act 1972.

Local Authority Staff

Mr. Kirkwood: To ask the Secretary of State for the Environment if he will list in the *Official Report* for each local authority the staff increases they have experienced in each of the last three years; and what estimates there are of any increases in future years.

Mrs. Virginia Bottomley: Information on changes in local authority staff numbers in England is compiled by LACSAB on behalf of DOE and the local authority associations and published quarterly in a joint manpower watch press notice, tables D to M. Copies of the press notices containing mid-year figures have been placed in the Library of the House. Estimates of any future increases are not made centrally.

Widdicombe Report

Mr. Ron Davies: To ask the Secretary of State for the Environment whether he intends to seek to implement any of the recommendations of the Widdicombe report in the current parliamentary session.

Mrs. Virginia Bottomley: Yes.

Endangered Species (Control of Trade)

Mr. Corbett: To ask the Secretary of State for the Environment how many part-time and full-time staff have been assigned to implement the Control of Trade in Endangered Species (Enforcement) Regulations 1985 per month since enforcement of the regulations; and what is the cost to his Department.

Mrs. Virginia Bottomley: Departmental staff have not been assigned exclusively to implement the Control of Trade in Endangered Species (Enforcement) Regulations 1985. In 1987-88 26 staff in the Department's wildlife division were involved on endangered species matters and were assisted, as required, by a panel of 90 fee-paid inspectors. The cost of the full-time staff involved was approximately £465,000. Enforcement of the regulation is a matter for HM Customs and Excise and the police as appropriate.

Mr. Corbett: To ask the Secretary of State for the Environment how many person hours have been spent implementing the Control of Trade in Endangered Species (Enforcement) Regulations 1985 per month since enforcement of the regulations; and what is the cost to his Department.

Mrs. Virginia Bottomley: This information is not available.

Infractions

Mr. Corbett: To ask the Secretary of State for the Environment, pursuant to his answer of 17 January to the hon. Member for Birmingham, Erdington, *Official Report*, columns *154-55*, what was the nature of the five infractions that have been referred to the enforcement authorities and of the two infractions at present under consideration by his Department.

Mrs. Virginia Bottomley: All possible infractions involve suggestions that CITES appendix I or EC Regulation 3626/82 annex C part I specimens were being offered for sale.

Mr. Corbett: To ask the Secretary of State for the Environment, pursuant to his answer of 17 January to the hon. Member for Birmingham, Erdington, *Official Report*, columns *154-55*, if he will specify the number and nature of any possible infractions which have been referred to his Department between April 1987 and October 1988; and what action his Department has taken on these.

Mrs. Virginia Bottomley: This information is not readily available, as the Department kept no central record of possible infractions during this period.

Nitrogen Dioxide (Monitoring)

Mr. Allan Roberts: To ask the Secretary of State for the Environment what is the number of sites in London monitoring nitrogen dioxide levels under European Community directive 85/203; and where are those sites.

Mrs. Virginia Bottomley: There are two sites in London monitoring nitrogen dioxide levels in accordance with European Community directive 85/203/EEC; they are in Pembroke road, Kensington W8 and Vauxhall bridge road, Victoria SW1.

Waste Treatment Works

Mr. Allan Roberts: To ask the Secretary of State for the Environment what discussions the Government have held with United Nations environment programme and Organisation for Economic Co-operation and Development on the subject of encouraging the establishment of waste treatment works in the countries of source to discourage the transfrontier shipment of such wastes.

Mrs. Virginia Bottomley: The Government are participating actively in discussions within the Organisation for Economic Co-operation and Development and United Nations environment programme to develop international controls on transfrontier shipment and supports the principle that countries should establish their own disposal facilities to reduce transfrontier shipment to a minimum compatible with environmentally sound and efficient management.

Litter Collections

Mr. Gordon Brown: To ask the Secretary of State for the Environment if he will estimate the spending on litter collection for 1988-89 and for each of the next three years.

Mrs. Virginia Bottomley: Details of local authority expenditure on litter collection are not available centrally.

Council House Sales

Mr. Gordon Brown: To ask the Secretary of State for the Environment what is his latest estimate of capital receipts from the right to buy for 1988-89 and his forecasts for the coming three years.

Mrs. Virginia Bottomley: Estimates and plans for local authorities' initial capital receipts from the sale of dwellings in England, both under the right-to-buy and on a voluntary basis are given in the table. Figures are not available for right-to-buy receipts alone.

Local authorities' initial capital receipts from sale of dwellings

	Initial receipts £ million
1988-89 (estimate)	2,555
1989-90 (plan)	2,915
1990-91 (plan)	2,525
1991-92 (plan)	2,440

Keep Britain Tidy Campaign

Mr. Gordon Brown: To ask the Secretary of State for the Environment what is the Government budget for the Keep Britain Tidy campaign for each year since 1979 and for the next three years at current prices and at constant 1987-88 prices.

Mrs. Virginia Bottomley: The Government's grant aid to the Tidy Britain Group (formerly Keep Britain Tidy Group) since 1979 at current prices and at 1987-88 prices is as follows:

Year	Current prices £000	At 1987-88 prices £000
1979-80	275	477
1980-81	250	366
1981-82	275	367
1982-83	292	363
1983-84	525	624
1984-85	510	581
1985-86	547	587
1986-87	554	577
1987-88	568	568
1988-89	1,254	1,194
1989-90	3,000	2,773

Decisions on the future level of grant aid have yet to be made. A review of the programme of pilot projects being carried out by the group will be undertaken later in the year.

Street Cleaners

Mr. Gordon Brown: To ask the Secretary of State for the Environment what is his estimate of the number of street cleaners in 1979, and today.

Mrs. Virginia Bottomley: Details of the number of street cleaners employed by local authorities are not held centrally.

Water Privatisation

Mr. Boswell: To ask the Secretary of State for the Environment how the Government propose to safeguard the countryside and the public's access to it, after privatisation of the water authorities; and if he will make a statement.

Mr. Howard: In the last decade, the water authorities have shown a growing appreciation of the importance of furthering conservation, maintaining public access to their land and water, and promoting recreation. This is something we wish to continue and build upon for in many of its operations, such as the construction and maintenance of reservoirs, the protection of water catchment areas and the abstraction of water from rivers, the water industry has a unique, profound and continuous impact on the environment.

That is why the Water Bill currently being considered by Parliament would impose on all the water and sewerage companies, the National Rivers Authority and certain other water bodies a duty to carry out their functions in a way that furthers conservation, preserves public rights of access and promotes recreation.

In enforcing these duties on the new water plcs the Secretary of State would take into account the extent to which they have followed the terms of statutory codes of practice giving practical guidance in relation to these duties. These new codes will give added emphasis to these important duties.

I have today published a draft of the code of practice on conservation, access and recreation and have invited the NRA and the water authorities and statutory water companies to comment on these draft guidelines. I have placed a copy of the draft code, with a summary of its contents, in the Library of the House.

Housebuilding (Rentals)

Mr. Patnick: To ask the Secretary of State for the Environment how many houses were built to be rented in the public sector in each successive year since 1974.

Mr. Trippier: The information requested is listed below.

Over 1 million dwellings were built for rent by the public sector in England between 1974 and 1987. In addition over 1 million renovations would in many cases have provided additional dwellings for rent.

New Public Sector Housebuilding Completions for Rent: England, in thousands
(Figures exclude new build for sale and shared ownership)

Year	
1974	[1]104·9
1975	[1]127·9
1976	[1]130·3
1977	[1]138·0
1978	[1]112·4
1979	89·3
1980	91·8
1981	70·5
1982	39·3
1983	37·7
1984	36·6
1985	29·7
1986	25·7
1987	23·2

[1] estimate.

Public sector here consists of local authorities, new towns and housing associations.

Waste Disposal

Mr. Robert G. Hughes: To ask the Secretary of State for the Environment if he will publish the additional consultation paper on waste disposal law amendments as announced on 29 June, *Official Report*, column *254*.

Mr. Ridley *[pursuant to the reply, 23 November 1988, c. 4]:* The Government are concerned about criticisms of the regulation of waste disposal, exemplifed in the reports of the former hazardous waste inspectorate (now part of Her Majesty's inspectorate of pollution). My right hon. Friend the Secretary of State for Wales and I have accordingly reviewed existing arrangements in England and Wales and have today published a consultation paper with proposals for reform. Copies of the paper have been deposited in the Libraries of both Houses.

Our proposals are aimed at securing high national standards of waste management which are consistently and fairly enforced at local level. They build on the arrangements established under the Control of Pollution Act 1974 but address weaknesses and criticisms which have emerged in the light of experience.

National standards, applicable to both public and private sector operations, will be achieved by requiring regulation authorities to have regard to waste management papers prepared by Her Majesty's inspectorate of pollution in carrying out its functions. The regulatory and operational functions of waste disposal authorities will be separated by organising operational functions into arm's-length local authority disposal companies. Disposal authorities will be retitled waste regulation authorities and will be required to publish annual reports on their regulatory performance to strengthen public accountability.

Her Majesty's inspectorate of pollution will be given statutory powers to examine and report on the regulatory performance of waste regulation authorities, with rights of access to documents and land. There will be more finely targeted default powers for the Secretaries of State with regard to authorities which consistently fail to exercise their regulatory duties properly.

Waste collection authorities will have a duty to arrange for the disposal of waste they have collected. They will be required to seek competitive tenders which both local authority waste disposal companies and private sector companies will be eligible to submit. In assessing tenders, waste collection authorities will be required to have regard to the environmental effects of the proposed method of disposal.

These proposals complement the measures to strengthen controls on waste disposal announced on 29 June last and the proposals announced in the House on 23 November. Together they form a package which will be the subject of early legislation.

HOME DEPARTMENT

Betting and Gaming

Mrs. Golding: To ask the Secretary of State for the Home Department whether he will give consideration to the case for increased financial support to national hunt racing when determining the 28th levy scheme for 1989-90 in addition to the need to improve the conditions of a substantial number of those employed in racing.

Mr. John Patten: Yes. These matters are referred to in submissions to my right hon. Friend which he is taking into account in determining the 28th horseracing betting levy scheme.

Mrs. Golding: To ask the Secretary of State for the Home Department whether he has received a memorandum from the three Government appointed members of the Horserace Betting Levy Board on the 28th levy scheme 1989-90; and whether he will implement their recommendation that serious consideration should be given to raising levy rates to a level designed to give British racing a fairer return from the large volume of betting turnover and that as an interim move the 28th levy scheme should be based on a return to racing of at least 1 per cent. of leviable betting turnover.

Mr. John Patten: My right hon. Friend has received the memorandum and is considering all the recommendations in it in determining the 28th horserace betting levy scheme.

Race Relations

Ms. Abbott: To ask the Secretary of State for the Home Department if he will make breaches of the prison department's race relations policy a disciplinary offence; and if he will make a statement.

Mr. Douglas Hogg: It is already possible to bring disciplinary proceedings against a member of staff who behaves in a racially prejudiced or discriminatory manner.

Ms. Abbott: To ask the Secretary of State for the Home Department if he will introduce a system of rewards to encourage all prison department staff to act in a professional and non-discriminatory way; and if he will make a statement.

Mr. Douglas Hogg: All staff are under a specific duty to act in a professional and non-discriminatory way, and are rewarded accordingly. We see no need for a special system of the kind suggested by the hon. Member, which might give the impression that professional behaviour was optional.

Ms. Abbott: To ask the Secretary of State for the Home Department if he will ensure that proven commitment to the goals of the prison department's race relations policy is a factor which is taken into account when considering a prison officer's prospects for promotion; and if he will make a statement.

Mr. Douglas Hogg: The prison service race relations policy statement defines the standard of professional behaviour required of staff and helps to inform the annual assessment of an officer's working relationships with inmates and others. Those considering candidates for promotion give significant weight to that aspect of performance.

Animal Experiments

Dame Janet Fookes: To ask the Secretary of State for the Home Department how much of the £60,000 allocated for the refinement, reduction and replacement of animal use in experiments in the last 12 months for which records are available was allocated to the development and validation of alternatives to tests used for cosmetic safety and efficacy.

Mr. Douglas Hogg: About £13,000; of the four projects which have been grant-aided, one should have direct applicability to the irritancy testing of cosmetic substances.

Dame Janet Fookes: To ask the Secretary of State for the Home Department how many project licences have been granted under the Animals (Scientific Procedures) Act 1986 for safety and efficacy testing of cosmetics and toiletries.

Mr. Douglas Hogg: Six project licences have been granted for the safety testing of cosmetic substances.

Dame Janet Fookes: To ask the Secretary of State for the Home Department for each project licence for cosmetics tests granted under the Animals (Scientific Procedures) Act 1986, what species and how many animals are to be used.

Mr. Douglas Hogg: The use of animals in cosmetics testing for the last available year is given in table 3 of the "Statistics of Scientific Procedures on Living Animals 1987" (Cm. 515). It is not our practice to reveal details of individual projects.

Dame Janet Fookes: To ask the Secretary of State for the Home Department what additional restraints the animals procedures committee has imposed on project licence applications for cosmetics tests.

Mr. Douglas Hogg: As the APC has revealed in its annual report (HC 36, para 3.6), it has identified a number of common requirements for cosmetic testing licences and these have been incorporated in the guidance notes for applicants. I have accepted the committee's recommendation that licensees should make a detailed statistical return for the APC's use.

Dame Janet Fookes: To ask the Secretary of State for the Home Department whether any licences have been issued for cosmetics testing that go beyond the mild severity category in the project licence.

Mr. Douglas Hogg: A minority of the project licences for the testing of cosmetic substances have been assessed as "moderate", the remainder as "mild". This reflects the range of procedures used and the types of substances required to be tested by individual companies.

Local Pay Additions

Mr. Sean Hughes: To ask the Secretary of State for the Home Department what is the number of staff in his Department, by grade, in receipt of local pay additions outside London and the south-east economic planning region; what are the different amounts paid to staff by grade; whether this figure varies due to location; what qualifying period of scale-related criteria is used; and whether this varies by location.

Mr. Douglas Hogg: There are no Home Office staff outside London and the south-east region in receipt of local pay additions.

Trevi Group

Mr. Darling: To ask the Secretary of State for the Home Department how many meetings he has attended with ministers in the Trevi group in each year from 1985 to 1988; and what subjects he has discussed.

Mr. Hurd: Since I became Home Secretary in September 1985 I have attended three Trevi ministerial meetings in 1986 (two of which I chaired), two in 1987 and two in 1988. The main subject of discussion has been co-operation in counter-terrorism matters but we have also dealt with a variety of other topics including football hooliganism, drug trafficking and other serious organised international crime.

In the second half of 1986, on my initiative, complementary meetings of Ministers were also established to consider immigration matters. I chaired the first meeting of this group in October 1986 and have attended the two meetings held each year subsequently.

Mr. Darling: To ask the Secretary of State for the Home Department what consultations he has had in connection with subjects discussed with the Trevi group of ministers; and with which organisations he has discussed matters raised at Trevi meetings.

Mr. Hurd: I do not discuss Trevi matters in specific terms with other organisations because much of Trevi's work and its proceedings, especially on terrorism, is classified. Some of the general subject areas with which Trevi is concerned also feature in other fora, in bilateral contacts with other countries at both ministerial and official level and in discussions with various organisations and individuals as appropriate.

Entry Policy (EC)

Mr. Darling: To ask the Secretary of State for the Home Department what consultations he has held and proposes to hold in connection with proposals to operate a common policy of entry at all European Economic Community ports of entry; and if he will make a statement.

Mr. Hurd: I have attended a series of meetings of Trevi Ministers and European Community Immigration Ministers in which these and related issues have been extensively discussed. For information about the most recent of these meetings in Athens, and about future work to be undertaken by the supporting meetings of officials, I refer the hon. Member to my answers to questions from my hon. Friend the Member for Romsey and Waterside (Mr. Colvin) on 14 December at columns *576-77* and 15 December 1988 at column 709. These consultations will continue.

Waterloo-South Bank (Incidents)

Mr. Kirkwood: To ask the Secretary of State for the Home Department if he will request from the Commissioner of Police of the Metropolis a list of incidents reported or investigated by the Metropolitan police that occurred during the past year in the area between the south bank centre and British Rail's Waterloo station in the evening hours.

Mr. Douglas Hogg: I understand from the commissioner that such a list is not readily available and could only be obtained at disproportionate cost. If the hon. Member has a specific problem in mind he is welcome to write to my right hon. and noble Friend about it.

Firearms Amnesty

Mr. Ross: To ask the Secretary of State for the Home Department how the weapons handed in during the recent amnesty were disposed of; and whether any effort was made to realise their cash value.

Mr. Douglas Hogg: Weapons surrendered under the recent firearms amnesty were destroyed, save for those of historical significance which, under special arrangements, were acquired by museums. None was offered for sale.

Mr. Ross: To ask the Secretary of State for the Home Department if he will publish a table in the *Official Report* to show how many of the firearms and other weapons listed in his reply to the hon. Member for Londonderry, East of 13 December 1988 *Official Report*, columns *509-510*, were handed in to each police force; and if he will list them as in his reply of 13 December.

Mr. Douglas Hogg: The information is as follows:

Table 1: Firearms surrendered to the police during the firearms amnesty September 1988 by police force area

England and Wales — *Number of items surrendered*

Police force area	*Fully automatic*	*Self-loading*	*Rifles Manual*	*All*	*Pistols and revolvers*	*Total firearms*
Avon and Somerset	4	37	161	198	630	832
Bedfordshire	1	4	80	84	128	213
Cambridgeshire	1	9	63	72	211	284

Police force area	Rifles				Pistols and revolvers	Total firearms
	Fully automatic	Self-loading	Manual	All		
Cheshire	1	2	105	107	384	492
Cleveland	—	—	34	34	130	164
Cumbria	—	—	83	83	208	291
Derbyshire	4	1	72	73	268	345
Devon and Cornwall	21	26	232	258	1,005	1,284
Dorset	1	5	140	145	540	686
Durham	2	—	47	47	167	216
Essex	5	7	152	159	512	676
Gloucestershire	32	6	84	90	259	381
Greater Manchester	3	14	101	115	585	703
Hampshire	4	3	261	264	951	1,219
Hertfordshire	3	13	146	159	256	418
Humberside	6	1	71	72	224	302
Kent	1	—	193	193	618	812
Lancaster	16	6	121	127	438	581
Leicestershire	1	5	115	120	334	455
Lincolnshire	2	12	126	138	280	420
London, City of	1	—	3	3	19	23
Merseyside	8	1	89	90	465	563
Metropolitan Police District	12	15	337	352	1,728	2,092
Norfolk	1	9	105	114	304	419
Northamptonshire	—	9	73	82	167	249
Northumbria	2	27	127	154	493	649
North Yorkshire	—	1	106	107	364	471
Nottinghamshire	—	7	62	69	348	417
South Yorkshire	—	4	41	45	297	342
Staffordshire	2	1	65	66	246	314
Suffolk	3	12	118	130	285	418
Surrey	2	3	152	155	524	681
Sussex	3	12	182	194	846	1,043
Thames Valley	11	36	143	179	703	893
Warwickshire	2	—	51	51	180	233
West Mercia	3	4	127	131	522	656
West Midlands	5	6	127	133	570	708
West Yorkshire	2	—	99	99	506	607
Wiltshire	2	1	119	120	262	384
Dyfed Powys	4	6	76	82	236	322
Gwent	1	—	54	54	150	205
North Wales	3	6	93	99	257	359
South Wales	3	4	120	124	405	532
All forces	178	315	4,856	5,171	18,005	23,354

Table 2

Shotguns surrendered to the police during the firearms amnesty September 1988 by police force area
England and Wales

Police force area	Number of items surrendered						
	Long barrelled shotguns			Short barrelled shotguns			Total shotguns
	Traditional	Other	All	Traditional	Other	All	
Avon and Somerset	358	8	366	7	5	12	378
Bedfordshire	281	—	281	4	—	4	285
Cambridgeshire	188	—	188	10	3	13	201
Cheshire	205	8	213	1	—	1	214
Cleveland	87	1	88	2	—	2	90
Cumbria	243	—	243	1	5	6	249
Derbyshire	159	5	164	8	—	8	172
Devon and Cornwall	766	6	772	33	3	36	808
Dorset	342	—	342	7	—	7	349
Durham	77	—	77	2	—	2	79
Essex	376	16	392	2	3	5	397
Gloucestershire	194	4	198	5	—	5	203
Greater Manchester	156	2	158	34	6	40	198
Hampshire	556	7	563	3	—	3	566
Hertfordshire	130	1	131	4	—	4	135
Humberside	137	1	138	3	—	3	141
Kent	346	4	350	15	4	19	369
Lancashire	276	13	289	6	4	10	299
Leicestershire	188	1	189	19	—	19	208
Lincolnshire	255	1	256	18	—	18	274
London, City of	2	—	2	—	—	—	2
Merseyside	157	2	159	13	—	13	172
Metropolitan Police District	526	13	539	5	1	6	545
Norfolk	302	5	307	35	6	41	348

Police force area	Number of items surrendered: Long barrelled shotguns Traditional	Other	All	Short barrelled shotguns Traditional	Other	All	Total shotguns
Northamptonshire	120	3	123	1	—	1	124
Northumbria	176	2	178	10	—	10	188
North Yorkshire	337	19	356	—	—	—	356
Nottinghamshire	167	5	172	3	—	3	175
South Yorkshire	114	1	115	—	1	1	116
Staffordshire	178	3	181	14	2	16	197
Suffolk	320	—	320	24	3	27	347
Surrey	265	—	265	—	4	4	269
Sussex	378	4	382	25	10	35	417
Thames Valley	379	13	392	29	8	37	429
Warwickshire	122	1	123	2	—	2	125
West Mercia	337	3	340	42	1	43	383
West Midlands	224	6	230	6	—	6	236
West Yorkshire	192	—	192	6	—	6	198
Wiltshire	202	—	202	—	2	2	204
Dyfed Powys	244	1	245	1	—	1	246
Gwent	95	3	98	—	2	2	100
North Wales	240	5	245	2	—	2	247
South Wales	204	4	208	2	5	7	215
ALL FORCES	10,601	171	10,772	404	78	482	11,254

Table 3

Other firearms surrendered to the police during the firearms amnesty September 1988 by police force area

England and Wales

Police force area	Number of items surrendered: Prohibited	Air rifles and air pistols	Others including imitations	Total other firearms
Avon and Somerset	3	211	25	239
Bedfordshire	—	86	14	100
Cambridgeshire	5	70	11	86
Cheshire	8	151	19	178
Cleveland	—	59	27	86
Cumbria	2	60	—	62
Derbyshire	1	85	14	100
Devon and Cornwall	2	219	100	321
Dorset	1	169	86	256
Durham	—	63	21	84
Essex	2	170	18	190
Gloucestershire	—	69	11	80
Greater Manchester	2	331	177	510
Hampshire	2	319	83	404
Hertfordshire	1	165	—	166
Humberside	—	107	11	118
Kent	1	166	34	201
Lancashire	12	172	69	253
Leicestershire	1	100	37	138
Lincolnshire	—	98	44	142
London, City of	1	2	1	4
Merseyside	1	208	101	310
Metropolitan Police District	1	576	320	897
Norfolk	—	106	4	110
Northamptonshire	—	83	39	122
Northumbria	1	169	31	201
North Yorkshire	—	93	13	106
Nottinghamshire	—	148	23	171
South Yorkshire	—	94	2	96
Staffordshire	—	102	43	145
Suffolk	3	81	27	111
Surrey	1	144	4	149
Sussex	8	253	134	395
Thames Valley	7	203	38	248
Warwickshire	—	54	5	59
West Mercia	—	124	45	169
West Midlands	—	247	82	329
West Yorkshire	—	228	124	352
Wiltshire	3	104	20	127
Dyfed Powys	—	27	—	27
Gwent	—	41	11	52
North Wales	—	67	19	86
South Wales	—	102	35	137
All forces	69	6,126	1,922	8,117

Mr. Ross: To ask the Secretary of State for the Home Department, further to his answer to the hon. Member for Londonderry, East *Official Report*, columns *509-10*, 13 December, if he will publish a table in the *Official Report* to show how many of the firearms listed in each category in the reply were *(a)* held illegally, *(b)* held previously and *(c)* currently held on (i) firearms certificates, (ii) shotgun certificates and (iii) did not require any certificate, or as much of such information as is available to him.

Mr. Douglas Hogg: This information was not collected. since there was no obligation on those in legal possession of firearms to hand them in, most of those surrendered are thought to have been held illegally.

Mr. Ross: To ask the Secretary of State for the Home Department what information is *(a)* collected by the police, and *(b)* sent or held by his Department, in relation to (i) firearms and (ii) shotguns held on certificates; and whether such information was collected on each firearm, shotgun and other weapon handed in during the recent firearms amnesty.

Mr. Douglas Hogg: In addition to an applicant's personal details, information relating to the type, calibre, maker's name and serial number of weapons held on a firearm certificate is collected by the police. This information is not held by the Home Office. Corresponding information about weapons held on a shotgun certificate will not be collected by the police until the provisions of the Firearms (Amendment) Act 1988 relating to notification of transactions involving shotguns are introduced later this year.

Under the arrangements for the amnesty there was no obligation on any person surrendering a weapon to provide details of this kind but, where available, information on the calibre, type, maker's name and identification of weapons was recorded, for purposes of description and categorisation.

Breath Tests

Mr. Nicholas Bennett: To ask the Secretary of State for the Home Department, pursuant to his answer to the hon. Member for Reigate (Mr. Gardiner), 18 January, *Official Report*, column *202*, whether he will give the number of positive breath tests for each police force area together with the number of *(a)* fatal and *(b)* other personal injury accidents in the period 19 December 1988 to 1 January 1989.

Mr. Douglas Hogg: The official breath test and road accident statistics for 1988 will not be available until later this year. The Association of Chief Police Officers has, however, collected provisional figures for the number of positive breath tests and accidents involving personal injury (including fatalities) in each police force area between 19 December 1988 and 1 January 1989. These are given in the table:

Police force area	*Number of positive breath tests*	*Number of injury accidents*
Avon and Somerset	113	145
Bedfordshire	45	50
Cambridgeshire	47	73
Cheshire	93	111
City of London	15	9
Cleveland	51	53
Cumbria	45	34
Derbyshire	78	88
Devon and Cornwall	142	146
Dorset	57	20
Durham	72	54
Dyfed-Powys	45	51
Essex	149	223
Gloucestershire	50	64
Greater Manchester	422	272
Gwent	58	57
Hampshire	170	114
Hertfordshire	84	108
Humberside	81	69
Kent	130	110
Lancashire	139	205
Leicestershire	79	70
Lincolnshire	62	90
Merseyside	135	175
Metropolitan	980	887
Norfolk	33	58
Northamptonshire	45	63
Northumbria	137	112
North Wales	92	43
North Yorkshire	71	97
Nottinghamshire	101	90
South Wales	108	132
South Yorkshire	120	75
Staffordshire	121	115
Suffolk	43	69
Surrey	76	97
Sussex	81	88
Thames Valley	213	169
Warwickshire	43	36
West Mercia	121	92
West Midlands	259	310
West Yorkshire	182	194
Wiltshire	73	41
Total	5,261	4,272

Mr. Nicholas Bennett: To ask the Secretary of State for the Home Department if he will set out the grounds on which a police officer may require a motorist to take a breath test; and if he will make a statement.

Mr. Douglas Hogg: The current police powers to require breath tests are contained in the Road Traffic Act 1972 (as amended by the Transport Act 1981). Under section 159, a police constable in uniform has the power to stop any vehicle; and under section 7 to require a breath test:

(a) where there is reasonable cause to suspect that the driver has alcohol in his body; or
(b) where there is reasonable cause to suspect that the driver has committed a moving traffic offence; or
(c) where there is reasonable cause to believe that the driver has been involved in an accident.

Viraj Mendis

Mr. Nicholas Bennett: To ask the Secretary of State for the Home Department what estimates he has as to the total costs to date to his Department of the Viraj Mendis case.

Mr. Renton: It is unfortunately not practicable to identify the staffing and other resources spent by the Department in connection with the case, but they were considerable.

Women Prisoners

Mr. Bermingham: To ask the Secretary of State for the Home Department what was the number of females

sentenced to a period of imprisonment during 1987 and 1988 in England and Wales; and if he will make a statement.

Mr. Douglas Hogg: The information requested for 1987 can be found in table 7.15 "Criminal Statistics, England and Wales, 1987" (Cm. 498), copies of which are in the Library of the House. Information for 1988 is not yet available.

Mr. Bermingham: To ask the Secretary of State for the Home Department what was the female prison population in England and Wales at the most recent date available.

Mr. Douglas Hogg: At unlocking on Friday 20 January, 1,765 female inmates were held in prison service establishments in England and Wales.

Mr. Bermingham: To ask the Secretary of State for the Home Department how many females with dependent children under the age of five years were sentenced to a period of imprisonment in England and Wales during 1987; and if he will make a statement.

Mr. Douglas Hogg: The information requested is not readily available and could be obtained only at disproportionate cost. A census on 11 August 1986 revealed that 340 females in custody were known to be the mothers of 455 children aged five years or under.

Mr. Bermingham: To ask the Secretary of State for the Home Department what is the number of places available in prison establishments for female detainees with dependent children and babies in England and Wales; and if he will make a statement.

Mr. Douglas Hogg: Three female prison establishments provide a total of 39 places for mothers with babies up to the age of 18 months.

Mr. Bermingham: To ask the Secretary of State for the Home Department how many females gave birth during the currency of a prison sentence during 1987 and 1988 in England and Wales; and if he will make a statement.

Mr. Douglas Hogg: Information for calendar years is not readily available. Between 1 April 1986 and 31 March 1987, 55 sentenced females gave birth during their sentences. Between 1 April 1987 and 31 March 1988, 64 did so.

Mr. Bermingham: To ask the Secretary of State for the Home Department what is the total number of females currently serving a prison sentence in England and Wales; what is the proportion and number of such females who have committed an offence involving robbery or violence; and if he will make a statement.

Mr. Douglas Hogg: The information is published annually in "Prison Statistics, England and Wales" (table 1.8 of the latest issue, for 1987). I shall reply as soon as possible giving provisional information for 1988.

Commissioner of Police of the Metropolis

Mr. Maples: To ask the Secretary of State for the Home Department if he will publish the statement by the Commissioner of Police of the Metropolis on his strategy for 1989.

Mr. Hurd: I am placing copies of the commissioner's strategy statement for 1989 in the Library of the House today. I am also sending copies to all right hon. and hon. Members whose constituencies fall wholly or partly within the Metropolitan police district. I hope to meet London Members soon to discuss the strategy.

Prisons

Mr. Summerson: To ask the Secretary of State for the Home Department what changes he intends to make in the rules governing the conduct of adjudications within prisons; and if he has decided to accept the recommendation of Her Majesty's chief inspector of prisons, in his report on grievance procedures, that the offences of making a false and malicious allegation against an officer and of repeatedly making groundless complaints should be abolished.

Mr. Douglas Hogg: Revised prison rules, which will be laid before the House shortly, will simplify and clarify the code of offences in the current prison rule 47 under which prisoners may be charged. Many of the changes are designed to give effect to the Government's response to the Prior committee report, contained in a White Paper published in October 1986.

It has been decided, in the context of these changes, to abolish the current offences under rule 47(12), of making a false and malicious allegation against an officer, and prison rule 47(16), of repeatedly making groundless complaints. The so-called "simultaneous ventilation" rule, contained in prison standing orders, is also to be abolished.

SOCIAL SECURITY

Incomes

Mr. Lester: To ask the Secretary of State for Social Security if he will publish figures showing the weekly disposable incomes of a married couple and a lone parent, each with two children aged four and six years and each paying average local authority rents and rates, in each of the following circumstances *(a)* out of work on income support, *(b)* participating in the new employment training scheme, *(c)* in part-time work earning £25 and *(d)* in full-time work earning £150.

Mr. Peter Lloyd: The information is set out in the table. The results are arbitrary. They cannot reflect, except by chance, the actual circumstances of particular people. The use of average rent and local authority rates means these illustrations do not reflect the full range of housing costs which people can pay.

Current benefit system: average local authority rent and rates.
Married couple with two children aged 4 and 6

(a) Not working	*Earnings*	*Tax*	*NI*	*Rent*	*Rates*	*Housing benefit*	*CHB*	*FSM*	*FWM*	*Net income after housing costs*
Income support										
64·60	—	—	—	19·90	8·20	26·46	14·50	2·55	1·83	81·84
(b) On the new employment training scheme										
Training allowance plus income support[1]										
74·60	—	—	—	19·90	8·20	26·46	14·50	2·55	1·83	91·84
(c) Working part-time—earning £25										
Income support[2]										
44·60	25·00	0·00	0·00	19·90	8·20	26·46	14·50	2·55	1·83	86·84

[1] Assumes previously in receipt of basic rate of Income Support.
[2] Assumes receipt of Supplementary Benefit/Income Support for less than two years.

	Earnings	*Tax*	*NI*	*Take home pay*	*Family credit*	*Rent*	*Rates*	*Housing benefit*	*CHB*	*Total net income*	*Net income after housing costs*
(d) Working full-time earnings £150											
	150·00	17·81	13·50	118·69	0·00	19·90	8·20	0·00	14·50	133·19	105·09

Current benefit system: average local authority rent and rates.
Lone mother with two children aged 4 and 6

	Earnings	*Tax*	*NI*	*Rent*	*Rates*	*Housing benefit*	*CHB*	*FSM*	*FWM*	*Net income after housing costs*
(a) Not working										
Income support										
45·35	—	—	—	19·90	8·20	26·46	19·40	2·55	1·83	67·49
(b) Working part-time—earning £25										
Income support										
35·35	25·00	0·00	0·00	19·90	8·20	26·46	19·40	2·55	1·83	82·49
(c) On the new Employment Training Scheme.										
Training allowance plus income support										
55·35	—	—	—	19·90	8·20	26·46	19·40	2·55	1·83	77·49

Notes:
[1] Lone mother assumed to be over 25 years.
[2] Lone mother assumed to have been on basic rate of Income Support prior to acceptance on Employment Training Scheme.

(d) Working full-time	*Tax*	*NI*	*Take home pay*	*Family benefit*	*Child benefit*	*Rent*	*Rent rebates*	*Rates*	*Rate rebates*	*Total net income*	*Net income after housing costs*
Earnings head											
150·00	17·81	13·50	118·69	0·00	19·40	19·90	0·0	8·20	0·00	138·09	109·99

Mentally Handicapped Persons

Mr. Campbell-Savours: To ask the Secretary of State for Social Security what is his estimate of the cost falling to the social security budget resulting from the transfer of care for mentally handicapped persons in Bexley from the local authority to a private company.

Mr. Peter Lloyd: I regret that the information requested could not be obtained without disproportionate expense.

Social Fund

Mr. Nigel Griffiths: To ask the Secretary of State for Social Security what was the overall spending on the social fund during each month in 1985, 1986 and 1987.

Mr. Peter Lloyd: The first part of the social fund, relating to regulated payments for maternity and funeral expenses came into operation on 6 April 1987. Discretionary payments under the social fund for community care grants, budgeting and crisis loans, came into operation on 11 April 1988. Expenditure for calendar months in 1987 was as follows:

	£
April	935,565
May	2,087,250
June	2,829,890
July	2,569,383
August	2,867,333
September	2,363,906
October	2,409,383
November	2,976,350
December	1,648,302

Parliamentary Questions

Mr. French: To ask the Secretary of State for Social Security how many oral parliamentary questions he has answered by written reply because the question was not reached at Question Time for the most recent year for which figures are available.

Mr. Peter Lloyd: From January 1988 until 25 July, when the Department of Health and Social Security was divided into two separate Departments of State, 611 of the 748 oral questions tabled to the Secretary of State for Social Services received a written reply. From 25 July to the end of the year 132 oral questions were tabled to the Secretary of State for Social Security, 114 of which received a written reply.

These figures do not include oral questions which were subsequently withdrawn, unstarred or transferred to other Departments.

YTS

Ms. Short: To ask the Secretary of State for Social Security what evaluations or research his Department has commissioned into the operation of YTS since the introduction of benefit changes in September 1989; and when the results will be available.

Mr. Peter Lloyd: None. We are, however, closely watching the impact of the reformed social security system on all client groups, including 16 and 17-year-olds.

Oldham and Failsworth Local Offices

Mr. Meacher: To ask the Secretary of State for Social Security (1) how many new claims for income support were made each month since 11 April 1988 at the Oldham and Failsworth offices of his Department; and how many claims were determined each month;

(2) what was the average number of new claims and cases since 11 April 1988 awaiting review at the Oldham and Failsworth offices of his Department which were recorded as outstanding each month; and how many related to *(a)* supplementary benefit claims and *(b)* single payment claims;

(3) how many items of unlinked correspondence were recorded each month since 11 April 1988 at the Oldham and Failsworth offices of his Department;

(4) what load of current cases have the Oldham and Failsworth offices of his Department carried in the past six months.

Mr. Peter Lloyd: The information available is set out in the tables.

The figures on unlinked post are supplied from local office records. The source of the live load figure is the 100 per cent. count of cases in action and is available only on a quarterly basis. The figures given include a small number of cases not actually in receipt of benefit.

Month ending	*30 April 1988*	*31 May 1988*	*30 June 1988*	*31 July 1988*	*31 August 1988*	*30 September 1988*	*31 October 1988*	*30 November 1988*	*31 December 1988*
Oldham ILO									
Income support									
Claims									
Intake	690	1,181	1,152	1,361	1,260	1,217	1,098	1,147	856
Processed	503	1,241	1,080	1,402	1,301	1,160	1,131	1,157	816
Outstanding	187	127	199	158	117	174	141	131	171
Assessment review outstanding	46	38	19	20	59	10	79	3	70
Unlinked post	19	13	7	11	12	8	10	10	17
Live load					16,197			15,854	
Supplementary benefit work outstanding									
Claims	86	0	0	0	0	0	0	0	0
Single payments	3,500	2,690	1,218	585	0	0	0	0	0
Additional requirements	2,200	1,911	932	193	40	0	0	0	0
Failsworth ILO									
Income support									
Claims									
Intake	479	591	690	804	742	761	745	639	484
Processed	388	595	674	812	757	728	769	645	494
Outstanding	91	87	103	95	80	113	89	83	73
Assessment review outstanding	42	36	30	41	12	25	34	36	40
Unlinked post	0	0	0	0	0	1	2	1	34
Live load					12,247			11,855	
Supplementary benefit work outstanding									
Claims	44	1	0	0	0	0	0	0	0
Single payments	1,081	277	127	36	20	6	2	1	2
Additional requirements	0	0	0	0	0	0	0	0	0

Mr. Meacher: To ask the Secretary of State for Social Security how many social fund applications were made each month since 11 April 1988 at the Oldham and Failsworth offices of his Department for *(a)* budget loans, *(b)* crisis loans, and *(c)* community care grants; and how many applications in each of these categories were determined in each month.

Mr. Peter Lloyd: Information on the numbers of applications for social fund loans and grants processed

and awarded, listed by local office, including information on budget allocations and expenditure, is available from the details held in the Library.

Mr. Meacher: To ask the Secretary of State for Social Security if he will give for Oldham and Failsworth offices of his Department the current staffing complement, broken down by staffing grades of *(a)* how many permanent staff are currently in post; *(b)* how many temporary staff are currently in post; *(c)* how many staff members are currently being trained; and *(d)* the annual turnover of permanent staff.

Mr. Peter Lloyd: The information requested is as follows:

	Permanent Staff	
	Oldham ILO	*Failsworth ILO*
Grade 7	1·0	1·00
SEO	1·0	1·00
HEO	9·5	9·00
LO1	55·0	42·50
LO2	102·5	77·50
AA	25·0	18·00
Typing Manager	1·0	—
Typist	4·0	3·00
Security Guard	—	2·00
Messenger	3·0	1·00
Telephonist	2·0	1·00
	204·0	156·00
Temporary Staff	—	[1]2·00
Total Staff	204·0	158·00
Annual Turnover	8·9	6·94
Staff Under Training	0·0	0·00

[1] AA Grade.
Note: ILO-Integrated Local Office.

Mr. Viraj Mendis

Mr. Nicholas Bennett: To ask the Secretary of State for Social Security what information he has as to the total amount of social security benefits paid to Mr. Viraj Mendis since 1973.

Mr. Peter Lloyd: It is not the Department's policy to release information from social security records of individuals, which is obtained and held in confidence, without the individual's approval.

Pensions

Mr. John Stanley: To ask the Secretary of State for Social Security by what percentage the basic state pension has been increased since May 1979; and what was the percentage increase in the retail price index inflation to the latest month for which figures are available.

Mr. Peter Lloyd: The basic state pension has been increased from £19·50 in November 1978[1] to £41·15 in April 1988[2], representing an increase of 111 per cent. The corresponding percentage increase in the retail price index was 106 per cent.

[1] The level of pension in payment in May 1979 came into force in November 1978.

[2] The level of pension currently in payment came into force in April 1988.

Mr. Nicholas Bennett: To ask the Secretary of State for Social Security (1) what estimates he has as to the number of women aged *(a)* 60 to 62½ years and *(b)* 62½ to 65 years in the United Kingdom; and how many are in receipt of state retirement pensions;

(2) what estimates he has as to the number of men aged *(a)* 60 to 62½ years and *(b)* 62½ to 65 years in the United Kingdom; and how many are in receipt of state retirement pensions.

Mr. Peter Lloyd: Actual population figures for 1988 are not available. Projected population figures[1] for that year for Great Britain indicate that there were approximately 893,000 women and 837,000 men aged 60-62, and 934,000 women and 808,000 men aged 63-65. The Department's records show that, as at March 31 1988, 590,000 women aged 60-62 and 811,000 women aged 63-65 were in receipt of retirement pension. Retirement pension is paid to men aged 65 and over.

Source: Government Actuary's Department.
[1] Based on mid-1985 data.
Note: information provided is for Great Britain.

Mr. Nicholas Bennett: To ask the Secretary of State for Social Security what representations he has received concerning the possibility of reducing the retirement age for men to *(a)* 60 years or *(b)* 62½ years and increasing the retirement age for women to that age; and if he will make a statement.

Mr. Peter Lloyd: Between 13 January 1988 and 10 January 1989 we received a total of 364 representations about state pension age. Records do not indicate the precise ages about which correspondents wrote.

Mr. Nicholas Bennett: To ask the Secretary of State for Social Security what estimates he has as to the cost to public funds of *(a)* reducing the retirement age for men to 60 years and *(b)* reducing the retirement age for men to 62½ years and raising the retirement age for women to 62½ years.

Mr. Peter Lloyd: The information is not available in the form requested. The most recent estimates, which are based on 1985-86 benefit rates, are that the net annual cost to public funds of equalising state pension age at 60 years would be approximately £3,000 million, and at 63 years the net costs would be approximately £800 million.

Benefits and Allowances

Mrs. Beckett: To ask the Secretary of State for Social Security how many people in Great Britain were receiving *(a)* attendance allowance at (i) the higher rate, and (ii) the lower rate, *(b)* invalid care allowance, *(c)* mobility allowance, *(d)* invalidity benefit, *(e)* severe disablement allowance, *(f)* industrial disablement pension, *(g)* war disablement pension, *(h)* retirement pension, *(i)* income support, and *(j)* supplementary benefit at the latest dates for which figures are available; and what are those dates.

Mr. Peter Lloyd: The information requested is as follows:

Benefit	*Number of recipients*	*Date*
Attendance allowance		
(i) higher rate	287,000	March 1988
(ii) lower rate	425,000	March 1988
Invalid care allowance	109,000	January 1989
Mobility allowance	557,000	January 1989

Benefit	*Number of recipients*	*Date*
Invalidity benefit	967,900	April 1987
Severe disablement allowance	260,200	April 1987
Industrial injuries disablement pension	183,000	April 1988
War disablement pension	197,800	December 1988
Retirement pension[1]	9,300,000	March 1988
Income support[2]	4,354,000	May 1988
Supplementary benefit[2]	4,834,000	November 1987

[1] Excludes cases where graduated pension only is payable.
[2] *Source:* Quarterly Statistical Enquiries.

Sir Michael McNair-Wilson: To ask the Secretary of State for Social Security what benefits are available to an employed person who has to be admitted to hospital for a serious illness or operation; for how long such benefits are paid; and if he will give similar information for a self-employed man or woman.

Mr. Peter Lloyd: An employed person who is sick and incapable of work will usually qualify for statutory sick pay (SSP) from his employer. SSP is payable for up to 28 weeks of incapacity, providing the contract of employment continues. If there is no title to SSP or entitlement ends before 28 weeks, state sickness benefit is payable, subject to the satisfaction of the relevant contribution conditions. Sickness benefit and/or SSP is replaced by invalidity benefit after incapacity has lasted 28 weeks. SSP sickness and invalidity benefits continue in payment whilst the claimant is in hospital, but sickness and invalidity benefit are reduced after six weeks free in-patient treatment. A further reduction is made at the 12 months stage.

A self-employed person is not entitled to SSP, but qualifies for sickness and invalidity benefit on the same basis as an employed person.

There may be other social security benefits payable while a person is in hospital, depending on his particular circumstances. If my hon. Friend has a specific case in mind, I should be happy to look at it.

Cold Weather Payments

Mr. Barry Jones: To ask the Secretary of State for Social Security how many claimants in Wales were paid under the cold weather payments scheme for the last five years; how much benefit has been paid in each of the last five years; and how many claims were refused.

Mr. Peter Lloyd: The available information is as follows:

Winter	*Number of claimants paid*	*Amount paid £*	*Number of claims refused*
1984-85	11,494	92,679	Not known
1985-86	38,769	1,039,294	Not known
1986-87	[1]61,000	640,295	31,592
1987-88	1,735	8,675	697
[2]1988-89	nil	nil	5

[1] Estimate based on the number of £5 payments made.
[2] To date.
Detailed information as above not collected before 1984-85.

Lone Parents (Spending Power)

Sir Ian Gilmour: To ask the Secretary of State for Social Security if he will publish figures showing the net spending power of a lone mother with two children aged three and five years, paying average local authority rent and rates, who is (*a*) not working, (*b*) working part-time earning £15, £25 and £40 a week, and paying £5 for travel costs to work, (*c*) in the new employment training scheme, and (*d*) working full-time, earning £100, £150 and £200 a week, and paying £55 for travel to work and child minding costs.

Mr. Peter Lloyd *[holding answer 6 December 1988]:* The information is set out in the table.

As specified in the question, net weekly spending is assumed to be benefits plus earnings less housing costs and other identified expenditures. The results are arbitrary. They cannot reflect, except by chance, the actual circumstances of particular people. The use of average rent and local authority rates means the answers do not reflect the full range of housing costs which people can actually pay.

Current benefit system: average local authority rent and rates
Lone mother with two children aged three and five

Income support	*Earnings*	*Tax*	*NI*	*Fares to work*	*Rent*	*Rates*	*Housing benefit*	*CHB*	*FSM*	*FWM*	*Net weekly spending power*
(a) Not working											
45·35	—	—	—	—	19·90	8·20	26·46	19·40	2·55	1·83	67·49
(b)(i) Working part-time—earning £15 and £5·00 fares to work											
45·35	15·00	0·00	0·00	5·00	19·90	8·20	26·46	19·40	2·55	1·83	77·49
(b)(ii) Working part-time—earning £25 and £5·00 fares to work											
35·35	25·00	0·00	0·00	5·00	19·90	8·20	26·46	19·40	2·55	1·83	77·49
(b)(iii) Working part-time—earnings £40 and £5·00 fares to work											
20·35	40·00	0·00	0·00	5·00	19·90	8·20	26·46	19·40	2·55	1·83	77·49

Training allowance plus income support	*Fares to work*	*Rent*	*Rates*	*Housing benefit*	*CHB*	*FSM*	*FWM*	*Net weekly spending power*
(c) On the new employment training scheme with £5·00 fares to work and £50·00 child care costs								
55·35	5·00	19·90	8·20	26·46	19·40	2·55	1·83	72·49

Notes:
1. £50·00 child care costs are paid by Department of Employment direct to the childminder.
2. Lone mother assumed to be over 25 years.
3. Lone mother assumed to have been on basic rate of Income Support prior to acceptance on Employment Training scheme.

Earnings head	*Tax*	*NI*	*Family credit*	*Child benefit*	*Rent*	*Rent rebates*	*Rates*	*Rate rebate*	*Fares to work*	*Child care costs*	*Net weekly spending power*
(d) Working full-time with £5·00 fares to work and £50 child care costs											
100·00	5·31	7·00	18·83	19·40	19·90	0·00	8·20	0·00	5·00	50·00	42·82
150·00	17·81	13·50	0·00	19·40	19·90	0·00	8·20	0·00	5·00	50·00	54·99
200·00	30·31	18·00	0·00	19·40	19·90	0·00	8·20	0·00	5·00	50·00	87·99

HEALTH

King's College Hospital

13. **Mr. Fraser:** To ask the Secretary of State for Health if he will pay an official visit to King's College hospital, Denmark Hill, to discuss the funding of services.

Mr. Freeman: The South East Thames regional health authority is currently having discussions with Camberwell health authority about its financial allocation for 1989-90. It would not therefore be right for me to visit the hospital specifically to discuss funding at this time.

Junior Doctors

14. **Mr. Colvin:** To ask the Secretary of State for Health what discussions he has had with representatives of hospital consultants about the hours worked by junior doctors.

Mr. Mellor: There were detailed discussions between the Health Departments and the profession's representatives, including hospital consultants, before the Government asked health authorities in June 1988 to work towards a reduction in junior doctors' rota commitments. I met representatives of the British Medical Association, including hospital consultants, on 9 January and plan to meet them again next month.

68. **Mr. Wareing:** To ask the Secretary of State for Health what steps he has taken to obtain opinions concerning the maximum number of hours which should be worked by junior hospital doctors in any one working week, or continuously; and if he will publish the responses he receives.

Mr. Mellor: In June 1988, following agreement with doctors' representatives, we asked health authorities to work towards the elimination of rotas requiring a junior doctor to be on duty on average more than one night and one weekend in three. We discussed junior doctors' hours at a meeting with representatives of the British Medical Association on 9 January; and we plan to meet them again next month.

Mr. Terry Davis: To ask the Secretary of State for Health what information he possesses concerning the number of hours worked by junior hospital doctors, additional to their contracted hours.

Mr. Mellor: In 1985, when average weekly contracted hours of junior hospital doctors were 86, the average weekly hours worked when off duty was one, compared with three in 1981, when average weekly contracted hours were 89.

79. **Mr. Win Griffiths:** To ask the Secretary of State for Health if he will list the specific proposals and resources offered by his Department to enable health authorities to reduce the hours worked by junior doctors on call in hospitals.

Mr. Mellor: In June 1988 we announced a scheme to reduce the hours of work of junior hospital doctors and dentists. Details were set out in circular EL(88) P82, a copy of which was placed in the Library. I have asked regional health authorities to report to me by 20 January as to the progress being made.

Needle Exchange Scheme

15. **Mr. Strang:** To ask the Secretary of State for Health what is his policy towards the establishment of needle exchange schemes to reduce the spread of HIV among injecting drug users; and if he will make a statement.

Mr. Mellor: We have now received the final report of the evaluation of exchange schemes and are urgently considering its implications. We have already issued guidance to health authorities on establishing syringe exchange schemes and estimate that there are currently some 60 to 100 schemes operating in England.

Hospital Waiting Lists

16. **Mr. Butler:** To ask the Secretary of State for Health what progress he has made in reducing hospital waiting lists in the Mersey region.

Mr. Freeman: Waiting lists in the Mersey region are some 10,000 lower than at March 1979. The number of patients waiting over one year is now down to 6,300—4,000 lower than at March 1979.

62. **Mr. Ian Bruce:** To ask the Secretary of State for Health if he will make a statement on the latest figures for change in throughput of patients in National Health Service hospitals.

Mr. Freeman: The information is given in the table.

In-patient cases treated per available bed per annum (throughput), NHS hospitals, England, 1978, 1986 and 1987-88

Percentage changes between:—

	Throughput
1978	14·5
1986	20·3
1987-88	22·3
1978 and 1987-88	53·4
1986 and 1987-88	9·8

Over the period since 1978 increased throughput has been possible, not only because of greater health authority efficiency, but because new treatments and techniques have meant that stays in hospital are now shorter.

Community Care

17. **Mr. Wallace:** To ask the Secretary of State for Health whether he now expects to make a statement on his Department's plans for implementation of the proposals contained in the Griffiths report on community care.

Mr. Kenneth Clarke: We are actively engaged at present in working up our own proposals for the future of community care. I hope to be in a position to bring forward our plans in the near future.

Health Authorities

19. **Mr. Cohen:** To ask the Secretary of State for Health if he will supply his latest estimate of the projected budget deficit in *(a)* the current financial year and *(b)* the next financial year of (i) London health authorities and (ii) health authorities.

Mr. Mellor: Health authorities report on their income and expenditure position as part of quarterly monitoring introduced in 1988-89. At the half-year stage, the projected income and expenditure deficit for 1988-89 of the four Thames regional health authorities, together with the eight postgraduate special health authorities, was £23·5 million. The deficit projection for all English health authorities was £59·9 million.

The information relating to the rest of the United Kingdom is a matter for my right hon. Friends the Secretaries of State for Wales, Northern Ireland and my right hon. and learned Friend the Secretary of State for Scotland. Projections of the income and expenditure position for the next financial year will be provided by health authorities in their short-term programmes.

45. **Mr. Rowe:** To ask the Secretary of State for Health what steps he has taken to promote flexible employment conditions in health authorities; and if he will make a statement.

Mr. Mellor: This is one of the key aims of our personnel policies and we have in particular encouraged health authorities to offer more opportunities for flexible working arrangements, part-time working and job sharing.

We have commissioned a senior National Health Service personnel officer to carry out a comprehensive review of conditions of service, including the scope for greater decentralisation. This is now nearing completion and we shall be making full use of the findings in deciding on further action in this field.

Nurses (Pay)

21. **Mr. Simon Hughes:** To ask the Secretary of State for Health if he will make a statement on his Department's evidence to the pay review body on plans for regional variations in nurses' pay.

Mr. Mellor: The Health Department's written evidence to the review body which we published in October says that there is scope for a more flexible system of pay to respond to geographical and skill shortages. We have since asked the Review Body to consider setting aside around £5 million within their overall recommendations for a pilot exercise in supplementing national rates of basic pay where this is deemed appropriate on recruitment and retention grounds.

Staff Regrading

23. **Mrs. Maureen Hicks:** To ask the Secretary of State for Health how many clinical regrading appeals have been considered to date; and what percentage of those have been regraded as a result.

Mr. Mellor: We do not hold this information centrally.

37. **Dr. Reid:** To ask the Secretary of State for Health what is the total number of nurse regrading appeals which have been made.

94. **Mr. Hardy:** To ask the Secretary of State for Health how many appeals against nurses' gradings have been heard by health authorities; and how many appeals remain to be considered.

Mr. Mellor: We do not hold this information centrally.

50. **Mr. Andrew F. Bennett:** To ask the Secretary of State for Health how many representations he has received about midwives' pay since the new pay structure was introduced.

Mr. Mellor: The Department has received some 400 written representations since the implementation process was completed. In addition, my right hon. and learned Friend met the president and the general secretary of the Royal College of Midwives on 7 December and had a friendly and useful discussion with them.

76. **Mr. Cox:** To ask the Secretary of State for Health if he will make a statement on the progress being made on nurses' appeals over their recent regrading.

Mr. Mellor: I refer the hon. Member to my right hon. and learned Friend the Secretary of State's reply to the hon. Member for Ynys Môn (Mr. Jones) earlier today.

78. **Ms. Quin:** To ask the Secretary of State for Health how many representations he has received concerning the nurses' regrading review.

Mr. Mellor: The Department has received some 2,300 written representations since the implementation process was completed. In addition, we had friendly and constructive meetings with the president and the general secretary of the Royal College of Nursing on 5 December, and the president and general secretary of the Royal College of Midwives on 7 December.

Hospital Doctors

24. **Mr. Harris:** To ask the Secretary of State for Health how many hospital doctors there were in 1978 and in 1986; and what proportion of them in each year were women.

Mr. Mellor: In 1978 and 1986 there were 38,527 and 43,992 hospital doctors respectively in England. Of these, 19·4 per cent. in 1978 and 24·8 per cent. in 1986 were women.

Coventry and Warwickshire Hospital

25. **Mr. Nellist:** To ask the Secretary of State for Health why letters from general practitioners referring

patients with non-urgent surgical conditions are presently being stockpiled by the medical records officer at the Coventry and Warwickshire hospital; and if he will make a statement.

Mr. Freeman: With the help of central funding under our waiting list initiative in 1987-88, Coventry reduced the number of patients who had waited more than a year for general surgery from 355 in March 1987 to 217 in March 1988. Provisional data indicated a further reduction by September 1988 to 146, but this put pressure on the hospital's budget. Combined with the pressure on beds from urgent medical conditions over winter and high staff sickness particularly among nurses, this has led to a reduction in activity since October, and some 200 non-urgent out-patient cases referred by general practitioners to surgeons—5 per cent. of their normal workload—have not yet been given appointments. The district general manager is discussing with the surgeons how best to schedule appointments for all patients who have not yet been seen.

NHS Review

Mr. Kirkwood: To ask the Secretary of State for Health if he will make a statement concerning his plans to extend the mechanism of the internal market in the National Health Service.

Mr. Stern: To ask the Secretary of State for Health when he expects to announce the results of the review of the National Health Service.

26. **Mr. Fearn:** To ask the Secretary of State for Health what plans he has to allow hospitals to opt out of the present National Health Service management structure.

29. **Mr. Riddick:** To ask the Secretary of State for Health when he expects to make an announcement on the Government's review of the National Health Service.

36. **Mr. Gerald Howarth:** To ask the Secretary of State for Health when he expects to publish his White Paper on the future of the National Health Service; and if he will make a statement.

38. **Ms. Abbott:** To ask the Secretary of State for Health if he will provide details of proposals currently being considered which would have the effect of some district general and other hospitals opting out of the structure of the National Health Service.

47. **Rev. Martin Smyth:** To ask the Secretary of State for Health if he will make a statement about the implications for the distribution of hospitals in the National Health Service of measures to promote increased competition.

52. **Mr. McAllion:** To ask the Secretary of State for Health when he expects to publish the findings of the review of the National Health Service.

56. **Mr. Bernie Grant:** To ask the Secretary of State for Health when he intends to publish the results of the current review of the National Health Service; and if he will make a statement.

85. **Mr. Frank Field:** To ask the Secretary of State for Health what plans he has for experiments in the delivery of health care to National Health Service customers.

88. **Mr. Tim Smith:** To ask the Secretary of State for Health when he expects to publish the results of the National Health Service review.

90. **Mr. Roger King:** To ask the Secretary of State for Health if he will make a statement on the National Health Service review.

91. **Mr. Neil Hamilton:** To ask the Secretary of State for Health when he expects to publish his White Paper on the future of the National Health Service; and if he will make a statement.

Mr. Mellor: I refer my hon. Friends and the hon. Members to the reply given by my right hon. and learned Friend the Secretary of State to the hon. Members for Nottingham, North (Mr. Allen), for Western Isles (Mr. MacDonald), for Hornchurch (Mr. Squire), for Sheffield, Hallam (Mr. Blunkett) and for Suffolk, South (Mr. Yeo) earlier today.

67. **Mr. Boswell:** To ask the Secretary of State for Health what plans he has for ensuring greater cost-effectiveness in the National Health Service.

Mr. Mellor: The NHS is not a business, but it has to be more business-like. There is still a huge gulf between the best and the worst in terms of efficiency, customer choice, standards, good management and clear decision-taking. The Government intend to spread the best qualities of the enterprise economy more widely throughout the NHS, and we shall be bringing forward proposals to this end shortly.

Abortions

27. **Mr. Burt:** To ask the Secretary of State for Health if he will make it his policy to instruct health authorities to take disciplinary action against staff who do not take all possible actions to preserve the life of foetuses born alive after attempted abortion operations.

Mr. Mellor: It is for health authorities to determine within well-established disciplinary procedures action to be taken in cases involving professional misconduct or incompetence.

34. **Mr. McLoughlin:** To ask the Secretary of State for Health what percentage of abortions performed in England in the latest year for which figures are available were performed because the child was likely to have been born severely handicapped.

Mr. Freeman: There were 170,197 notifications of abortions which were carried out in England in 1987 under the Abortion Act 1967, of which 1,826 (1·07 per cent.) mentioned ground 4 (there is a substantial risk that if the child were born it would suffer from such physical or mental abnormalities as to be seriously handicapped).

35. **Sir Michael McNair-Wilson:** To ask the Secretary of State for Health whether he has any plans to seek to amend the Abortion Act 1967.

Mr. Freeman: Like their predecessors of both parties, the Government consider that amendments to the 1967 Act are a matter for private Members' legislation.

41. **Mr. Amos:** To ask the Secretary of State for Health on how many occasions during the last 12 months, for which figures are available, officials of his Department

have visited private abortion clinics licensed by his Department in order to monitor the implementation of the Abortion Act 1967.

Mr. Freeman: In 1988 the Department's medical, nursing and administrative officers made 79 visits of inspection to places approved under the Abortion Act 1967.

42. **Mr. Ashby:** To ask the Secretary of State for Health how many recent representations he has received from right hon. and hon. Members urging more thorough monitoring of the Infant Life (Preservation) Act.

Mr. Freeman: We have had no such representations.

57. **Mr. Ken Hargreaves:** To ask the Secretary of State for Health what information he has as to the numbers of abortions performed by individual doctors; and if he will make a statement.

Mr. Freeman: I regret that this information is not available centrally.

60. **Mr. Evennett:** To ask the Secretary of State for Health what is the most common technique for performing abortions after 18 weeks currently used in National Health Service abortion centres; and what that technique involves.

71. **Mrs. Peacock:** To ask the Secretary of State for Health what is the most common technique for performing abortions after 18 weeks currently used in private abortion clinics.

Mr. Freeman: The most common technique for performing abortions carried out under the Abortion Act 1967 after 18 completed weeks gestation in both NHS and non-NHS premises in England and Wales is the use of prostaglandins, either alone or with other agents. This technique involves the introduction of prostaglandins within the uterus.

81. **Mr. Brazier:** To ask the Secretary of State for Health whether he has yet taken any steps to implement the 1973 recommendation of the Select Committee on Abortion that there should be no financial links between doctors and agencies who counsel women in difficult pregnancies and the centres in which abortions may subsequently be performed upon those women.

Mr. Freeman: We have no plans to alter the long-standing administrative conditions governing financial links between doctors and agencies who refer women for abortions and the private sector clinics in which such abortions are performed.

86. **Mr. Dickens:** To ask the Secretary of State for Health what information he has as to how many foetuses born alive following abortion operations survived in the latest year for which figures are available; and if he will make a statement.

Mr. Freeman: No information is collected at birth registration which distinguishes between foetuses born alive following abortion operations and other live births. Hence, no information would be available on the survival of such foetuses. The notification of abortions carried out under the Abortion Act 1967 does not require information about the outcome of the aborted foetus to be recorded.

Mr. Hind: To ask the Secretary of State for Health how many abortions were carried out in the United Kingdom in 1988; and if he will make a statement.

Mr. Freeman: Complete statistics are not yet available for abortions performed in the United Kingdom for 1988. The table shows the latest figures for England and Wales for half of 1988, and figures for the constituent parts of the United Kingdom for the whole of 1987. The Abortion Act 1967 does not apply in Northern Ireland.

Notifications of abortions carried out under the Abortion Act 1967 in the United Kingdom and its constituents parts 1987, 1988

Area	*1987*	*March and June quarters 1988*[1]
England and Wales	174,276	92,715
Scotland	9,351	n/a
United Kingdom	183,627	n/a

[1] Provisional—includes notifications received by end of August.

Mr. Robert G. Hughes: To ask the Secretary of State for Health what percentage of all abortions performed under the terms of the Abortion Act 1967 have been performed *(a)* in the case of a pregnancy resulting from rape or *(b)* in emergency to save the life of the mother.

Mr. Freeman: The total number of notifications of legal abortions, to resident and non-resident women, carried out under the Abortion Act 1967, from 27 April 1968 to 30 June 1988, is 2,899,405[1]. Of these, 130[1] (0·004 per cent.) were performed in an emergency in order to save the life of the pregnant woman.

As rape is not in itself a statutory ground for performing an abortion under the 1967 Act, and is not required to be specified on the notification form by the certifying doctor, the exact number of notifications of abortions associated with rape is not known. However, in some cases the information is volunteered, and arrangements have been made to code separately and analyse all notifications forms which mention rape from 1 January 1987. Of the 266,991 notifications received for the period January 1987 to June 1988 inclusive, 45 (0·02 per cent.) mentioned rape. Earlier, but non-comparable, data were collected clerically and published for the years 1968-73, in table 12 of the Registrar General's "Statistical Review, Supplement on Abortion", copies of which are in the Library. The reliability of these earlier data is uncertain.

[1] The total number of abortions is based on notifications received (1968 to 1980) and on occurrences (1981 to 1986). Data for 1988 are provisional.

Hospices

28. **Mr. Ian Taylor:** To ask the Secretary of State for Health what the number is of terminally ill patients now being cared for in hospices; what the figure was for five years ago; and what has been the change in Government funding for hospice projects over the same period.

Mr. Freeman: Information is not available in the form requested. We are, however, currently collecting information from health authorities on the estimated demand for specialist services for the terminally ill and on their arrangements for the financial support of voluntary hospices.

Smoking (Health Warnings)

2. **Mr. Tony Banks:** To ask the Secretary of State for Health if he will provide details of the options considered by his Department for changing the wording of Government health warnings in relation to smoking and health.

Mr. Freeman: Health warnings are included on some tobacco products in the United Kingdom by virtue of a voluntary agreement with the tobacco industry. We will seek renegotiation of this agreement and new health warnings will be considered. The Commission of the European Communities has also brought forward proposals on tobacco labelling including health warnings, which are at present under discussion.

30. **Mr. Corbyn:** To ask the Secretary of State for Health if he will make a statement on his proposals for strengthening Government health warnings on cigarette packets.

Mr. Freeman: Health warnings are included on packets of cigarettes and hand rolling tobacco by virtue of a voluntary agreement with the tobacco industry. That agreement will stand at least until 31 October 1989. We intend to seek renegotiation of the agreement and new health warnings will be one of the matters which will be considered.

Cancer Screening

31. **Mr. Burns:** To ask the Secretary of State for Health if he will report on progress in setting up the breast cancer screening programme.

Mr. Freeman: I am pleased to announce the arrangements for the provision of breast cancer screening services to all district health authorities in England. The service will provide routine screening for women aged 50 to 64 and for older women on request. The list shows both the first regional centres which were established early last year and the further centres and consortia which regions plan to set up by 1990 to serve the remaining population, although these may be subject to slight alteration as proposals are finalised. Against each name is a list of the district health authorities which it will serve. In some cases more than one unit will operate from the base named. Those centres which to date have become operational are marked with an asterisk. Equitable access to services will be ensured by the provision, where appropriate, of a combination of static and mobile facilities. Detailed information about local arrangements can be obtained through regional health authorities.

We are very pleased with the commitment which health authorities and their staff are showing towards this programme which will make a significant contribution to the health of the women in this country.

Breast cancer screening service

Screening centre or consortium	*Districts served*
Northern Regional Health Authority	
Gateshead*	Gateshead
	Durham
	South Tyneside
	Sunderland
Newcastle	Newcastle
	North Tyneside
	Northumberland
	North West Durham
North Tees	North Tees
	South Tees
	Darlington
	Hartlepool
	South West Durham
West Cumbria	West Cumbria
	South Cumbria
	East Cumbria
Yorkshire Regional Health Authority	
Huddersfield*	Huddersfield
	Calderdale
	Dewsbury
Hull	Hull
	East Yorkshire
	Grimsby
	Scunthorpe
York	York
	Scarborough
	Northallerton
Bradford	Airedale
	Bradford
Leeds	Leeds Eastern
	Leeds Western
	Pontefract
	Wakefield
	Harrogate
Trent Regional Health Authority	
Nottingham*	Nottingham
	Central Nottinghamshire
	Bassetlaw
Leicester	Leicestershire
Lincolnshire*	North Lincolnshire
	South Lincolnshire
South Yorkshire	Barnsley
	Doncaster
	Rotherham
Derbyshire	North Derbyshire
	Southern Derbyshire
Sheffield	Sheffield
East Anglian Regional Health Authority	
Peterborough and West Norfolk*	West Norfolk and Wisbech
	Peterborough
Suffolk	East Suffolk
	West Suffolk
	Great Yarmouth and Waveney (part)
Norwich	Norwich
	Great Yarmouth and Waveney (part)
Cambridge and Huntingdon	Cambridge
	Huntingdon
North West Thames Regional Health Authority	
Charing Cross Hospital	Riverside
	Hounslow and Spelthorne
	Ealing
	Hillingdon

Screening centre or consortium	*Districts served*
Edgware General Hospital*	Barnet Harrow Parkside South West Hertfordshire
Luton and Dunstable Hospital	North West Hertfordshire North Bedfordshire South Bedfordshire North Hertfordshire East Hertfordshire
North East Thames Regional Health Authority	
Epping*	West Essex Redbridge
Bloomsbury*	Bloomsbury Hampstead Islington
East London	City and Hackney Newham Tower Hamlets
Chelmsford and Colchester	North East Essex Mid Essex
Whipps Cross	Waltham Forrest
Barking, Havering and Brentwood	Barking, Havering and Brentwood
North Middlesex	Enfield Haringey
South Essex	Southend Basildon and Thurrock
South East Thames Regional Health Authority	
Camberwell*	Camberwell West Lambeth Lewisham and North Southwark Greenwich Bexley Bromley
Canterbury	Canterbury and Thanet South East Kent Maidstone Tunbridge Wells Medway Dartford and Gravesham
East Sussex	Brighton Eastbourne Hastings
South West Thames Regional Health Authority	
Guildford (1)*	Mid Surrey North West Surrey South West Surrey
(2)*	West Surrey and North East Hants. East Surrey
Worthing	Worthing Chichester Mid Downs
Wandsworth (1)	Wandsworth Croydon Kingston and Esher Merton and Sutton
(2)	Richmond, Twickenham and Roehampton

Screening centre or consortium	*Districts served*
Wessex Regional Health Authority	
Southampton*	Southampton and South West Hampshire Salisbury
Isle of Wight*	Isle of Wight
Portsmouth*	Portsmouth and South East Hampshire
Dorset	East Dorset West Dorset
Bath/Swindon	Bath Swindon
Winchester/Basingstoke	Winchester Basingstoke and North Hampshire
Oxford Regional Health Authority	
Aylesbury*	Aylesbury Vale
Northampton	Northampton
Wycombe	Wycombe
Milton Keynes	Milton Keynes
Kettering	Kettering
Reading*	West Berkshire
Windsor	East Berkshire
Oxford/Banbury	Oxfordshire
South Western Regional Health Authority	
Cornwall*	Cornwall and Isles of Scilly
West Devon	Plymouth North Devon
East Devon	Exeter Torbay
Somerset	Somerset
Avon	Bristol and Weston Frenchay Southmead
Gloucestershire	Gloucester Cheltenham and District
West Midlands Regional Health Authority	
Stoke-on-Trent (1)*	North Staffordshire
(2)	Mid Staffordshire South East Staffordshire
Coventry (1)	Coventry North Warwickshire
(2)	Rugby South Warwickshire Solihull
Dudley	Dudley Wolverhampton
Walsall	Walsall Sandwell
Birmingham (1)	North Birmingham East Birmingham West Birmingham
Birmingham (2)	Central Birmingham South Birmingham

Screening centre or consortium	*Districts served*
Bromsgrove General Community Hospital Worcester	
	Hereford
	Kidderminster and District
	Bromsgrove and Redditch
Shrewsbury	Shropshire
Mersey Regional Health Authority	
Liverpool (1)*	Liverpool
(2)	Southport and Formby
	South Sefton
	St. Helen's and Knowsley (part)
Warrington	Warrington
	Halton
	St. Helen's and Knowsley (part)
Crewe	Crewe
Macclesfield	Macclesfield
Wirral	Wirral
Chester	Chester
North Western Regional Health Authority	
South Manchester*	North Manchester
	Central Manchester
	South Manchester
	Stockport
	Tameside and Glossop
	Oldham
	Trafford
	Salford
Wigan*	Wigan
	West Lancashire
	Chorley and South Ribble
Bolton*	Bolton
	Bury
	Rochdale
North East Sector	Blackburn, Hyndburn and Ribble Valley
	Burnley, Pendle and Rossendale
North West Sector	Preston
	Blackpool, Wyre and Fylde
	Lancaster

Dental Treatment

32. **Mr. Janman:** To ask the Secretary of State for Health how many courses of dental treatment were carried out in 1978 and in 1986; and how many dentists there were in each year.

Mr. Freeman: The information requested is set out in the table.

General dental services—England

Year	*Number of courses of treatment 000s*	*Number of dentists*
1978	27,105	11,919
1986	32,279	14,516

Hepatitis B

33. **Mr. Pike:** To ask the Secretary of State for Health what representations he has received for additional funds to meet the cost to district health authorities of funding of vaccination of National Health Service employees against Hepatitis B.

Mr. Freeman: Written representations on behalf of Burnley, Pendle and Rossendale community health council have been received from three hon. Members, including one from the hon. Member himself. I have replied in writing to the hon. Member.

In-patients

39. **Mr. Cash:** To ask the Secretary of State for Health how many people were treated as in-patients in 1978 and how many in the latest year for which figures are available.

Mr. Freeman: In the financial year 1987-88, 6,619,354 in-patient cases were treated in England. This was 23 per cent. more than the 5,370,319 cases treated in 1978.

Family Practitioner Committee

40. **Mr. French:** To ask the Secretary of State for Health if he will make a statement on the powers and responsibilities of family practitioner committees.

Mr. Mellor: The present statutory powers and responsibilities of family practitioner committees are set out in the following statutes:

National Health Service Act 1987 Chapter 49
Health and Social Security Act 1984 Chapter 48
NHS Functions (Directions to Authorities and Administration Arrangements) Regulations 1989. SI1989 No. 51
NHS England and Wales. The Family Practitioner Committees (Membership and Procedure) Regulations 1985. SI1985 No. 213
NHS (General Medical and Pharmaceutical Services) Regulations 1974. SI1974 No. 160
NHS (Family Practitioner Committees Supply of Goods) Regulations 1974. SI1974 No. 191
NHS (Service Committees and Tribunals) Regulations 1974. SI1974 No. 455
NHS (Charges for Drugs and Appliances) Regulations 1980. SI1980 No. 1503
NHS (General Dental Services) Regulations 1973. SI1973 No. 1468
NHS (General Ophthalmic Services) Regulations 1986. SI1986 No. 975
NHS (Payment for Optical Appliances) Regulations 1986. SI1986 No. 976

These are augmented by administrative circulars from time to time issued by my Department.

Competitive Tendering

44. **Mr. Bellingham:** To ask the Secretary of State for Health if he will make a statement on his Department's record in encouraging local health authorities to put their services out to tender.

Mr. Freeman: The competitive tendering initiative launched five years ago concentrated on domestic, catering and laundry services. Virtually all these services have now been subjected to the tendering process. The initiative has generated not only substantial annual savings (almost £110 million) but has provided improved specification of services, more flexible provision, tighter budgetary control

and improved productivity. In the light of these perceived benefits a number of health authorities have extended, or are planning to extend, the range of services subject to the tendering process, for example portering and security services, estate services, computer services and supplies distribution. Over £1·2 billion of National Health Service services are now subject to routine competition. We shall continue to encourage health authorities to consider competitive tendering as a means of improving efficiency in the way services are delivered thus maximising the resources available for patient care.

Rural Maternity Units

46. **Mr. Latham:** To ask the Secretary of State for Health what response he has made to the representations which he received regarding the proposals of the Leicestershire health authority to close rural maternity units; and if he will make a statement.

Mr. Freeman: This is at present a matter for the district health authority with the region following consultations on the proposals issued last September. The standard procedure in relation to the closure of health facilities requires Ministers to make the final decision if agreement cannot be reached locally among the community health council and the health authorities. My hon. Friend will appreciate that it would be inappropriate for me to comment at this stage.

Hospital Consultants

48. **Mr. John Greenway:** To ask the Secretary of State for Health what plans he has to increase the number of hospital consultants; and if he will make a statement.

Mr. Mellor: Health authorities are responsible for determining the number of consultants they require to meet service needs. Their strategic plans indicate an annual increase in the number of consultants which averages 2 per cent. per annum and regions will be held to account for achieving these plans. In addition to this, "Achieving a Balance", a 10-year plan to reform hospital medical staffing, introduced specific measures to give a further boost to the number of consultant posts.

Community Care

49. **Mr. Atkinson:** To ask the Secretary of State for Health when he expects to complete his consideration of the recommendations of the Griffiths report on community care; and if he will make a statement.

Mr. John Marshall: To ask the Secretary of State for Health when he now expects to make a statement on implementation of the recommendations of the Griffiths report.

Mr. Mellor: We are actively engaged at present in working up our own proposals for the future of community care. I am mindful of concern that we should reach a conclusion as soon as possible. We hope to be in a position to bring forward our plans in the near future.

Food Quality

51. **Mr. Devlin:** To ask the Secretary of State for Health what representations he has received from consumer health organisations about the impact on health of the quality or contents of food available in the United Kingdom.

Mr. Freeman: We have not received any such representations. The Secretary of State for Health and the Minister of Agriculture, Fisheries and Food jointly consider all proposals for regulations under the Food Act and are required to consult widely before making such regulations. The consumer organisations are among those whose views are sought and our officials have frequent contacts with these organisations.

NHS Patients (Private Hospitals)

53. **Mr. Grocott:** To ask the Secretary of State for Health what is the cost to the National Health Service of paying private hospitals to treat National Health Service patients in the latest year for which figures are available.

Mr. Mellor: The summarised accounts of health authorities for 1987-88 record total expenditure on contractual hospitals and homes of £52·4 million. At this stage the figure is provisional as it is subject to audit.

Hospitals (Resource Management)

54. **Mr. David Nicholson:** To ask the Secretary of State for Health if he will make a statement on the results of the pilot projects on resource management in hospitals.

Mr. Mellor: The resource management experiments will be formally evaluated by the Joint Consultants Committee and the NHS Management Board, the joint sponsors of the initiative, in October 1989.

Piloting at the reference sites is still continuing. The work to date has already demonstrated the significance of a number of elements. These include the importance of good quality medical records data; the value associated with involving doctors and nurses in decision making and giving them a sense of ownership of their data; the importance of involving all staff in the projects and of good quality local management; the desirability of introducing nurse management and other information systems and the feeding back to managers and clinicians of existing information. These and other issues were discussed at a meeting with RHA chairmen on 18 January.

Wheelchairs

55. **Mr. Flannery:** To ask the Secretary of State for Health if he has received any representations during the past year for more battery powered wheelchairs for the chronically disabled.

Mr. Mellor: These are matters for the Disablement Services Authority, to which the hon. Member should address questions.

Sex-change Operations

58. **Dr. Goodson-Wickes:** To ask the Secretary of State for Health if he will give the number of sex-change operations performed by the National Health Service, both male to female and female to male, for each of the last 20 years, giving the cost to the Exchequer in each case.

Mr. Freeman: I refer my hon. Friend to the answer given to my hon. Friend the Member for Congleton (Mrs. Winterton) on 1 March 1988, at column *557*.

Wessex Regional Health Authority

59. **Mr. David Martin:** To ask the Secretary of State for Health when he plans next to meet the chairman of the Wessex regional health authority.

Mr. Mellor: I met the Wessex chairman at the region's ministerial review on 10 January. My right hon. and learned Friend the Secretary of State and I saw all chairmen on 18 January and will expect to meet Mr. Buchanan again at our next regular meeting with regional chairmen on 14-15 March.

NHS Expenditure

61. **Mr. David Davis:** To ask the Secretary of State for Health by what proportion spending on the National Health Service has increased above the rate of inflation since 1979; and what is his estimate of the likely figure when the additional resources he has announced for the coming year are taken into account.

Mr. Mellor: I refer my hon. Friend to my reply to my hon. Friend the Member for Harrow, West (Mr. Hughes) on 14 December 1988, at column *597*.

Cook-chill Catering

63. **Mr. O'Brien:** To ask the Secretary of State for Health when he intends to make available the amended recommendations concerning the introduction of the cook-chill meals system into hospitals under the charge of the Wakefield district health authority; and if he will make a statement.

Mr. Kenneth Clarke: Wakefield district health authority is responsible for arrangements for the introduction of the cook-chill meals system in hospitals under its charge and there is no reason why it should not introduce the system forthwith provided it ensures that the existing departmental guidelines on pre-cooked chilled foods are followed. Updated guidelines are nearly ready for publication, but there is no reason to delay the use of cook-chill equipment while we are waiting for publication.

69. **Mr. Hinchliffe:** To ask the Secretary of State for Health when he expects to be in a position to publish his Department's revised guidelines on pre-cooked meals in catering, chilled and frozen.

Mr. Kenneth Clarke: The updated guidelines are nearly ready for publication.

Hospitals (Staffing Review)

64. **Mr. Cousins:** To ask the Secretary of State for Health if he will state the number of regional steering groups, concerned with the safety net review of hospital medical staffing, which have issued guidance to their respective district working parties in accordance with his suggested timetable, or later, respectively.

Mr. Mellor: We do not hold this information centrally. We have requested an interim report on progress in carrying out the review of juniors' hours and the safety-net from health authorities by later this month.

Hypothermia

65. **Mr. Nigel Griffiths:** To ask the Secretary of State for Health if he will give the latest estimate of the number of deaths in the United Kingdom from hypothermia and cold-related diseases in the last winter period for which figures are available.

Mr. Freeman: The latest complete winter period for which figures are available is the winter of 1987-88. The provisional number of deaths registered in the United Kingdom with any mention of hypothermia on the death certificate, irrespective of whether it appeared as the underlying cause of death or did not, for the period October 1987 to March 1988 inclusive, is 449.

Transplants

66. **Mr. Richard Page:** To ask the Secretary of State for Health, what is being done to improve the supply of donor organs for transplants.

Mr. Freeman: We have recently issued detailed guidance to health authorities on this subject. For further information, I refer my hon. Friend to the reply given to my hon. Friend the Member for Uxbridge (Mr. Shersby) on 13 December, at column *555*.

We are also carrying out a continuing publicity programme. My reply to my hon. Friend the Member for Skipton and Ripon (Mr. Curry) today gives further details.

89. **Mr. Curry:** To ask the Secretary of State for Health if he will report progress on the current campaign on donor cards.

Mr. Freeman: The Department's donor card campaign is continuing to progress well. The range of outlets where the cards are available has been expanded and there has been a substantial increase in the number of cards distributed compared with last year.

"Readers Digest" is producing and distributing over 5 million donor cards in its February issue at no cost to the Department.

A video for transplant co-ordinators displays and a new range of leaflets will be launched in the spring.

Norwich Health Authority

70. **Mr. Patrick Thompson:** To ask the Secretary of State for Health what extra funds have been made available to the Norwich health authority during the past year.

Mr. Mellor: Allocations to district health authorities are a matter for the regional health authorities concerned. However, I understand that in 1988-89 the East Anglian regional health authority made available an additional £6,145,000 to the Norwich health authority. Norwich health authority is also to receive a further sum of about £1·4 million to meet the cost of the nurses regrading exercise.

"Look After Your Heart"

72. **Mr. Andrew Mitchell:** To ask the Secretary of State for Health whether he has plans for a media campaign on "Look after your Heart".

Mr. Freeman: A major publicity campaign began at the end of December and is planned to continue throughout 1989. It includes national and regional television advertising, and a series of advertisements in the national press. The campaign will complement a comprehensive

programme of activity involving industry and commerce, local groups, primary health care activity and special promotions.

North-West Region

73. **Mr. Sumberg:** To ask the Secretary of State for Health what additional resources have been provided to health authorities in the north-west over the past 18 months.

Mr. Mellor: Gross revenue expenditure in North Western regional health authority increased in 1987-88 by 8·7 per cent. in cash and 3·2 per cent. in real terms over the previous year. The region's initial revenue cash limit for 1988-89 was £1,038·8 million. Subsequent in-year additions have been made for:

	£ million
Review Body pay awards	53·5
Waiting lists	2·6
AIDS	0·5
Other services	0·4

As a result expenditure this year is expected to rise by over 9 per cent. compared with 1987-88, a real terms increase of some 3 per cent.

The allocation of funds to districts within the region is a matter for the regional health authority.

Yorkshire Regional Health Authority

74. **Mr. Cran:** To ask the Secretary of State for Health when he next intends to meet the chairman of the Yorkshire regional health authority; and what he expects to discuss.

Mr. Mellor: I last met him on Wednesday 18 January and I expect to do so again shortly. A wide range of issues were discussed.

87. **Mr. Kirkhope:** To ask the Secretary of State for Health what progress has been made on major hospital building schemes costing more than £1 million in the Yorkshire regional health authority area.

Mr. Freeman: Information held centrally shows that last year six schemes, each costing more than £1 million, were completed by the Yorkshire regional health authority, including phase 1 of the redevelopment of Staincliffe district general hospital. A further 42 schemes are at various stages of planning, design and construction including major developments at Scunthorpe, St. James hospital, Leeds and St. Lukes hospital, Bradford.

Health Education Authority

77. **Mr. Simon Coombs:** To ask the Secretary of State for Health when he last met the director of the Health Education Authority; and what subjects were discussed.

Mr. Freeman: My right hon. and learned Friend, the Secretary of State and my predecessor the hon. Member for Derbyshire, South (Mrs. Currie) last met the chief executive of the Health Education Authority on 8 December 1988 to discuss the "Look After Your Heart" campaign.

Abortions and Infertility Treatment

80. **Mr. McAvoy:** To ask the Secretary of State for Health if he will make it his policy to require health authorities to provide separate facilities for women having abortions and those receiving infertility treatment in National Health Service hospitals; and if he will make a statement.

Mr. Freeman: Provision of health services is a matter for individual health authorities in the light of local needs and priorities. We would, however, expect health authorities to consider the individual needs of patients, in this respect, as far as is possible.

Nurses (Training)

83. **Mr. David Evans:** To ask the Secretary of State for Health whether he will make a statement on post-registration training courses for nurses.

Mr. Mellor: The chief executive of the National Health Service Management Board will be writing shortly to health authority general managers asking them to submit bids for pump-priming new developments in post-registration, nurse training in the high technology specialties.

This follows a survey by the management board of training and development in the high technology specialties. The results of the survey are being sent to health authorities and a copy will be placed in the Library. In addition, the English National Board for Nursing, Midwifery and Health Visiting has been asked to draw up proposals to review the structure of post-registration training in order to widen access and reduce any duplication or overlap between different courses.

Some £4 million will be available in 1989-90 for these complementary activities. This demonstrates the importance we attach to equipping nurses with the skills they need in an increasingly complex health care environment.

Royal College of Midwives

84. **Mr. Spearing:** To ask the Secretary of State for Health when he next expects to meet officers of the Royal College of Midwives.

Mr. Mellor: My right hon. and learned Friend the Secretary of State had a friendly and useful discussion with the president and the general secretary of the Royal College of Midwives on 7 December. No date was set for a future meeting, but we have regular meetings with the royal college to discuss a wide range of issues and I would expect and hope that this practice will continue.

Drugs Campaign

92. **Mr. Franks:** To ask the Secretary of State for Health if he will report on progress on the current campaign against drugs.

Mr. Freeman: I refer my hon. Friend to the reply given by my hon. and learned Friend the Minister for Health to my hon. Friend the Member for Nuneaton (Mr. Stevens) on 13 December 1988, at column *550*.

Stillborn Children (Parents)

93. **Mr. Soley:** To ask the Secretary of State for Health what attention is given to the emotional needs of the parents of stillborn children.

Mr. Freeman: The 1985 Maternity Services Advisory Committee report "Maternity Care In Action", which was

commended to all health authorities in England and Wales, emphasises the crucial importance of helping parents of stillborn children to come to terms with their loss and grief. It gives detailed guidance on the ways in which this can be done. A copy of the report is available in the Library.

The Stillbirth and Neonatal Death Society (SANDS), which has received £75,000 in funding from the Department in the last three years, also makes a valuable contribution by raising awareness of the needs of parents.

Mentally Handicapped Persons

Mr. Campbell-Savours: To ask the Secretary of State for Health what representations he has received concerning the transfer of control of care for mentally handicapped persons in Bexley to Social Policy Management Services Ltd.

Mr. Freeman: None.

Mr. Campbell-Savours: To ask the Secretary of State for Health (1) what guidance he issues to local authorities concerning the transfer of responsibility for care of mentally handicapped persons to private companies;

(2) what is his policy on the privatisation of local authority services for the care of mentally handicapped persons.

Mr. Freeman: No specific guidance has been issued. The Department encourages local and health authorities, which have statutory responsibility for providing care for mentally handicapped people, to work closely together with the private and voluntary sectors to develop a fully integrated range of services tailored to the specific needs of mentally handicapped people in the most cost-effective way.

Docklands

Mr. Leighton: To ask the Secretary of State for Health what estimate he has made of extra demand for health care consequent upon the development of the docklands area of the London borough of Newham.

Mr. Mellor: It is for health authorities to plan local health services in the light of changing local needs and circumstances.

We understand that Newham health authority and the City and East London FPCs, which are responsible for health provision in the docklands area of the London borough of Newham, are working with the London docklands development corporation to ensure that it is able to take account of future demand for health care. The hon. Member may wish to approach the chairmen of Newham health authority and City and East London FPCs for further information.

NHS Property

Mr. Ralph Howell: To ask the Secretary of State for Health on what basis National Health Service land was valued before and after the two dates given in his reply to the hon. Member for Norfolk, North *Official Report*, 16 November 1987, column *441*, 27 November 1987, columns *319-21* and 19 April 1988, column *382*, and upon whose advice; and what would be the notional value of this National Health Service estate with planning consent.

Mr. Freeman: My predecessor's reply of 16 November 1987, at column *439*, gave the 1985 existing use value of the NHS estate (£12·7 billion). The existing use value is the summation of the depreciated replacement cost of the buildings and the value of the land on which they stand. The 1987 revaluation increased this figure to £18·1 billion.

My predecessor's reply of 19 April 1988, at column *382* gave the provisional open market value of the estate following the 1987 revaluation. The final calculation of this value gave a figure of £7·4 billion. The open market value, which assumes the most likely planning consent, represents the opportunity cost of the land and buildings.

All valuations are carried out by the chief valuers office of the Inland Revenue.

Mr. Fearn: To ask the Secretary of State for Health, if he will list the receipts from the sales of National Health Service mental hospital property and land since 1979 by regional health authorities in relation to the total receipt of sales of National Health Service property and land, by region, giving anticipated receipts similarly classified for future years.

Mr. Freeman: The most recent information on receipts from sales of surplus NHS property and land by regional health authority was given by my hon. and learned Friend the Minister of State for Health to the hon. Member for Mansfield (Mr. Meale) on 19 December 1988. Information is not routinely collected on sales of surplus NHS property and land defined by functional group and to collect it by means of a special exercise would involve disproportionate cost. Regional health authorities' forecasts of sales proceeds for the current and next three years are set out in the table.

Forecast-receipts from the sale of NHS properties and land

£ million

Region	*1988-89*	*1989-90*	*1990-91*	*1991-92*
Northern	5·3	2·2	1·3	0·8
Yorkshire	13·5	14·0	0·9	4·2
Trent	17·2	11·0	3·6	2·9
East Anglian	11·0	3·0	3·1	2·5
North West Thames	45·2	54·0	37·2	50·0
North East Thames	71·0	58·0	22·0	44·8
South East Thames	40·7	28·0	21·0	21·0
South West Thames	25·0	[1]	[1]	[1]
Wessex	20·5	10·0	5·0	5·0
Oxford	17·6	1·0	3·2	0·1
South Western	21·0	19·7	3·0	4·4
West Midlands	11·3	3·0	5·7	5·2
Mersey	8·8	6·7	3·6	1·6
North Western	24·7	2·5	0·7	[1]
SHAs	4·2	22·5	nil	nil
England	337·0	[2]235·6	[2]110·3	[2]142·5

[1] Not available.
[2] Provisional figure.

Departmental Staff (Pay)

Mr. Sean Hughes: To ask the Secretary of State for Health what is the number of staff in his Department, by grade, in receipt of local pay additions outside London and the south-east economic planning region; what are the different amounts paid to staff by grade; whether this figure varies due to location; what qualifying period of scale-related criteria is used; and whether this varies by location.

Mr. Mellor: There are no Department of Health staff in receipt of local pay additions outside London and the south-east economic planning region.

Adverse Drug Reaction

Mr. Hayes: To ask the Secretary of State for Health (1) how many doctors and dentists used the yellow card adverse reaction reporting procedure on *(a)* one occasion, *(b)* two occasions, *(c)* three occasions, *(d)* four occasions and *(e)* five occasions or more in each of the years between 1985 and 1988;

(2) how many doctors and dentists made adverse drug reaction reports to the Committee on Safety of Medicines in each of the years between 1985 and 1988, inclusive;

(3) how many adverse drug reaction reports from doctors and dentists were received by the Committee on Safety of Medicines in each of the years 1985 to 1988.

Mr. Mellor: The total number of adverse drug reaction reports received by the Committee on Safety of Medicines in each of the years 1985-88 was as follows:

	Number
1985	12,652
1986	15,527
1987	16,431
1988	19,022

We do not record the numbers of individual doctors and dentists who report adverse drug reactions to the CSM and this information could be provided only at disproportionate cost.

Malignant Neoplasms

89. **Mr. Teddy Taylor:** To ask the Secretary of State for Health, pursuant to the reply of 17 January to the hon. Member for Southend East, *Official Report*, columns *114-15*, why no figures on newly diagnosed cases of malignant neoplasms in persons under 15 years of age are available since the year 1984; and when he expects the figures for 1985 and later years to be available.

Mr. Freeman: The Office of Population Censuses and Surveys publishes annual cancer statistics using data collected by 12 regional registries which are funded by the regional health authorities.

The target for the publication of data for individuals diagnosed in 1985 was the middle of 1988. In practice the timing of publication is largely governed by when the slowest regional cancer registry provided OPCS with data. It should be borne in mind that regional registries exist to produce data for local management and research purposes as well as supplying data for the national cancer scheme. They sometimes have local priorities which conflict with the timely supply of data to OPCS.

OPCS is currently waiting for data from two registries on approximately 8,000 individuals diagnosed with cancer in 1985. Information on these cases is expected to be received by the end of February and we plan to publish the 1985 cancer registration volume in the summer of this year.

Doctors (Complaints)

Mr. Thurnham: To ask the Secretary of State for Health what recent representations he has received about the procedures available to investigate complaints against doctors; and if he will make a statement.

Mr. Freeman: The Government's proposals for changing the complaints procedures for the family practitioner services were published in the White Paper "Promoting Better Health". The aim of the proposals is to simplify and streamline procedures and to recast the governing regulations as a whole in simpler and plainer language. Consultations with interested bodies have not yet been completed.

Directions on the procedures for complaints by hospital patients were issued to health authorities in June 1988. No representations have been received.

Osteoporosis

Mrs. Ray Michie: To ask the Secretary of State for Health if he has any plans to introduce a national screening programme for women at risk from osteoporosis.

Mr. Freeman: There are at present no plans to introduce a national screening programme for women at risk from osteoporosis. Further research is required on the appropriate techniques to use for screening and which criteria should be used to identify those at highest risk. The Medical Research Council, which receives its grant-in-aid from the Department of Education and Science, has set up a specialist group which is considering this question and we shall keep developments under review.

Imported Food

Mr. Ron Davies: To ask the Secretary of State for Health how many prosecutions have been made for breaches of the Imported Food Regulations 1984.

Mr. Freeman: This information is not collected centrally.

EMPLOYMENT

Earnings

Mr. Speller: To ask the Secretary of State for Employment how many weekly or monthly paid people in the United Kingdom are estimated to earn in excess of *(a)* £20,000, *(b)* £25,000 and *(c)* £50,000 per annum.

Mr. Nicholls: The latest estimates available from the Inland Revenue's survey of personal incomes for the tax year 1986-87 are as follows:

Income from employment in excess of £	*Numbers (thousands)*
20,000	347
25,000	298
50,000	38

Staff (Pay)

Mr. Sean Hughes: To ask the Secretary of State for Employment (1) what is the number of staff in the Training

Agency, by grade, in receipt of local pay additions outside London and the south-east economic planning region; what are the different amounts paid to staff, by grade; whether this figure varies due to location; what qualifying period of scale-related criteria is used; and whether this varies by location;

(2) what is the number of staff in his Department, by grade, in receipt of local pay additions outside London and the south-east economic planning region; what are the different amounts paid to staff, by grade; whether this figure varies due to location; what qualifying period of scale-related criteria is used; and whether this varies by location.

Mr. Cope: Neither the Employment Department nor the Training Agency make any local pay additions to staff outside London and the south-east planning region.

Employment Training

Mr. Colvin: To ask the Secretary of State for Employment if he will extend the employment training scheme to include the sponsorship of young persons wishing to become commercial airline pilots.

Mr. Nicholls: There are no plans to make commercial pilot training available in employment training. The Air Transport Industry Training Association already carries out comprehensive training to meet its own requirements, including a thorough selection and assessment process.

Opencast Mining

Mr. Batiste: To ask the Secretary of State for Employment when the code of practice setting out national standards for opencast mining in the vicinity of water courses will be published.

Mr. Nicholls: It is not possible to give a final date for the publication of the code of practice on the stability of excavated slopes at opencast coal sites, but it is expected this summer.

Small Businesses

Mr. Tim Smith: To ask the Secretary of State for Employment what measures he is taking to ensure that small businesses are well managed and that, where appropriate, managers employed in large businesses are encouraged to join small businesses.

Mr. Lee: The Training Agency currently supports a wide range of programmes aimed at improving the business and management skills of small firms and the small firms service offers advice to large numbers of owner/managers. In the White Paper "Employment for the 1990s" published last month, I announced plans to bring these together under the Training Agency and to establish training and enterprise councils. These developments will ensure that advice and training are closely linked, relevant to the business objectives of owner/managers and reflect local needs.

Managers in large businesses may be encouraged to join small firms by the strength of the small firms sector and the range of encouragement to enterprise that we have introduced.

Viraj Mendis

Mr. Nicholas Bennett: To ask the Secretary of State for Employment what information he has as to any claims by, and payments made to, Mr. Viraj Mendis for unemployment benefit since 1973.

Mr. Lee: My officials are unable to trace records of Mr. Mendis's benefit claims before December 1980. I can confirm that although Mr. Mendis made a number of claims for unemployment benefit after this date, no unemployment benefit was paid.

Business Growth Training

Mr. Roger King: To ask the Secretary of State for Employment if he will make a statement about his plans for the business growth through training programme, announced in the White Paper entitled "Employment for the 1990s", Cm. 540

Mr. Fowler: I can now announce that the programme, "Business Growth Training" will start on 1 April and that expenditure on it will be £55 million in a full year. The programme is designed to help the smaller business in particular and it will have four major components:

help for smaller firms with fewer than 500 employees to obtain outside advice to improve their performance through better training. Up to £15,000 will be available to meet up to half the costs of professional assistance to plan for the training of their employees as part of a strategy for managing change; associated training of managers and supervisors; purchase of open learning materials, and other forms of training new to the firm;

training of owners and managers of very small businesses in better management and business skills in order to help them run and develop their business;

projects to demonstrate how new approaches to training and development can help employers meet their business needs more effectively. Selected firms will be given up to half of the agreed costs, up to a maximum of £60,000, to mount the projects and to disseminate the results to other employers;

projects to help to start up partnerships between businesses on a national sectoral basis or locally, to define needs for training in key skills, and to develop a long-term strategy for improving the supply of those skills. Funding will be limited to a maximum of £60,000, up to half the costs. The Training Agency will draw up priorities for responding to applications for this pump-priming funding.

With the introduction of these new arrangements on 1 April, the local grants for employers scheme, local collaborative projects and national priority skills scheme will end. Existing commitments will of course be honoured. Those elements of the former training for enterprise programme which do not form part of employment training (the private enterprise programme, graduate enterprise programme, firmstart and growth programmes) will continue under business growth training.

Transfer of Undertakings Regulations

Mr. Ingram: To ask the Secretary of State for Employment if he has any plans to amend *(a)* the Transfer of Undertakings (Protection of Employment) Regulations 1981 or *(b)* the Transfer of Undertakings (Protection of Employment) (Amendment) Regulations 1987.

Mr. Nicholls *[holding answer 23 January 1989]:* My right hon. Friend has no such plans.

Graduates

Mr. McLeish: To ask the Secretary of State for Employment with whom he has discussed the graduates in employment statistics outlined in the January 1989 edition of the *Employment Gazette*, at pages 22 and 23;

(2) if he has any plans to discuss the graduate in employment statistics outlined in the January 1989 edition of the *Employment Gazette* at pages 22 and 23 with the Confederation of British Industry and the Scottish Council (Development and Industry).

Mr. Lee *[holding answer 19 January 1989]:* We have no plans to initiate discussions on the information in the article.

The article itself was based on a paper prepared for the Department of Education and Science-led review of the demand for graduates, which in turn was based on information extracted from the labour force survey.

The Confederation of British Industry is represented on the review's working groups, which also include officials from relevant Departments, including the Scottish Office, and representatives from the Council for Industry and Higher Education. The Scottish Council for Development and Industry is not a member.

Departmental Advertising

Mr. Meacher: To ask the Secretary of State for Employment how much he has spent on advertising in each of the last three years, and what was the breakdown of expenditure on advertising in each of these years.

Mr. Cope *[holding answer 20 January 1989]:* The amount spent by the Department of Employment on advertising during the financial years 1985-86, 1986-87 and 1987-88, broken down by media category was as follows:

£ million

Year	*Television*	*Press/ Radio*	*Posters*	*Total*
1985-86	Nil	0·1	Nil	0·1
1986-87	9·3	3·0	0·4	12·7
1987-88	3·0	0·5	2·6	6·1

These figures include production costs and VAT.

HSE (Prosecutions)

Mr. Cryer: To ask the Secretary of State for Employment what criteria are used by the Health and Safety Executive when deciding if a prosecution should go on indictment to the Crown court.

Mr. Nicholls *[holding answer 23 January 1989]:* It is a decision for magistrates courts, and not for the Health and Safety Executive, whether particular cases should be taken on indictment to the Crown court.

Mr. Cryer: To ask the Secretary of State for Employment on how many occasions in 1988 private solicitors were instructed to conduct prosecutions on behalf of the Health and Safety Executive; and if he will consider transferring all prosecution work under the Health and Safety at Work, etc. Act and associated legislation to the Crown Prosecution Service.

Mr. Nicholls *[holding answer 23 January 1989]:* In England and Wales in 1987-88, the latest years for which figures are available, 234 cases were conducted by private solicitors on behalf of the Health and Safety Executive. My right hon. Friend has no plans to transfer prosecution work in the highly technical and specialised field of health and safety law to the Crown Prosecution Service,

Hantergantick Quarry (Fatalities)

Mr. Cryer: To ask the Secretary of State for Employment how many informations were laid before Bodmin magistrates by the Health and Safety Executive in respect of the double fatality at Hantergantick quarry on 25 August 1987; and to what breaches of statutory provisions each of these informations related.

Mr. Nicholls *[holding answer 23 January 1989]:* A total of two informations were laid: one under section 2(1) of the health and Safety At Work, etc. Act. 1974, and another under section 109 of the Mines and Quarries Act 1954.

Mr. Cryer: To ask the Secretary of State for Employment why all informations laid before Bodmin magistrates in connection with the double fatality at Hantergantick quarry of 25 August 1987 were not proceeded with.

Mr. Nicholls *[holding answer 23 January 1989]:* The section of statute under which the successful prosecution proceeded was the result of the considered advice of solicitors and counsel.

Mr. Cryer: To ask the Secretary of State for Employment whether the prosecution relating to the double fatality at Hantergantick quarry on 25 August 1987 was conducted by the Health and Safety Executive's own staff, or whether outside solicitors were instructed.

Mr. Nicholls *[holding answer 23 January 1989]:* The prosecution was undertaken by a local firm of solicitors, under the instructions from HSE legal division.

Safety at Work

Mr. Cryer: To ask the Secretary of State for Employment if he has made an assessment of the service provided by the procurator fiscal's department in conducting all prosecutions in Scotland under the Health and Safety at Work, etc. Act 1974.

Mr. Nicholls *[holding answer 23 January 1989]:* No.

Mr. Cryer: To ask the Secretary of State for Employment what steps are taken to ensure that all inspectors authorised to conduct legal proceedings under the Health and Safety at Work, etc. Act 1974 have received sufficient training and have a sufficient knowledge of magistrates courts proceedings to enable them to conduct the proceedings correctly; and if he will make a statement.

Mr. Nicholls *[holding answer 23 January 1989]:* All newly appointed Health and Safety Executive inspectors who will be required to conduct legal proceedings attend, as part of their training, a course on magistrates court procedures, collection of evidence, presentation of cases and the conduct of proceedings in court. Further courses covering the same material are provided for inspectors in mid career either to update their skills and knowledge or before they are likely to conduct legal proceedings in a magistrates court.

HSE's inspectors are also provided with comprehensive written guidance on magistrates court procedures and the conduct of proceedings in court.

Summerwest World (Injury)

Mr. Cryer: To ask the Secretary of State for Employment what action was undertaken by the Health and Safety Executive following the injury to a small boy at Butlins Summerwest World, Minehead in September 1988 on the water slide; and if he will make a statement.

Mr. Nicholls *[holding answer 23 January 1989]:* In accordance with the Health and Safety (Enforcing Authority) Regulations 1977, enforcement of the Health and Safety at Work, etc. Act 1974 at Butlins Summerwest World, Minehead is carried out by West Somerset district council, and consequently the Health and Safety Executive has no information about this incident.

DEFENCE

Parliamentary Questions

Mr. French: To ask the Secretary of State for Defence how many oral parliamentary questions he has answered by written reply because the question was not reached at Question Time, for the most recent year for which figures are available.

Mr. Younger: In 1988, 721 oral parliamentary questions were answered by written reply owing to the question not being reached at Question Time.

Royal Air Force Officer and Aircrew Selection Centre

Mr. John Hunt: To ask the Secretary of State for Defence what estimates his Department has made of the expected revenue savings from the transfer of the RAF officer and aircrew selection centre from Biggin hill to Cranwell.

Mr. Neubert: Some £10 million in running costs will be saved over the next 10 years. Once the move has been completed running cost savings of more than £2 million per annum at current prices are expected to accrue.

Mr. John Hunt: To ask the Secretary of State for Defence what estimates his Department has made of the expected level of capital receipts following disposal of the existing RAF officer and aircrew selection centre site at Biggin hill.

Mr. Neubert: Following the closure announcement discussions are now being held with Bromley council to consider the future uses for the site of the officers and aircrew selection centre. This will assist us to determine the capital value of the site. The final estimate will however be a matter of commercial confidentiality and it would not be our normal practice to disclose it.

Mr. John Hunt: To ask the Secretary of State for Defence what expenditure is envisaged to accommodate the RAF officer and aircrew selection centre following its proposed transfer from Biggin hill to Cranwell, including provision for the selection centre itself and the residential accommodation required for the personnel.

Mr. Neubert: The estimated cost of the facilities concerned, including extensions to existing facilities, is some £5½ million at current prices.

Woolwich Arsenal West

Mr. Cartwright: To ask the Secretary of State for Defence when he expects to release the area of surplus land at Woolwich Arsenal west; how the developer is to be selected; what form the development is likely to take; and if he will make a statement.

Mr. Neubert: The Woolwich Arsenal west site including the riverside area is owned jointly by the Ministry of Defence and the Crown Estate Commissioners with whom discussions are already in progress on disposal arrangements. We are also in informal consultation with the local planning authority, Greenwich borough council, to establish potential uses for the surplus land which will protect and be compatible with the many listed buildings on site.

It is our normal practice to select a developer through open market competition.

Radioactivity

Mr. McFall: To ask the Secretary of State for Defence, pursuant to his answer, *Official Report*, column *280*, to the hon. Member for Dumbarton of Thursday 19 January; if he will specify the document covering United States practice in United Kingdom waters which embodies standard and international standards on the release of radioactivity.

Mr. Archie Hamilton: United States practice is consistent with the recommendations of the International Commission on Radiological Protection (ICRP). The commission adopted its most recent recommendations on 17 January 1977, and these are contained in ICRP publication 26.

PUBSAFF

Mr. McFall: To ask the Secretary of State for Defence, pursuant to his answer to the hon. Member for Dumbarton of Thursday 19 January; if he will summarise the changes required by the local authorities and emergency services during the consultation process on Clyde PUBSAFE.

Mr. Archie Hamilton: The Clyde public safety scheme is currently under review, in consultation with local authorities and emergency services. It would not be appropriate to release details of any proposed changes before the revision is issued.

Nuclear Accident Exercises

Mr. McFall: To ask the Secretary of State for Defence, pursuant to his answer to the hon. Member for Dumbarton of Thursday 19 January, *Official Report*, column *280*, how many exercises in each of the past five years have been carried out under the existing scheme.

Mr. Archie Hamilton: In the Clyde area, there were seven nuclear accident exercises in 1985, six in 1986, five in 1987 and six in 1988. In Rosyth, there has been one exercise during each of the last five years, and practice evacuations of part of the naval base in 1984, 1986, 1987 and 1988.

Radioactivity (Submarines)

Mr. McFall: To ask the Secretary of State for Defence, pursuant to his answer to the hon. Member for

Dumbarton of Thursday 19 January, *Official Report*, column *280*, what levels of radioactive material Royal Navy submarines are authorised to discharge.

Mr. Archie Hamilton: Releases of radioactivity from United Kingdom nuclear-powered submarines are strictly controlled within the established national and international standards, as recommended by the International Commission on radiological protection.

Mr. McFall: To ask the Secretary of State for Defence, pursuant to his answer to the hon. Member for Dumbarton of Thursday 19 January, *Official Report*, columns *279-80*, if he has been informed by the United States Navy of the maximum level of radioactivity in waste discharged into United Kingdom waters by their submarines; and if he will make a statement.

Mr. Archie Hamilton: Her Majesty's Government are satisfied that any releases of radioactivity have not breached established national and international standards. Early United States operations in Holy Loch did lead in the 1960s to the detection of some Cobalt 60 in harbour sediment samples. This radioactivity was well below the internationally agreed public safety levels at the time, and was also below the much more stringent levels which apply now. Since then, the United States has made technical advances and has instituted even more rigorous control over discharges.

I also refer the hon. Member to the answer given by my hon. Friend the Member for Edinburgh, West (Lord James Douglas-Hamilton) to the hon. Member for Carrick, Cumnock and Doon Valley (Mr. Foulkes) on 23 January 1989 at column *407*.

Aircraft (Urban Areas)

Dr. Thomas: To ask the Secretary of State for Defence at what height military aircraft are permitted to fly over urban areas which are not located within one of the avoidance areas or transit areas marked on the Civil Aviation Authority chart of United Kingdom areas of intense aerial activity, aerial tactics areas and military low flying system.

Mr. Neubert *[holding answer 16 December 1988]:* Military fast jet aircraft are instructed not to fly over the centres of major conurbations and built up areas below 2,000 feet, whilst the limit for light propeller driven aircraft and helicopters is 1,000 feet. However, we cannot guarantee to avoid overflying the outskirts of major towns or smaller communities. Nevertheless pilots will make every effort to avoid populated areas wherever possible.

Low-level Flying (Morocco)

Dr. Thomas: To ask the Secretary of State for Defence if he will make a statement on progress in talks with the Government of Morocco on the use of facilities in Morocco for low-level training by the Royal Air Force.

Mr. Neubert *[holding answer 16 December 1988]:* I have nothing further to add to the answer given by my predecessor, the hon. Member for Kettering (Mr. Freeman), on 10 May 1988 at column *104*. The details of discussions of this sort is confidential.

Low Flying

Dr. Thomas: To ask the Secretary of State for Defence if normal low-flying training sorties down to 250 ft are permitted within the three tactical training areas at the same time as operational low-flying training down to 100 ft.

Mr. Neubert *[holding answer 16 December 1988]:* Low flying training sorties down to 250 ft by non-operational low flying units are not permitted within the three tactical training areas when operational low flying is taking place except under special arrangements and with special approval.

Dr. Thomas: To ask the Secretary of State for Defence over what proportion of the land surface of the United Kingdom military low flying is permitted.

Mr. Neubert *[holding answer 16 December 1988]:* In principle military low flying is permitted over the whole of the United Kingdom landmass except for main conurbations, danger areas and certain other areas such as civil air traffic zones, airports, glider sites, and nuclear power stations.

Dr. Thomas: To ask the Secretary of State for Defence how many times the military low flying management group met in 1987 to consider proposals for changes to the United Kingdom low flying system.

Mr. Neubert *[holding answer 16 December 1988]:* The Military low flying management group met on three occasions in 1987 to consider and discuss a variety of matters concerning the United Kingdom low flying system including proposals for minor changes to the system.

Dr. Thomas: To ask the Secretary of State for Defence (1) how many Royal Air Force police personnel are currently employed on surveying potential new areas for low flying;

(2) if he will make a statement on the criteria and methods used by the Royal Air Force when surveying potential new areas for low flying.

Mr. Neubert *[holding answer 16 December 1988]:* There are currently no plans to change the basic structure of the United Kingdom low flying system implemented in 1979 although, as part of the continuous review of the system, two RAF police senior NCOs are occupied full time in the tasks referred to in my predecessor's answer to the hon. Member of 19 November 1987 at column *453*, working according to the criteria set out in that answer.

Dr. Thomas: To ask the Secretary of State for Defence what is the approximate current land area covered by low flying area 7(T); and if he will list any changes made to the boundaries of this area since 1979.

Mr. Neubert *[holding answer 16 December 1988]:* Low flying area 7(T) covers the south west portion of the constituency of Montgomery, the north west quarter of Brecon and Radnor, the north east corner of Carmarthen and the eastern part of Ceredigion and Pembroke north. There have not been any changes to the boundaries of this area since 1979.

Dr. Thomas: To ask the Secretary of State for Defence under what conditions fixed-wing military aircraft not operating from local bases are permitted to use those low-flying areas dedicated to local users.

Mr. Neubert *[holding answer 16 December 1988]:* Pilots are required to obtain clearance from a co-ordinating authority before flight in a low flying area dedicated to local users.

Written Answers to Questions

Wednesday 25 January 1989

WALES

Empty Properties

Mr. Gregory: To ask the Secretary of State for Wales what is the most recent figure for empty local authority housing; how many of these properties have been vacant for periods over six, 12 and 24 months, respectively; and if he will make a statement.

Mr. Grist: The total number of local authority empty dwellings as at 1 April 1988 was 3,365; the number vacant for more than six months was 389. Information on the number vacant for 12 and 24 months is not held centrally.

Motorways (Matrix Indicators)

Mr. Gareth Wardell: To ask the Secretary of State for Wales if he will publish in the *Official Report* a list of those sections of motorways in Wales fitted with matrix indicators which permit written messages to be conveyed on them.

Mr. Wyn Roberts: There are no written message matrix indicators on the M4 in Wales. There are however nine variable message signs between Newport and the Severn bridge and 71 matrix indicators displaying traffic signs over the whole length.

Meetings

Mr. Barry Jones: To ask the Secretary of State for Wales how many times he has met the farmers' organisations of Wales since October 1987, giving the details of each meeting with each organisation.

Mr. Peter Walker: Since October 1987 I have met farmers' organisations 15 times. Details are as follows:

22 October 1987—Meeting with the Farmers Union of Wales (FUW) to discuss the hill livestock compensatory allowances (HLCA) review.

28 October 1987—Meeting with the National Farmers Union (NFU) Wales to discuss HLCA review.

28 October 1987—Ministerial meeting with the NFUs for England, Wales, Scotland and Northern Ireland, to discuss HLCA review.

10 February 1988—Meeting with the FUW to discuss a wide range of agricultural subjects including extensification, stabilisers and milk quotas.

30 March 1988—Meeting with the NFU to discuss a range of agricultural issues.

10 May 1988—Speech to the FUW annual general meeting about sheepmeat regime and general matters of interest to the agriculture industry.

19 July 1988—Meetings with the NFU, FUW and the Country Landowners Association (CLA) at the Royal Welsh show to discuss general subjects of current interest to the agriculture sector.

31 August 1988—Visit to mid-Wales co-operatives with representatives of the Welsh Agricultural Organisation Society (WAOS) to discuss co-operation in the Welsh agriculture sector.

13 September 1988—Visit to West Midland Farmers Association to open its new premises at Bridgend.

20 October 1988—Meeting with the FUW to discuss HLCA review.

25 October 1988—Visit to mid and west Wales region of the Organic Growers Association to discuss general topics of interest to organic farming.

27 October 1988—Meeting with the NFU Wales to discuss HLCA review.

27 October 1988—Ministerial meeting with the NFUs for England, Wales, Scotland and Northern Ireland to discuss HLCA review.

2 November 1988—Speech to the Welsh Agricultural College: Farming Conference on the outlook for Welsh agriculture and subjects of general interest to the industry.

8 December 1988—Meeting with the NFU to discuss the Wool Board and agriculture generally.

Mr. Barry Jones: To ask the Secretary of State for Wales how many times he has met consumer organisations in Wales since October 1987; and if he will make a statement.

Mr. Peter Walker: Since 1987, I have met Welsh representatives of the National Association of Citizens Advice Bureaux and the chairman of the Transport Users Consultative Committee (Wales). My hon. Friend the Minister of State has hosted a meeting with the chairman and members of the Welsh Consumer Council, and attended the annual conference of parent-teacher associations in Wales. My hon. Friend the Parliamentary Under-Secretary of State has met the Association of Welsh Community Health Councils. All three of us are consumers and meet other consumers every day.

Departmental Spending

Mr. Gwilym Jones: To ask the Secretary of State for Wales if he proposes to make any changes to his Department's running costs and cash limits in the current year.

Mr. Peter Walker: Yes. Subject to parliamentary approval of the necessary Supplementary Estimates, cash limits are being changed as follows:

The cash limit on class XVII, vote 5 is being increased by £18,789,000 from £223,766,000 to £242,555,000. This increase covers additional provision of £18,803,000 for trunk road construction, of £261,000 for historic buildings and ancient monuments and of £100,000 for the cost of the nurses' clinical regrading, partly offset by savings of £375,000 elsewhere.

The cash limit on class XVII, vote 8 is being increased by £10 million from £777,017,000 to £787,017,000. This increase will enable health authorities in Wales to meet the estimated total costs of the nurses' clinical grading exercise which I announced on 4 November 1988.

The running costs limit for the Welsh Office is being reduced by £1,000 from £41,081,000 to £41,080,000. This decrease will be offset by a corresponding increase in the running costs limit for the office of the Minister for the Civil Service (class XX, vote 1) and reflects the transfer of costs for recruitment under the direct entry grade 7 competition 1988. There is a consequent reduction of £1,000 in the cash limit on class XVII, vote 9 from £42,526,000 to £42,525,000.

The cash limit on class XVII, vote 11 is being increased by £1,000 from £2,796,000 to £2,797,000. This increase is matched by a corresponding reduction of £1,000 to the cash limit on class XVII, vote 10 from £1,014,800,000 to £1,014,799,000.

The net increase resulting from these cash limit changes will be charged to the reserve and will not therefore add to the planned total of public expenditure.

Road Construction Costs

Dr. Marek: To ask the Secretary of State for Wales (1) if he will give *(a)* the amount of finance made available in the form of grant or loan by the European Economic Community towards the construction of the Welsh section of the M4 and *(b)* the actual and estimated costs of construction, giving all figures at current prices;

(2) if he will give *(a)* the amount of finance made available in the form of grant or loan by the European Economic Community towards the construction of (i) the A55 Conway tunnel, (ii) the other Welsh sections of the A55 and (iii) the Welsh section of the A494 Queensferry bypass, *(b)* the latest estimated cost of the Conway tunnel and *(c)* the actual and estimated costs of the improvements to the other Welsh sections of the A55 and the A494 Queensferry bypass, giving all figures at current prices.

Mr. Wyn Roberts: I shall write to the hon. Gentleman as soon as possible.

OVERSEAS DEVELOPMENT

Somalia (Refugees)

Mr. Blunkett: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will give consideration to the position of refugees from the northern area of Somalia, with a view to giving special assistance; and if he will make a statement.

Mr. Chris Patten: We have already provided over £2·3 million for relief programmes to help some 400,000 refugees who have fled into Ethiopia from civil strife in northern Somalia since the middle of last year. Over £1 million of this assistance has been channelled through the United Nations High Commissioner for Refugees and £1·3 million through British charities for water and health facilities. We shall continue to consider sympathetically further requests for assistance.

TRADE AND INDUSTRY

Costs and Productivity

111. **Mr. Allen McKay:** To ask the Chancellor of the Duchy of Lancaster when his Department intends to respond to the findings of the study carried out for the Government by PA Cambridge Consultants into geographical variations in costs and productivity.

Mr. Atkins: My Department commissioned this study to assess the extent and source of differences in industrial costs and productivity in English regions. I have seen the study and noted its findings. The study was published on 20 July 1988 and a copy has been placed in the library.

Parliamentary Questions

Mr. French: To ask the Chancellor of the Duchy of Lancaster how many oral parliamentary questions he has answered by written reply, in connection with his duties as Chancellor of the Duchy of Lancaster, because the question was not reached at Question Time, for the most recent year for which figures are available.

Mr. Newton: In respect of my responsibilities for the Duchy of Lancaster, there were no such questions during 1988.

Companies Act Inquiries

Mr. Gould: To ask the Chancellor of the Duchy of Lancaster which investigations under sections 432, 466 and 442 of the Companies Act have been completed since 1 February 1988.

Mr. Maude: The following investigations under these sections have been completed since 1 February 1988:

Company Name	*Type of Inquiry*
Signal Life Assurance Co. Limited	S.432
Summer International plc (formerly Sumrie Clothes plc)	S.442 and S.446
Guinness plc	S.432 and S.442
Consolidated Gold Fields plc	S.442
Bremner plc	S.442
House of Fraser Holdings plc	S.432

Mr. Gould: To ask the Chancellor of the Duchy of Lancaster what is the management target for the duration of inquiries under sections 432, 466 and 442 of the Companies Act.

Mr. Maude: The usual practice is to agree a provisional time scale for the investigation with the inspectors at the outset and to hold regular progress meetings thereafter.

Mr. Gould: To ask the Chancellor of the Duchy of Lancaster which inquiries under sections 432, 466 and 442 of the Companies Act are currently outstanding.

Mr. Maude: The following investigations under section 432 and 442 of the Companies Act 1985 remain outstanding. There are no outstanding investigations under section 446.

Date of Appointment	*Company Name*	*Type of Investigations*
8 November 1982	Minet Holdings plc	S.432
8 November 1982	WMD Underwriting Agencies Limited	S.432
11 March 1983	Graylaw Holdings plc	S.432
11 March 1983	Link Service Stations Limited	S.432
4 October 1983	Bank Street Securities Limited	S.432
4 October 1983	Pennine Commercial Holdings Limited	S.432
20 November 1987	Animal Defence Society Limited (The)	S.432
10 June 1988	James Ferguson Holdings plc	S.432
4 July 1988	James Ferguson Holdings plc	S.442
4 July 1988	Barlow Clowes Gilt Managers Limited	S.432
22 July 1988	James Neill Holdings plc	S.442

Date of Appointment	Company Name	Type of Investigations
22 July 1988	F. H. Lloyd Holdings plc	S.442
22 July 1988	Francis Industries Limited	S.442
16 August 1988	Rotaprint plc	S.432
16 August 1988	Rotaprint plc	S.442
1 September 1988	Aldermanbury Trust plc	S.432
20 October 1988	Consolidated Gold Fields plc	S.442
19 December 1988	County NatWest Limited	S.432
19 December 1988	County NatWest Securities Limited	S.432

Mr. Gould: To ask the Chancellor of the Duchy of Lancaster what is the average length of time for completion of inquiries under sections 432, 466 and 442 of the Companies Act begun since May 1979.

Mr. Maude: Two years three months.

Mr. Gould: To ask the Chancellor of the Duchy of Lancaster how many prosecutions have resulted from inquiries under sections 432, 466 and 442 of the Companies Act since May 1979.

Mr. Maude: To date, there have been eight prosecutions following such inquiries since May 1979.

Public Appointments

Mr. Gould: To ask the Chancellor of the Duchy of Lancaster how many of the public appointments made by his Department have been from the ethnic minorities; and what proportion this represents of the total.

Mr. Forth: This information is not collected.

Mr. Gould: To ask the Chancellor of the Duchy of Lancaster how many of the public appointments made by him since June 1987 have been *(a)* men and *(b)* women.

Mr. Forth: Whilst information in the form requested is not collected, details are given each year in the publication "Public Bodies" of the number of men and women holding public appointments. The latest edition, for 1988, shows that at 1 April 1988 903 men and 227 women held appointments made by my Department.

Inner City Renewal

Mr. Heddle: To ask the Chancellor of the Duchy of Lancaster what discussions he has had on inner city renewal and urban regeneration and the likely impact of value added tax on non-domestic construction on the viability of private sector schemes in these areas in general; and if he will make a statement.

Mr. Newton: I have received a number of representations about the imposition of VAT on non-domestic construction, following last year's decision of the European court. This is a matter for my right hon. Friend the Chancellor of the Exchequer.

Post Office Counters Ltd

Mr. Maclennan: To ask the Chancellor of the Duchy of Lancaster if he will make a statement on whether he has any plans for privatising Post Office Counters Ltd.

Mr. Forth: The Post Office has no plans to sell its subsidiary Post Office Counters Ltd. to the private sector.

Broadcasting

Mr. Fisher: To ask the Chancellor of the Duchy of Lancaster how much of the broadcasting spectrum will be allocated to *(a)* Channel 5, and *(b)* MVDS.

Mr. Atkins: As stated in our recent White Paper "Broadcasting in the '90s: Competition, Choice and Quality", the fifth terrestrial television service will make use of two standard 8 MHz channels, 35 and 37, in the UHF broadcasting band; whilst decisions on the amount of choice of spectrum for MVDS will be announced by the end of April this year.

Mr. Fisher: To ask the Chancellor of the Duchy of Lancaster whether it is his intention to release additional frequencies to the radio authority for ancillary services, programme links and radio communications.

Mr. Atkins: My Department is currently considering how best to meet the rapidly growing needs of both existing and prospective programme-makers for additional spectrum for the range of programme-making and related activities.

Recycling

Mr. Simon Hughes: To ask the Chancellor of the Duchy of Lancaster if he has any plans to promote further measures to encourage the recycling of industrial materials.

Mr. Atkins: We shall continue with our present initiatives of sector conferences; promoting awareness of the benefits of recycling to industry, schools and the general public; and the provision of technical advice through our Warren Spring laboratory. A series of seminars will be held throughout the United Kingdom during the next few months to promote the collection of waste paper for recycling and a conference on plastics waste and recycling is planned for September.

Where appropriate, further initiatives will be introduced.

Anti-dumping Action

Mr. Oppenheim: To ask the Chancellor of the Duchy of Lancaster how many anti-dumping actions have been initiated by the European Commission against Japanese companies over the last three years; and what have been the results of these actions, broken down into duty imposed, price undertaking agreed, or no duty imposed.

Mr. Alan Clark: During the period in question the European Commission initiated 12 investigations into alleged dumping by Japanese companies in response to complaints from European industries. Two of these resulted in the imposition of definitive anti-dumping duties, two were terminated without an anti-dumping remedy, while the remaining eight cases are still under investigation. In one of these cases provisional anti-dumping duties have been imposed.

Steel Industry

Mr. Fearn: To ask the Chancellor of the Duchy of Lancaster when discussions began between the British Steel Corporation and Firth Brown Ltd. for the transfer of the British Steel Corporation's river Don works, press forging and drop forging divisions, Sheffield to Firth Brown Ltd.

Mr. Atkins: These discussions, which took place in the early 1970s, were primarily a matter for the British Steel Corporation and information concerning them is not readily available within the Department.

British Coal

Mr. Riddick: To ask the Chancellor of the Duchy of Lancaster when the Monopolies and Mergers Commission report on the investment programme of the British Coal Corporation will be published.

Mr. Maude: The report is published today.

The commission was asked to investigate the investment programme of British Coal. It took into account British Coal's achievements and looked to the future, particularly in the light of the changing environment posed by privatisation of electricity supply. The commission concluded that British Coal should take a more positive view of the opportunities which existed to influence vital aspects of its business future, for example, in its response to the threat of future imports.

The Commission found that in general investment and post-investment appraisal had worked effectively, but singled out Asfordby new mine for particular comment. It disagreed with British Coal's view that the project had ever been demonstrably viable according to British Coal's investment criteria. However, the commission accepted that the project now has sunk costs and that this, combined with agreement on six-day working, might mean that the remainder of the project could be shown to be a worthwhile investment. However the commission recommended that in future the sort of conditional approval which was given for expenditure in Asfordby, in advance of its showing a sound financial prospectus, should not be allowed, except where other factors were explicably judged to be of sufficient weight, were clearly laid out in the project appraisal, and a decision to proceed was made at board level.

Looking to the future, the commission recommended that British Coal should now commit itself firmly to specific quantified financial objectives for the next five years. All investment projects, and the investment programme as a whole, should be related to these targets. British Coal should also continue to examine the prospects of further simplifying its organisational structure to enable it to respond flexibly to a rapidly changing business environment. The commission commended British Coal's efforts to introduce more flexible working.

The commission also recommended that British Coal should update and run its forecasting models more frequently, and should incorporate the United Kingdom coal market into its world model. It should use its models to consider the effect on the industry of a wider range of possible developments, including ESI privatisation, exchange rate movements, competition from alternative fuels and possible rapid growth in world trade in coal.

The commission made some 20 other recommendations relevant to British Coal's investment policy. It concluded that British Coal was not operating against the public interest in the areas falling within the reference.

Detailed case studies are included as appendices to the report.

British Coal will be producing a preliminary response to the commission's findings within three to four months, in the light of which my right hon. Friend, the Secretary of State for Energy will inform the House of his views.

Regional Assistance

Mr. Gordon Brown: To ask the Chancellor of the Duchy of Lancaster if he will provide figures for spending on *(a)* regional selective assistance and *(b)* regional development grant for (i) Scotland, (ii) England, (iii) Wales and (iv) Northern Ireland for each year from 1978-79 to 1988-89, and estimated figures for 1989-90, 1990-91 and 1991-92, in cash and at 1987-88 prices.

Mr. Atkins *[holding answer 24 January 1989]:* Gross expenditure on regional development grant and regional selective assistance in England, Scotland and Wales in the financial years 1978-79 to 1987-88 is shown in the tables together with current estimates provision for 1988-89. Information about planned expenditure on regional assistance in future years will shortly be published in the public expenditure White Paper.

The RDG and RSA schemes do not operate in Northern Ireland.

Expenditure at current prices

£ million

	1978-79	*1979-80*	*1980-81*	*1981-82*	*1982-83*	*1983-84*	*1984-85*	*1985-86*	*1986-87*	*1987-88*	*1988-89 (estimates provision)*
(a) Regional selective assistance											
England	59·1	46·7	48·6	54·4	68·7	62·2	72·9	74·8	100·6	122·9	157·0
Scotland	14·9	17·8	22·3	19·7	21·6	28·2	38·2	55·0	43·9	46·0	60·4
Wales	30·3	18·8	10·7	9·2	15·5	18·2	25·1	28·0	35·6	36·7	47·3
(b) Regional development grants											
England	238·1	210·0	273·8	351·8	280·7	223·8	209·1	166·5	254·3	139·3	161·6
Scotland	107·3	70·2	113·3	142·7	287·3	143·0	109·2	107·5	170·2	78·0	60·3
Wales	71·5	50·7	103·5	122·2	121·5	72·1	92·7	84·4	88·8	53·4	65·6

Expenditure at constant (1987-88) prices

£ million

	1978-79	1979-80	1980-81	1981-82	1982-83	1983-84	1984-85	1985-86	1986-87	1987-88	1988-89 (estimates provision)
(a) Regional selective assistance											
England	121·4	81·9	72·0	73·4	86·5	74·9	83·6	81·4	105·9	122·9	147·8
Scotland	30·6	31·2	33·0	26·6	27·2	34·0	43·8	59·8	46·2	46·0	56·9
Wales	62·2	33·0	15·9	12·4	19·5	21·9	28·8	30·5	37·5	36·7	44·5
(b) Regional development grants											
England	488·9	368·4	405·6	474·8	353·5	269·6	239·8	181·2	267·7	139·3	152·2
Scotland	220·3	123·2	167·9	192·6	361·8	172·3	125·2	117·0	179·2	78·0	56·8
Wales	146·8	88·9	153·3	164·9	153·0	86·9	106·3	91·8	93·5	53·4	61·8

Notes:

1. All figures in the above tables show gross expenditure, that is they exclude domestic receipts and receipts from the European Regional Development fund.
2. The RDG figures comprise expenditure under the original and revised schemes. The RSA figures incorporate expenditure under industrial and training grants, as well as assistance under the Business Improvement Services and Exchange Risk Guarantee schemes.
3. Current price data have been converted to constant (1987-88) prices by using the Implied Market Price Gross Domestic Product Deflator (1987-88 = 100).

ATTORNEY-GENERAL

Legal Profession (Consultation Papers)

Mr. Lawrence: To ask the Attorney-General when the Green Paper on the future of the legal profession and the two other consultation papers, which were announced to the House on 24 October 1988 will be published.

The Attorney-General: The three papers on the work and organisation of the legal profession, conveyancing by authorised practitioners and contingency fees have been laid before the House today and have been published as command papers. The Government's overall objective in publishing the Green Paper on the work and organisation of the legal profession is to see that the public has the best possible access to legal services and that those services are of the right quality for the particular needs of the clients. The Government hope that this examination of the legal profession will stimulate comment from a wide range of opinion. These are matters not only of concern to lawyers but are of great public importance. The Government will welcome comments on all three papers by 2 May 1989.

PRIME MINISTER

Magistrates Courts

Mr. Tom Clarke: To ask the Prime Minister if she will outline the division of responsibilities for administration of magistrates courts in England and Wales between different Government Departments.

The Prime Minister: Responsibility for the magistrates courts service is shared between the Home Secretary and the Lord Chancellor. The balance of these responsibilities is defined in the Justices of the Peace Act 1979. Broadly, the Home Secretary has responsibility for matters relating to the staffing and administration of the courts. The Lord Chancellor is responsible for the appointment, training and conduct of magistrates.

Ozone Layer

Dr. Thomas: To ask the Prime Minister what steps she plans to take to ensure the atmospheric control technology, the support refrigerant technology for catering, and the packaging material for documentation for the forthcoming United Kingdom-sponsored conference on the ozone layer depletion and dangers of chlorofluorocarbons, minimises the use of chlorofluorocarbons.

The Prime Minister: As my hon. Friend the Parliamentary Under-Secretary of State for the Environment informed the House on 15 December 1988 at column *725*, Government Departments have been asked to review their policies, specifications and practices with a view to promoting the objective of reducing use of chlorofluorocarbons and halons to the maximum possible extent.

Channel Tunnel

Mr. Adley: To ask the Prime Minister if, at her next meeting with President Mitterrand, she will propose the establishment of a joint British-French team to co-ordinate investment, social and environmental criteria for the high-speed rail link between London and Paris, to take account of British Rail's corporate disadvantages; and if she will make a statement.

The Prime Minister: I can see no advantage in the establishment of such a team. As I have already explained to my hon. Friend, there is regular contact at working level between the British and French Governments on issues related to the construction of rail links to the Channel tunnel.

VAT

Mr. Heddle: To ask the Prime Minister if she will make a statement on interdepartmental co-operation on the implementation of judgment of the European Court on value added tax on new non-domestic construction.

The Prime Minister: Any statement on this matter will be made in due course by my hon. Friend the Economic Secretary.

Consumer Protection

Mr. McCrindle: To ask the Prime Minister (1) what assessment she has made of the effectiveness of the present division of responsibility for consumer affairs among ministries for the representation of the interest of the consumer;

(2) what steps she is taking to improve the co-ordination between Ministries on consumer protection to provide improved representation for consumers.

The Prime Minister: I am satisfied that the present arrangements for representing consumers' interests and the present division of responsibility among Departments work satisfactorily. I have no plans to change the existing arrangements for interdepartmental consultations.

Mr. McCrindle: To ask the Prime Minister if she will consider the creation of a consumer affairs Ministry embracing the activities in relation to consumers of a number of Departments; and if she will make a statement.

The Prime Minister: I have no plans to do so.

TRANSPORT

Bus Services

Mr. Steinberg: To ask the Secretary of State for Transport if he will list those English counties which, in the last 12 months, have produced *(a)* timetables for all bus services within their counties, *(b)* bus route maps, *(c)* timetables for supported bus services only, and *(d)* no publicity at all; and if he will indicate in each case whether a charge other than mailing costs is made for the information, where available.

Mr. Portillo: This information is not held by my Department. However, information on timetables along the lines requested is available in a commercial publication and I will write to the hon. Member with details.

Brown Route

Mr. Arnold: To ask the Secretary of State for Transport whether he will inquire into the circumstances whereby callers to his Department's regional office in Manchester were informed that the line of the A6 Disley-High lane bypass is likely to be the Brown route; and if he will make a statement.

Mr. Peter Bottomley: I am not aware of any callers having been advised as to the likely outcome of the A6 Disley and High lane bypass public consultation. The Department published its proposals for a bypass last January. These took the form of a single favoured route (the Brown) and rejected alternatives. There was a massive response from the public which is still being considered.

It is likely to be some time yet before an announcement can be made as to whether a scheme should be added to the national trunk road programme and, if so, on the choice of route.

Railway Line Closures

Mr. Leigh: To ask the Secretary of State for Transport what criteria British Rail is required to meet when considering a railway line for closure; and what consultation process it is required to hold.

Mr. Portillo: When considering a railway line for closure British Rail should have regard to the objectives which were set for the chairman on 21 October 1986 and which were announced to the House the same day in reply to a question from the hon. Member for Chipping Barnet (Mr. Chapman) at columns *772-74*. The statutory railway closure procedure is set out in section 56 of the Transport Act 1962, as modified by section 54 of the Transport Act 1968.

M1 (Congestion)

Mr. Pawsey: To ask the Secretary of State for Transport what action he intends to take to improve road conditions on the section of the M1 between the M25 and 15 miles north of Luton.

Mr. Peter Bottomley: On the M1 itself a scheme is being prepared to instal climbing lanes in both directions from junction 9. An experimental automatic incident detection system has also been installed on the northbound carriageway of the M1 from Bedfordshire to Northamptonshire. In conjunction with more frequent matrix signals, this will give motorists better warning of slow-moving or stationary traffic ahead when incidents occur.

Improvements to alternative routes, including the extension of the M40 to Birmingham, are expected to attract some traffic away from the M1. We are, in our current review of the road programme, considering what further measures are necessary.

Mr. Pawsey: To ask the Secretary of State for Transport what representations he has received concerning congestion with particular reference to tailbacks being experienced during the early morning from the M25 to about 15 miles north of Luton; and if he will estimate the time lost to motorists in tailbacks on that section of the M1.

Mr. Peter Bottomley: From time to time members of the public write to us about congestion, usually as a result of an incident on the motorway. In our economic assessment of the need for improvement, account is taken of notional delays to vehicles. We do not systematically record information about the time actually lost in tailbacks.

Mr. Pawsey: To ask the Secretary of State for Transport what assessment his Department has made of the extent to which junction 8 on the M1 is operating satisfactorily.

Mr. Peter Bottomley: We plan to study problems of queuing occurring on the northbound off-slip at junction 8. Temporary difficulties were experienced when the junction was closed to allow for the rebuilding of the A4147. The junction is now fully operational.

Airline Pilot Training

Mr. Colvin: To ask the Secretary of State for Transport (1) if he will take steps to ensure that there are an adequate number of places in approved commercial airline pilot training establishments to meet current and future demand;

(2) if he will make a statement on the shortfall in qualified commercial airline pilots and the lack of technologically advanced training facilities to overcome this problem.

Mr. Peter Bottomley: The Government's policy is that the aviation industry should be responsible for meeting the costs of training whatever skilled manpower it needs. It is

important to maintain professional pilot training facilities in the United Kingdom and to ensure a supply of high-quality United Kingdom professional pilots, but the responsibility for funding such training must rest with the air transport operators themselves.

Bridge Heights (Signs)

Mr. Fraser: To ask the Secretary of State for Transport when he will introduce legislation to provide for bridge height signs to be displayed in imperial and metric measures.

Mr. Peter Bottomley: No fresh legislation is needed. Bridge heights may already be shown in imperial and metric measures.

Battersea Bridge (Collision)

Mr. Bowis: To ask the Secretary of State for Transport if he will make a statement on the collision of a river craft with Battersea bridge on 19 January; and what steps he will be bringing forward to improve river safety and navigation on the Thames.

Mr. Portillo: This incident is being investigated by a marine surveyor from the Department as well as by the Port of London Authority. The surveyor will be concerned to establish the causes and to see whether the circumstances point to any steps which can be taken to avoid a recurrence.

Channel Tunnel

Mr. Adley: To ask the Secretary of State for Transport if he will make it his policy to match the subsidy provided by the French Government to Sociéte Nationale de Chemins de Fer for its Channel tunnel rail plans, by making available to British Rail additional funds to enable it to meet essential environmental costs relevant to a new line of railway from the tunnel to London; and if he will make a statement.

Mr. Portillo: Section 42 of the Channel Tunnel Act 1987 prohibits Government subsidies in connection with British Rail's Channel tunnel rail services. But I expect BR's proposals for a new line to take full account of environmental considerations.

Docklands Light Railway

Mr. Amos: To ask the Secretary of State for Transport how much public money *(a)* has already been spent on the docklands light railway, and *(b)* is planned to be spent in the next three years.

Mr. Portillo: Public expenditure on the initial docklands light railway and City extension is expected to reach some £140 million by the end of this financial year. Public expenditure in the following three years on the City extension is forecast to total some £45 million. In addition to this Olympia and York the developers of Canary wharf are contributing £68 million. The cost of the Beckton extension will be met by the LDDC out of the increases in the value of its land holdings generated by the railway.

Manchester Airport (Accident)

Mr. Alfred Morris: To ask the Secretary of State for Transport, pursuant to the reply to the right hon. Member for Manchester, Wythenshawe of 12 January, *Official Report*, column *728*, if he will now summarise in a statement to the House the main findings of the report on the British Airtours Boeing 737 accident at Manchester airport on 22 August 1985.

Mr. Peter Bottomley: There has been no request for a review board, so we expect to publish the full report on 13 March. No useful purpose would be served by publishing a summary of the findings before that. The report has already been seen in draft by the CAA and by other parties to the investigation. Relevant recommendations have been acted upon.

A40

Mr. Nicholas Winterton: To ask the Secretary of State for Transport if there are any plans to improve the traffic flow on the A40 at the remaining road junctions in London; and if he will make a statement.

Mr. Peter Bottomley: Yes. Improvements are planned or under construction at the four remaining junctions on the A40 in London as follows:

Swakeleys Road
An underpass is under construction and due for completion Spring 1990.

Long Lane
Work is to start on construction of an underpass later this year.

Gipsy Corner Western Circus
Draft orders proposing grade separation at these junctions were published in March 1988.

Severn Bridge

Dr. Marek: To ask the Secretary of State for Transport if he will give *(a)* the amount of finance made available in the form of grant or loans by the European Economic Community towards the construction of the M4 Severn bridge and *(b)* the total actual cost of construction, giving all figures at current prices.

Mr. Peter Bottomley: The United Kingdom was not a member of the EEC when the existing Severn crossing was constructed in 1961-66.

The cost of construction of the Severn bridge alone was £63·8 million, and the Severn crossing as a whole (including the Wye bridge linking viaducts) £102·3 million, both at current prices.

Public Expenditure

Mr. Gordon Brown: To ask the Secretary of State for Transport what is his estimate of gross and net public sector capital spending by his Department by both central Government and local authorities for 1988-89 and for each of the next three years, at current prices and at constant 1987-88 prices.

Mr. Portillo: The table shows spending on fixed assets, both gross and net by central Government and local authorities. Information about public sector capital spending will be included in table 21.1.11 of the 1989 public expenditure White Paper, to be published on 30 January.

£ million

	1988-89	1989-90	1990-91	1991-92
Cash				
Gross spending				
Central Government	960	1,290	1,370	1,410
Local authorities	700	810	770	790
Net Spending				
Central Government	920	1,250	1,350	1,390
Local authorities	660	730	730	750
Real Terms (1987-88 prices)				
Gross spending				
Central Government	900	1,160	1,190	1,190
Local authorities	660	730	670	660
Net spending				
Central Government	870	1,120	1,170	1,170
Local authorities	620	650	630	630

National Bus Company (Accounts)

Mr. David Shaw: To ask the Secretary of State for Transport when he expects to receive the National Bus Company's accounts; and if he will make a statement.

Mr. Channon: The NBC's report and accounts for 1987-88, published today, show that at 31 March 1988, the estimated gross proceeds from the disposal programme are £323 million, an increase of £17 million over the estimate given in the accounts for 1986-87. After allowing for the repayment of all the NBC's debt, taxation, redundancy costs, and the costs of the disposal programme, there should be a net surplus to the Government of at least £89 million.

This is an excellent outcome to the NBC's privatisation programme which involved the sale of 72 subsidiaries (over half of which were sold to their own managment) embodying some 14,000 buses and coaches and 48,000 employees. The completion of the NBC's disposal programme, well within the statutory deadline, has played an essential role in the successful introduction of competition in the bus industry and I pay tribute to all those involved. A copy of the accounts has been deposited in the Library of the House.

FOREIGN AND COMMONWEALTH AFFAIRS

Chemical Weapons (Control)

Mr. Flynn: To ask the Secretary of State for Foreign and Commonwealth Affairs what initiatives he plans, following the Paris 145-nation conference on chemical weapons, control and disarmament to facilitate the framework for the formation of an international regulatory agency within the United Nations for the control of exports of chemical agents capable of being put to military use.

Mr. Waldegrave: We are committed to the achievement of a comprehensive global and verifiable ban on chemical weapons as the only effective means to halt the spread of these weapons and to ensure the destruction of existing stockpiles.

Pending the conclusion of such a convention, 19 western countries (the "Australia Group") meet regularly to exchange information and to concert action on export controls on chemical weapon precursors. Members of the group also circulate to national industries a longer warning list of other chemicals which might have relevance to the manufacture of chemical weapons.

Security Council resolution 620 of 26 August 1988, sponsored by the United Kingdom called upon all states "to continue to apply, to establish or to strengthen strict control of the export of chemical products serving for the production of chemical weapons".

This reflected points made in the speech by my right hon. and learned Friend the Secretary of State for Foreign and Commonwealth Affairs to the UN special session on disarmament on 7 June last year.

Middle East Peace Initiative

Sir Geoffrey Finsberg: To ask the Secretary of State for Foreign and Commonwealth Affairs if he has considered the recent Council of Europe middle east peace initiative; and if he will make a statement.

Mr. Waldegrave: We warmly welcome this helpful Council of Europe initiative, which has our full support, as do all efforts which encourage the parties to the Arab-Israel dispute to recognise each other's legitimate rights and to make progress towards a settlement.

Point Geologie

Mr. Tony Banks: To ask the Secretary of State for Foreign and Commonwealth Affairs what protests have been made by Her Majesty's Government to the French authorities regarding the construction of an airstrip at Point Geologie in Antarctica and the threat to penguin breeding grounds; if any of the Greenpeace protesters were British subjects; what policing arrangements exist within Antarctica; and if he will make a statement.

Mr. Eggar: We are following with close attention the construction of the French airstrip at Point Geologie in the French-claimed sector of Antarctica. The information required under the Antarctic treaty concerning French activities this austral summer has already been provided by the French authorities.

The French are constructing their airstrip under the terms of article VII. 2 of the agreed measures on the conservation of antarctic fauna and flora, which permit such activities to the minimum extent necessary for the establishment, supply and operation of Antarctic stations. Observance of the agreed measures is subject to review, and this can be done during the normal course of Antarctic treaty meetings, the next of which will take place in Paris in May.

I understand that a number of the members of Greenpeace involved in the recent airstrip protest were British subjects.

Under the Antarctic treaty, consultative members have the right to designate observers to carry out inspections in all areas of Antarctica including all stations operated by treaty members.

The United Kingdom is a founder member of the Antarctic treaty system, and a full consultative party.

Diplomatic Wing (Costs)

Mr. Patrick Thompson: To ask the Secretary of State for Foreign and Commonwealth Affairs if he proposes to make any changes to his Department's diplomatic wing running costs limit and cash limits for 1988-89.

Mr. Eggar: The cash limit for class II, vote 1 (overseas representation) will be decreased by £9,196,000 from £439,022,000 to £429,826,000. In addition, the running

costs limit on vote 1 will be reduced by £4,347,000 from £406,298,000 to £401,951,000. Both changes are due to reductions in assumed costs overseas.

Foreign Affairs Council

Mr. Moss: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will publish in the *Official Report* a statement on the outcome of the Foreign Affairs Council held on 23 January.

Mrs. Chalker: The Foreign Affairs Council met in Brussels on 23 January. My right hon. Friend the Minister of State represented the United Kingdom.

The council again discussed the dispute with the United States over the EC directive banning imports of hormone-treated meat. It called on the Commission to continue the action initiated in GATT to seek condemnation of United States unilateral retaliatory measures, but also to continue bilateral contacts with the United States Administration to secure a negotiated settlement of the dispute. While approving a revised list of Community counter-retaliation measures, it agreed to defer the question of their implementation for further consideration, at its meeting in February, in the light of progress in GATT and bilaterally.

The council reviewed EC/EFTA co-operation, and called for a further strengthening of the relationship. To this end the EFTA countries will be invited to an informal ministerial meeting in March. The United Kingdom welcomes such moves.

Taking account of the Community's close relations with Cyprus and Malta, the council agreed on new financial protocols to be offered to the two countries, providing generous levels of grant aid and access to EIB loans.

The Presidency introduced the Commission draft directive on the right to vote in local elections. Substantive discussion was deferred.

Meeting as a conference of representatives of the member states, Ministers agreed on the appointment as vice-presidents of the Commission for 1989-90 of Mr. Frans Andriessen, Mr. Martin Bangemann, Sir Leon Brittan, Mr. Henning Christophersen, Mr. Manuel Marin and Mr. Filippo Pandolfi.

NATIONAL FINANCE

Government Expenditure

Mr. Ralph Howell: To ask the Chancellor of the Exchequer what has been the average general Government expenditure in cash terms, real terms, and as a percentage of gross domestic product for each period of five years since 1959.

Mr. Major: Figures for general Government expenditure (excluding privatisation proceeds) in cash and real terms and money gross domestic product for 1963-64 to 1991-92, for which five yearly averages can be derived, were given in table 1.1 of the 1988 Autumn Statement. For earlier years, calendar year figures for general Government expenditure, in cash and real terms, and as a percentage of GDP, were published in the article "Long term trends in public expenditure" in the October 1987 edition of *Economic Trends*.

VAT

Mr. Heddle: To ask the Chancellor of the Exchequer what assessments he has made on the impact of the imposition of value added tax on non-domestic construction of the viability of schemes entered into but not confirmed by binding building contracts before the date of publication of the judgment by the European Court on 21 June 1988.

Mr. Lilley: I have given detailed consideration to this matter in the course of consultations with developers following the EC court ruling on the imposition of VAT on non-domestic construction. I propose to publish draft clauses shortly.

National Savings

Mr. Hanley: To ask the Chancellor of the Exchequer what sales of the new National Savings capital bond have been made to date; and if he will make a statement.

Mr. Lilley: By Tuesday 24 January savers had invested some £45 million in capital bonds since they were introduced on 4 January. Purchases are currently running at nearly £20 million a week. This is a most encouraging start. It demonstrates that investors are attracted by the offer of a guaranteed annual return of 12 per cent. gross of income tax over five years, regardless of what happens to other interest rates.

Central Office of Information

Mr. Jack: To ask the Chancellor of the Exchequer whether he is proposing any change to the Central Office of Information cash limit for 1988-89.

Mr. Lilley: Subject to parliamentary approval of the necessary Supplementary Estimate, the cash limit for class XIX vote 1 will be increased by £103,000 from £1,181,000 to £1,284,000. The increase will be charged to the reserve and will not therefore add to the planned total of public expenditure. The additional expenditure is needed to cover services provided by the Central Office of Information on an allied service basis.

Customs and Excise

Mr. John Greenway: To ask the Chancellor of the Exchequer if there are any proposals to change the 1988-89 cash limit and running costs limit for Her Majesty's Customs and Excise.

Mr. Lilley: Both the cash limit and the running costs limit for HM Customs and Excise (class XIX, vote 2) have been reduced by £3,000: from £514,733,000 to £514,730,000 and from £464,058,000 to £464,055,000 respectively. These decreases will be offset by corresponding increases in the cash limit and running costs limit for the Cabinet Office: Office of the Minister for the Civil Service (class XX, vote 1) and reflect the transfer of costs for recruitment under the direct entry grade 7 costs competition, 1988.

There is no overall increase in either cash limits or gross running costs limits for Government as a whole as a result of these changes, which will not therefore add to the planned total of public expenditure.

HOME DEPARTMENT

Race Relations

Ms. Abbott: To ask the Secretary of State for the Home Department if he will introduce identifiable channels of complaint or grievance procedures for prisoners who feel that they have suffered racial discrimination; and if he will make a statement.

Mr. Douglas Hogg: Any prisoner who thinks that he or she may have suffered racial discrimination can raise the matter through the usual grievance procedures. In addition, provided that the complaint is raised internally at the same time, the prisoner may write to the Commission for Racial Equality, which will decide what action to take.

Ms. Abbott: To ask the Secretary of State for the Home Department if he will take steps to ensure that every regional race relations co-ordinators' group includes a representative from the Prison Officers Association.

Mr. Douglas Hogg: The regional race relations co-ordinators' group provides a forum for the discussion of race relations issues and, drawing on these discussions and on information from governors and prison service headquarters, advises the prisons board on the service's implementation of the race relations policy. Its membership includes the four regional race relations co-ordinators, representatives from headquarters and one of the community relations consultants. It is not the general practice to invite representatives of staff associations to participate in meetings that are essentially concerned with management matters.

Ms. Abbott: To ask the Secretary of State for the Home Department (1) if he will take steps to ensure that boards of visitors have oversight over race relations matters; and if he will make a statement;

(2) if he will take steps to ensure that boards of visitors routinely receive results of all racial monitoring and liaise on a regular basis with the race relations committee on their establishment.

Mr. Douglas Hogg: The principal duty of a board of visitors is to satisfy itself as to the state of the prison premises, the administration of the prison, and the treatment of prisoners. Boards report annually on how they have carried out this duty. Guidance to boards on the content of their report includes the need to report on race relations matters. We would expect them to ensure that they have access to the necessary information for this purpose. We are considering, however, whether more detailed advice would be helpful.

Ms. Abbott: To ask the Secretary of State for the Home Department if he will take steps to ensure that the monitoring of memoers of ethnic minorities in prison and various work parties and training courses is sensitive to the length of time inmates stay in a particular workplace and the allocation of high-status jobs.

Mr. Douglas Hogg: Guidance issued to governors requires them to ensure that all inmates have equal access to training courses and to jobs and to be particularly vigilant in monitoring access to the more attractive jobs. No specific guidance has been given in regard to monitoring the length of time inmates stay in particular jobs.

Ms. Abbott: To ask the Secretary of State for the Home Department if he will take steps to ensure that data collection on race in prison department establishments is standardised to enable comparisons to be drawn across establishments and across regions.

Mr. Douglas Hogg: Establishments have already been given guidance on the standard classifications to be used when recording the ethnic origin of prisoners. This took effect from 1 June 1984.

Ms. Abbott: To ask the Secretary of State for the Home Department when he intends to publish the report entitled "Race Relations in Prison" by Elaine Genders and Elaine Player; and if he will make a statement.

Mr. Douglas Hogg: We understand that the Oxford University Press will be publishing the report on 2 February.

Ms. Abbott: To ask the Secretary of State for the Home Department if he will take steps to ensure that staff who are chosen to undertake specific duties in prison such as classification and transfer are given particular guidance on the exercise of their discretion in matters involving race relations.

Mr. Douglas Hogg: Guidance issued to prison staff stresses that all duties can be discharged properly only if staff treat prisoners with humanity and respect, impartially and without discrimination on the grounds of colour, race or religion.

Prisons (Psychiatry)

Mr. Cohen: To ask the Secretary of State for the Home Department how many prisoners and others taken into custody have been subjected to body belts in 1988; to what extent a rota system of consultant psychiatrists is available to *(a)* prisons and *(b)* the police; on how many such cases their services were used; and if he will make a statement.

Mr. Douglas Hogg: A governor may order an inmate in a prison service establishement to be put under restraint in a body belt where this is necessary to prevent the inmate from injuring himself or others, damaging property or creating a disturbance. During 1987 (the last year for which figures are currently available), body belts were used on 74 occasions in establishments in England and Wales. The prison medical office must be informed whenever a governor orders an inmate to be put under restraint.

Consultants employed in the NHS are frequently called upon by prison medical officers for specialist advice in the context of inmates' treatment generally and in emergencies. In the year ended 31 March 1988 (the last year for which information is available), the cases of 2,815 inmates were referred to NHS consultant psychiatrists, and of a further 9,410 to other NHS psychiatrists. Such services are available round the clock by arrangement with regional health authorities. Information about the incidence of referrals or consultants for specific purposes is not available.

The treatment of people held in police custody is governed by code C (code of practice for the detention, treatment and questioning of persons by police officers) of the codes of practice made under the Police and Criminal Evidence Act 1984. The code states that reasonable force may be used to prevent escape, injury, damage to property

or the destruction of evidence and requires medical attention for the suspect to be sought whenever necessary, normally from the police surgeon.

Custody records in respect of every person detained by the police are held locally and the information sought could be obtained only at disproportionate cost.

Essex Police Force

Mr. Hayes: To ask the Secretary of State for the Home Department if he will make it his policy to increase the establishment of the Essex police force by 150 phased equally over the next three years.

Mr. Douglas Hogg: My right hon. Friend will consider applications for increases in the Essex police establishment, together with those received from other authorities, in the context of the extra police posts which may be available year on year and with advice from Her Majesty's inspectorate of constabulary. He expects shortly to announce his decisions on increases in police establishments for 1989-90.

Passports

Mr. Darling: To ask the Secretary of State for the Home Department how many applications for *(a)* new passports and *(b)* amendments to passports were made at each office in each year since 1979; and if he will indicate the number of applications received in each month in 1987 and 1988.

Mr. Renton: The information, which relates to passports issued rather than to applications, is shown in the tables.

Table 1. Annual total of new passports issued and amendments made to existing passports (1979-1988)

	1979		1980		1981		1982		1983	
	(a)	(b)	(a)	(b)	(a)	(b)	(a)	(b)	(a)	(b)
London	405,431	71,146	471,479	34,253	392,725	21,101	453,262	25,246	423,957	27,995
Liverpool	474,179	35,916	575,012	24,946	432,953	20,739	542,412	27,021	492,901	30,054
Peterborough	376,507	42,948	459,426	27,696	383,155	17,196	457,855	21,699	434,193	23,141
Newport	389,821	27,105	463,915	22,439	393,331	15,336	447,159	18,241	439,793	19,261
Glasgow	163,153	15,387	212,868	12,191	166,374	7,537	197,109	10,309	182,386	11,141
Belfast	0	0	0	0	0	0	0	0	6,514	603
Total	1,809,091	192,502	2,182,700	121,525	1,768,538	81,909	2,097,797	102,516	1,979,744	112,195

Column *(a)* shows new passports issued.
Column *(b)* shows endorsements and amendments to existing passports.

	1984		1985		1986		1987		1988	
	(a)	(b)	(a)	(b)	(a)	(b)	(a)	(b)	(a)	(b)
London	424,341	31,988	418,036	26,889	437,857	28,129	355,475	23,345	414,569	22,649
Liverpool	481,540	28,952	446,813	32,327	556,664	36,076	554,993	27,595	665,277	32,829
Peterborough	418,074	25,986	392,460	25,249	482,797	31,581	480,422	29,114	565,096	29,617
Newport	403,520	18,356	369,981	17,472	427,800	18,829	439,302	14,048	547,685	23,175
Glasgow	146,123	10,362	137,098	9,650	159,954	11,587	159,723	11,042	165,633	9,480
Belfast	33,707	1,546	34,655	1,537	45,472	2,031	51,305	2,321	60,248	2,458
Total	1,907,305	117,190	1,799,043	113,124	2,110,544	128,233	2,041,220	107,465	2,418,508	120,208

Column *(a)* shows new passports issued.
Column *(b)* shows endorsements and amendments to existing passports.

2. Monthly total of new passports issued (1987-88)

	London	Liverpool	Peterborough	Newport	Glasgow	Belfast	Total
January 1987	23,682	30,319	29,806	27,999	7,251	2,534	121,591
January 1988	25,044	28,592	41,880	35,049	7,402	3,246	141,213
February 1987	35,565	48,946	49,917	39,614	13,838	4,954	192,834
February 1988	34,136	68,377	44,845	52,379	10,613	5,575	215,925
March 1987	40,488	75,898	60,983	51,542	21,179	5,604	255,694
March 1988	38,831	78,554	60,155	66,788	20,035	6,278	270,641
April 1987	33,065	62,425	56,051	31,345	16,334	6,362	205,582
April 1988	39,994	79,168	62,605	59,824	20,556	7,443	269,590
May 1987	24,383	51,586	48,473	30,188	11,109	6,874	172,613
May 1988	45,130	103,559	57,405	60,329	26,149	7,929	300,501
June 1987	31,376	55,486	54,841	44,200	18,524	8,405	212,832
June 1988	51,411	71,656	63,461	57,851	22,272	10,286	276,937
July 1987	52,269	65,066	48,004	45,575	19,069	5,625	235,608
July 1988	48,953	76,327	64,174	46,446	22,682	7,969	266,551
August 1987	40,099	56,929	38,765	53,836	17,939	4,195	211,763
August 1988	34,458	46,551	50,528	51,991	2,630	4,566	190,724
September 1987	24,731	32,838	25,815	49,407	14,665	2,681	150,137
September 1988	24,480	31,081	25,929	22,112	7,284	2,421	113,307
October 1987	15,940	27,529	22,891	23,236	7,410	1,596	98,602
October 1988	23,312	32,086	28,829	26,042	8,453	1,653	120,375
November 1987	20,584	26,496	24,242	21,095	6,646	1,356	100,419
November 1988	31,220	39,145	37,792	37,755	9,474	1,714	157,100
December 1987	13,293	21,475	20,634	21,265	5,759	1,119	83,545
December 1988	17,600	10,181	27,493	31,119	8,083	1,168	95,644

	London	Liverpool	Peterborough	Newport	Glasgow	Belfast	Total
Total 1987	355,475	554,993	480,422	439,302	159,723	51,305	2,041,220
Total 1988	414,569	665,277	565,096	547,685	165,633	60,248	2,418,508

Mr. Darling: To ask the Secretary of State for the Home Department (1) what is the average time taken to process applications for new passports at each office from time of receipt to date of issue as at the first day of each month in 1988;

(2) what was the average time taken to process applications for *(a)* renewal and *(b)* amendment to passports at each office from time of receipt to date of issue on the first day of each month in 1988.

Mr. Renton: I regret that the information is not available in precisely the form requested. The processing times in working days for straightforward, non-urgent applications of all types are shown in the table, and relate to applications completed on the dates shown.

	London	Liverpool	Peterborough	Newport	Glasgow	Belfast
January	45	5	19	7	6	2
February	32	10	12	12	14	3
March	43	14	20·5	15	24	3
April	39	11	25·5	18	28	3
May	47	13	30	18	33	4
June	56	11	34	21	35	4
July	52	14	34	22	38	3
August	12	11	16	12	2	2
September	8	10	7	5	7	2
October	8	7	6	6	13	2
November	16	6	7	11	11	2
December	11	2	7	6	13	2

Note: Figures are those at the first weekend of each month in 1988.

Mr. Darling: To ask the Secretary of State for the Home Department what was the number of staff *(a)* in past and *(b)* actually on duty in each passport office on the first day of each month in 1988.

Mr. Renton: The table shows the number of staff in post and on duty at each regional passport office on the first working day of each month in 1988.

	London	Liverpool	Peterborough	Newport	Glasgow	Belfast
January						
(a)	250·5	200	177·5	177	83	14·5
(b)	215·5	165·5	153	160	65	11·5
February						
(a)	271·5	209	191	185·5	91	16
(b)	244·5	178·5	158	155	76	16
March						
(a)	272·5	231	208	221·5	92·5	16·5
(b)	243·5	187·5	185	190	78	12
April						
(a)	278·5	248	217·5	221·5	103·5	18
(b)	255·5	175·5	167·5	146	81	13
May						
(a)	304·5	248·5	226·5	223·5	123·5	20
(b)	280·5	206·5	194·5	187	107	17
June						
(a)	302	259·5	223	220·5	121·5	21
(b)	281	205·5	168·5	147	104	21
July						
(a)	301	256·5	217	213·5	126·5	21
(b)	272	187·5	153·5	171	107·5	14
August						
(a)	304	249·5	221	207·5	122·5	23
(b)	284	185·5	177	156	103·5	17
September						
(a)	266·5	210	179·5	189·5	114·5	15
(b)	240·5	154	152	160	91·5	10·5
October						
(a)	266·5	195·5	169	168·5	104·5	13
(b)	241·5	148·5	143	137	77·5	10
November						
(a)	251·5	190·5	169	166·5	120	12
(b)	235·5	160	148·5	141	107	7
December						
(a)	245	198·5	176	162·5	129	12
(b)	221	154·5	158·5	128	101	7·5

Column (a) Number of staff in post.
(b) Number of staff on duty (London figures do not reflect absences on annual/flexible working hours leave).

Mr. Darling: To ask the Secretary of State for the Home Department how many people were employed on a casual basis, namely, not on the permanent staff, at each passport office in each month of 1987 and 1988; and what was the cost of such staff.

Mr. Renton: The table below shows the number of casual staff in post at each regional passport office on the last day of each month in 1987 and 1988, and the annual cost of such staff.

	London	*Liverpool*	*Peterborough*	*Newport*	*Glasgow*	*Belfast*
January 1987	20	5	19	16	5	—
January 1988	20	11	25	20	8	—
February 1987	22	27	26	21	7	1
February 1988	27	32	43	53	10	2
March 1987	25	34	37	33	9	1
March 1988	37	51	51	52·5	21	4
April 1987	40	33	39	33	9	2
April 1988	62·5	50	62	53·5	40	5
May 1987	27	45	42	39	15	3
May 1988	54	62	60	51·5	38	5
June 1987	50	49	43	51	26	5
June 1988	56·5	58	54	48·5	39	6
July 1987	47	46	37	50	24	5
July 1988	57·5	53	58	41·5	35	8
August 1987	34	12	24	41	18	4
August 1988	26	25	31	35·5	29	—
September 1987	12	—	9	11	8	—
September 1988	19	21	8	5	18	—
October 1987	10	—	2	—	7	—
October 1988	12	17	9	4	7	—
November 1987	6	—	2	—	6	—
November 1988	10	17	16	4	7	—
December 1987	3	—	1	—	6	—
December 1988	7	12	4	—	7	—

Salary cost of casual staff: 1987—£567,002. 1988—£864,030.

Mr. Darling: To ask the Secretary of State for the Home Department how many visitors' passports were issued in each year from 1979; and how many extensions to passports were issued in 1986 to date.

Mr. Renton: The information is shown in the tables.

I. Annual issues of British Visitors Passports (1979-1987)

	Numbers
1979	1,087,485
1980	1,178,885
1981	1,739,194
1982	1,399,575
1983	1,436,639
1984	1,501,579
1985	1,419,225
1986	1,806,168
1987	2,161,489

The figure for 1988 is not yet available.

II. Annual total of free short-term extensions to expired passports granted to personal callers at the London Passport Office

	Number
1986	Nil
1987	13,532
1988	18,511

Precise figures are not available from the other regional passport offices, but the numbers issued were very low.

Mr. Darling: To ask the Secretary of State for the Home Department what is the estimated time expected to be taken between receipt by application and issue of *(a)* new passports, *(b)* renewals and *(c)* amendment to passports at each office in 1989.

Mr. Renton: Subject to continuing satisfactory progress with the computerisation programme and no unforeseen changes occurring in the volume and pattern of demand for passport services, the passport department will be aiming in 1989 to process all straightforward, non-urgent passport applications within a month.

Mr. Darling: To ask the Secretary of State for the Home Department what is the target time for answering telephone inquiries at each passport office as at *(a)* 1 July 1988 and *(b)* the latest available date; what was the estimated average time to answer such calls; and if he will make a statement.

Mr. Renton: There were no specific target times for answering telephone inquiries during 1988, and no information is available as to the average time taken to answer such calls. The passport department has undertaken a complete review of its telephone systems with a view to improving the service provided to the public, and various enhancements are being made. The aim in 1989 will be to provide a personal response to 90 per cent. of calls within two minutes of connection, but the achievement of this will depend on a number of factors, including the successful implementation of the remainder of the computerisation programme.

Mr. Darling: To ask the Secretary of State for the Home Department if he will indicate the date of receipt of applications for new passports being dealt with on *(a)* 1 July 1988 and *(b)* 1 August 1988 at each passport office.

Mr. Renton: The table shows the date of receipt of applications for new passports being dealt with by each regional passport office at the first weekend in July and August 1988.

	Week ending 3 July 1988	Week ending 7 August 1988
London	19 April	25 July
Liverpool	17 June	22 July
Peterborough	19 May	18 July
Newport	6 June	20 July
Glasgow	19 May	5 August
Belfast	1 July	5 August

Mr. Darling: To ask the Secretary of State for the Home Department how many staff not employed as permanent members of staff have worked for a continuous period of *(a)* three months and *(b)* six months or more in 1988, showing the information for each passport office.

Mr. Renton: The table shows the number of casual staff employed continuously at each regional passport office during 1988 for *(a)* three months or more and *(b)* six months or more.

	(a)	(b)
London	70	25
Liverpool	29	29
Peterborough	63	34
Newport	52	30
Glasgow	39	29
Belfast	3	2

Mr. Darling: To ask the Secretary of State for the Home Department if he will consider a public campaign to encourage people to apply for new passports in the months from January to June and November and December.

Mr. Renton: The passport department already publicises on its application forms and in other ways, the need to apply for passports in good time and to avoid the peak summer periods when delays tend to be greatest. They are examining ways of reinforcing this message in 1989.

Mr. Darling: To ask the Secretary of State for the Home Department what was the total budget for salaries and overtime in passport offices in 1988-89; what is the estimated expenditure; and if he will provide the same information for 1989-90.

Mr. Renton: The salaries and overtime element of the passport department's budget for running costs in 1988-89 amounted to £9·9 million. This is likely to be exceeded due to the heavy demand for passport services during the year, but it is not yet possible to say precisely what the outturn expenditure will be. Budget estimates for 1989-90 have yet to be finally determined.

Mr. Darling: To ask the Secretary of State for the Home Department how many telephone lines are available for calls from the public at each passport office in 1989; how many were available in 1988; how many staff are currently allowed to answer such calls; how many were available to do so during June to October 1988; and if he will make a statement.

Mr. Renton: The table shows the number of telephone lines available for incoming calls from the public at each passport office in (a) January 1988 and (b) January 1989.

	(a)	(b)
London	28	28
Liverpool	24	24
Peterborough	12	24
Newport	17	40
Glasgow	6	12
Belfast	3	3

The switchboards at London, Peterborough and Newport connect callers initially to recorded message systems, giving general information for passport applicants. This service is to be extended to the other offices. Staff are allocated to telephone inquiry duties according to the overall operational needs of the office, taking into account other demands, in particular that of passport-issuing. No precise information is available as to the number of staff available to answer incoming calls during a particular period.

Passport Offices (Hours of Work)

Mr. Darling: To ask the Secretary of State for the Home Department if he will indicate *(a)* the number of hours overtime, *(b)* the average number of hours overtime and *(c)* the cost of such overtime to each passport office in each month in 1988.

Mr. Renton: The table shows the monthly number of hours overtime worked at each regional passport office, and the estimated cost of such overtime, in 1988.

	London	Liverpool	Peterborough	Newport	Glasgow	Belfast
January						
(a)	2,088	1,263	2,269	2,391	325	0
(b)	22,181	10,180	18,288	19,271	2,620	0
February						
(a)	5,029	6,467	3,634	4,810	1,520	0
(b)	53,424	52,124	29,290	38,769	12,251	0
March						
(a)	4,667	11,017	3,190	4,994	2,636	0
(b)	49,578	88,797	25,711	40,252	21,246	0
April						
(a)	7,373	16,276	5,138	7,455	3,865	0
(b)	78,325	131,185	41,412	60,087	31,152	0
May						
(a)	6,432	11,119	3,792	4,059	3,648	0
(b)	68,328	89,619	30,564	32,716	29,403	0
June						
(a)	4,351	4,625	4,065	3,271	2,809	248
(b)	46,221	37,278	32,764	26,364	22,641	1,999
July						
(a)	5,654	4,301	2,928	3,388	2,790	614

	London	Liverpool	Peterborough	Newport	Glasgow	Belfast
(b)	60,063	34,666	23,600	27,307	22,487	4,949
August						
(a)	1,637	0	1,686	1,322	0	0
(b)	17,390	0	13,589	10,655	0	0
September						
(a)	231	397	29	0	315	0
(b)	2,454	3,200	234	0	2,539	0
October						
(a)	997	1,407	123	0	594	0
(b)	10,591	11,340	991	0	4,788	0
November						
(a)	3,463	2,386	998	1,146	0	0
(b)	36,788	19,231	8,044	9,237	0	0
December						
(a)	1,342	0	1,238	2,905	461	0
(b)	14,256	0	9,978	23,414	3,716	0

Column:
(a) shows the number of hours overtime worked.
(b) shows the estimated cost of such overtime in £.

Mr. Darling: To ask the Secretary of State for the Home Department what is the estimated amount of overtime expected to be worked at each passport office in 1989; and what is the estimated cost.

Mr. Renton: The requirements for overtime working are determined by operational needs, which are in turn determined by the level and pattern of demand for passport services. Budget estimates for 1989-90 have yet to be finally determined.

Heathrow (Police)

Mr. Darling: To ask the Secretary of State for the Home Department if he will call for a report from the Commissioner of Police of the Metropolis of the total hours worked by police officers at Heathrow airport in each month from April to October 1988.

Mr. Douglas Hogg: I understand from the commissioner that the information is as follows:

	Hours
April	64,069
May	65,996
June	64,483
July	64,917
August	61,673
September	60,900
October	65,553

Mr. Darling: To ask the Secretary of State for the Home Department if he will call for a report from the Commissioner of Police of the Metropolis on the number of hours worked by police officers at Heathrow airport in each week from 31 October 1988 to 22 January 1989 or to the latest date for which information is available; what is the average number of hours expected to be worked by officers at Heathrow in each week until 31 March 1989; and if he will make a statement.

Mr. Douglas Hogg: I understand from the commissioner that the information is as follows:

	Hours
31 October 1988 to 6 November 1988	15,485
7 November 1988 to 13 November 1988	15,389
14 November 1988 to 20 November 1988	15,682
21 November 1988 to 27 November 1988	15,489
28 November 1988 to 4 December 1988	16,539
5 December 1988 to 11 December 1988	16,032
12 December 1988 to 18 December 1988	14,863
19 December 1988 to 25 December 1988	14,765
26 December 1988 to 1 January 1989	11,024
2 January 1989 to 8 January 1989	14,016
9 January 1989 to 15 January 1989	15,361

The average number of hours worked each week until 31 March is expected to be about 15,400.

Crime (Lighting)

Mr. Cohen: To ask the Secretary of State for the Home Department if he will consider implementing a programme to substantially improve lighting in public areas and streets to combat crime; and if he will make a statement.

Mr. John Patten: I accept the view that substantial improvements in street lighting can reduce the public's fear of crime, and in certain circumstances can help to prevent crime itself. Together with colleagues in the Departments of Environment and Transport, we are seeking to identify where early action can be taken.

Criminal Injuries Compensation Board

Mr. Nicholas Bennett: To ask the Secretary of State for the Home Department what information he has as to the average time taken for the Criminal Injuries Compensation Board to come to a final decision on claims made to the board for compensation; and if he will make a statement.

Mr. John Patten: I refer my hon. Friend to the reply given to a question from my hon. Friend the Member for Isle of Wight (Mr. Field) on 20 January at column *350*.

Pirate Decoders

Mr. Fisher: To ask the Secretary of State for the Home Department what body will have the responsibility for policing pirate decoders after the abolition of the Independent Broadcasting Authority.

Mr. Renton: Should pirate equipment become available, it would be for the company to pursue the pirate manufacturers through the civil courts, or for the police to investigate any criminal offences which might have been committed.

Channel 5

Mr. Fisher: To ask the Secretary of State for the Home Department whether investment in Channel 5, prior to its establishment, will be borne by ITV and Channel 4.

Mr. Renton: We have no proposals to invite existing contractors to invest in Channel 5.

Mr. Fisher: To ask the Secretary of State for the Home Department what information he has on how much the Independent Broadcasting Authority spent on Channel 5.

Mr. Renton: The IBA has been involved in a study of the operational and engineering aspects of the proposed Channel 5 but I understand that their costs have not been separately identified.

Mr. Mark Fisher: To ask the Secretary of State for the Home Department what assessment he has made of any disruption to ITV and Channel 4 services which will be caused by the installation of Channel 5 transmitter equipment.

Mr. Renton: Detailed arrangement have not yet been made for the introduction of Channel 5 transmission. Experience suggests that, though short-term interruptions to night time services might be necessary there need be no interruption to services during the day and evening.

Mr. Fisher: To ask the Secretary of State for the Home Department whether he will publish a table identifying which transmitter sites need additional equipment before transmitting Channel 5.

Mr. Renton: The precise coverage of a Channel 5 service has not yet been decided.

Transmitters

Mr. Fisher: To ask the Secretary of State for the Home Department whether it is his intention to define minimum standards of transmitter performance which will apply after 1992.

Mr. Renton: As our White Paper made clear, we intend to ensure that high technical standards are maintained. The study on the privatisation of the transmission system which we announced on 30 December will examine whether any technical regulation is necessary to ensure this, and if so, what form it should take.

Mr. Fisher: To ask the Secretary of State for the Home Department by what means transmitter replacement will be funded.

Mr. Renton: As we made clear in our White Paper, a privatised transmission system will be expected to achieve the same degree and quality of coverage as at present. The study on the privatisation of the transmission system which we announced on 30 December will be examining how this objective can be best achieved. The cost of maintaining the transmission system would fall to the private sector operators.

Mr. Fisher: To ask the Secretary of State for the Home Department whether the Independent Television Commission will be responsible for monitoring transmitter performance.

Mr. Renton: It is envisaged that the ITC will supervise the transmission arrangements for independent services, in order to ensure conformity with international obligations and the observance of technical specifications designed to limit interference. The study on the privatisation of the transmission system which we are commissioning will consider whether any further technical regulation is necessary.

In the transitional period before the establishment of a privatised transmission system, we envisage that the ITC will also be responsible for appointing, and monitoring the performance of, transmission contractors.

Mr. Fisher: To ask the Secretary of State for the Home Department how many ITV and Channel 4 transmitters are on British Broadcasting Corporation-owned sites.

Mr. Renton: Four hundred and sixty one.

Business Vote (City of London)

Mr. Tony Banks: To ask the Secretary of State for the Home Department if he will make it his policy to abolish the business vote in the City of London; and if he will make a statement.

Mr. Douglas Hogg: No.

Aldermen

Mr. Tony Banks: To ask the Secretary of State for the Home Department if he will make it his policy to seek to abolish the office of alderman.

Mr. Douglas Hogg: We have no plans to abolish the office.

SCOTLAND

Skye (Road Bridge)

Mr. Kennedy: To ask the Secretary of State for Scotland if he will make a statement on the proposed construction of a road bridge to Skye; what submissions he has received from the private construction sector; what further consultations have taken place with representatives of the Highland regional council; what consideration has been given to the possibility of recouping capital costs by means of toll charges; and what assessment has been made of the implications of any of the above on the budgetary position of Highland regional council's roads department.

Lord James Douglas-Hamilton: Highland regional council commissioned a study of the possibility of building a bridge to Skye. This was discussed with officials of the Scottish Development Department in October 1987. It was agreed that the regional council should ask its consultants to carry out further work. Following its completion there was a discussion between Highland regional council and Scottish Development Department officials in November 1988. A range of options and their financial implications is now being considered. Two firms which suggested that the bridge might be built as a private sector project have been asked to provide further information, in particular on the level of tolls which might be charged if the bridge was built in this way.

Nursery Education

Mr. Harry Greenway: To ask the Secretary of State for Scotland what is the number of those aged three and four

in Scotland in nurseries, pre-school playgroups or other forms of education *(a)* at the latest available date, *(b)* five, *(c)* 10 and *(d)* 15 years ago, expressed numerically and as a percentage of the age group; and if he will make a statement.

Mr. Michael Forsyth: The numbers of children aged three and four years (at December each year) in nursery, special and primary schools in September 1972, 1977, 1982 and 1987 were 21,880, 40,570, 45,010 and 50,070 respectively which were 12·3, 28·4, 36·5 and 39·7 per cent. of the population respectively. In addition, in 1987 there were 43,430 places in pre-school playgroups and 4,470 in day nurseries, children's centres and family centres; information on pupil numbers is not available for these establishments. It is estimated that in total about 80 per cent. of three and four-year-olds were involved in one of the above mentioned forms of activity in 1987.

Empty Properties

Mr. Gregory: To ask the Secretary of State for Scotland what is the most recent figure for empty local authority housing; how many of these properties have been vacant for periods over six, 12 and 24 months, respectively; and if he will make a statement.

Lord James Douglas-Hamilton: On the basis of information returned to the Scottish Development Department, some 23,000 local authority houses are estimated to have been vacant at the end of March 1988. Information on the length of vacancies is not collected in the form requested, but, of the 8,150 vacant houses estimated to be available for letting, approximately 1,500 had been vacant for more than six months.

I am concerned that, where possible, empty houses should be brought back into use and I have sought details of authorities' policies in this regard.

Health Service (Dismissals)

Dr. Godman: To ask the Secretary of State for Scotland what current procedures are in force concerning an appeal against dismissal, by a health board, of a consultant-surgeon; and if he will make a statement.

Mr. Michael Forsyth: There are two avenues of appeal to the Secretary of State which are available to an NHS consultant dismissed by a health board. One, which is open only to senior medical and dental staff, is that set out under paragraph 190 of their terms and conditions of service. Under this the doctor remains suspended from duty until the appeal process is completed. The other procedure, which is open to all NHS staff, is that set out under section 40 of the general Whitley council agreements. This is normally invoked after dismissal has taken effect.

Rates

Mr. Blunkett: To ask the Secretary of State for Scotland if he will list for each year from 1982-83 *(a)* the average rates and *(b)* the percentage annual increase in the average rates payable per household in Scotland.

Mr. Lang: The figures requested are shown in the table.

	Average domestic rate bill £	*Percentage increase*
1982-83	309	13·6
1983-84	310	0·1
1984-85	328	6·0
1985-86	392	19·5
1986-87	417	6·3
1987-88	474	13·8
1988-89	495	4·4

Rating Reform

Mrs. Ray Michie: To ask the Secretary of State for Scotland if he will list the organisations which have made representations concerning exemptions from the community charge for people with a severe mental impairment.

Mr. Lang: The following organisations with an interest in the exemption for the severely mentally impaired were consulted about the detailed provisions relating to that exemption:

Archdiocesan Council for the Mentally Handicapped
Association of Directors of Social Work
British Association of Social Workers
British Psychological Society (Scottish Branch of the Division of Clinical Psychology)
Church of Scotland Board of Social Responsibility
Convention of Scottish Local Authorities
Health Board General Managers
Housing Corporations
Institute of Health Service Management (Scottish Division)
Mental Welfare Commission for Scotland
Psychiatric Nurses Association
Royal College of General Practitioners (Scottish Council)
Royal College of Nursing
Royal College of Psychiatrists (Scottish Division)
Scottish Assessors' Association
Scottish Federation of Housing Associations
Scottish General Medical Services Committee
Scottish Society for Mental Handicap

In addition my right hon. and learned Friend has received representations or inquiries from:—

Alzheimers Scotland
ACORN Centre, Edinburgh
British Medical Association
Scottish Action on Dementia

and a number of Health Boards and other NHS organisations.

Mrs. Ray Michie: To ask the Secretary of State for Scotland if he will list by district council area the weekly net income level at which a single person with no dependants would lose entitlement to the community charge rebate.

Mr. Lang: This information is not available.

Mrs. Ray Michie: To ask the Secretary of State for Scotland if he will estimate the number of adults who will be eligible for a community charge rebate.

Mr. Lang: It is estimated that over 1 million adults in Scotland will receive a community charge rebate.

Mrs. Ray Michie: To ask the Secretary of State for Scotland if he will list the number of premises, broken down by community charge registration area, which have been designated as liable for the collective community charge.

Mr. Lang: The number of designated premises included on the community charges register for each regional and islands council area as at 1 October 1988 was as follows:

	Number
Borders	3
Central	n/a
Dumfries and Galloway	8
Fife	5
Grampian	n/a
Highland	6
Lothian	37
Strathclyde	40
Tayside	60
Orkney	0
Shetland	1
Western Isles	0

Mrs. Ray Michie: To ask the Secretary of State for Scotland what plans he has to introduce flexibility in the application of the standard community charge multiplier.

Mr. Lang: Under section 10(7) of the Abolition of Domestic Rates Etc. (Scotland) Act 1987, as amended by the Local Government Finance Act 1988, local authorities already have discretion to set the standard community charge multiplier at between one and two times the level of the personal community charge for their areas. There are no plans to introduce greater flexibility.

Mrs. Ray Michie: To ask the Secretary of State for Scotland what advice he will give to private sector tenants who do not have registered rents and to private landlords regarding the abolition of domestic rates and the consequent reduction which should be made to the tenant's period charge following the removal of the rates element.

Mr. Lang: After 1 April this year private sector tenants whose accommodation charges include contributions towards their landlord's domestic rates bills will be entitled to a reduction in their payments to reflect the abolition of domestic rates. Landlords will have no right to ask for such contributions. Regulated tenants who do not have a registered rent at present will be able to enforce their right to lower payments by applying to the rent officer for their rent to be registered. They will then know by how much they should reduce their payments, because registered rents are net of any payments towards rates. Tenants in regulated tenancies will have a right to seek registration of a fair rent for as long as their tenancy lasts.

Tenants of assured tenancies taken out from 2 January this year will see from the written statement of the terms of their tenancy which their landlord is obliged by law to give them what reduction should be made in their payments from 1 April. Thereafter, prospective tenants will be able to ask the landlord what adjustment has been made to the total accommodation charge to take account of the rates element of the previous charge.

Tenants will therefore have full protection against unreasonable charges by landlords.

Mrs. Ray Michie: To ask the Secretary of State for Scotland if single persons in prison will be liable for a standard community charge and community water charge in respect of a house they own, rent or lease during the period of their imprisonment; and if he will make a statement.

Mr. Lang: Where a prisoner's house ceases to be his sole or main residence and there is no one else solely or mainly resident there he will be liable to pay the standard community charge and the standard community water charge in respect of it.

Public Spending

Mr. Gordon Brown: To ask the Secretary of State for Scotland what is his estimate of gross and net public sector capital spending by his Department by both central Government and local authorities for 1988-89, and for each of the next three years, at current prices and at constant 1987-88 prices.

Mr. Lang: Information on public expenditure in Scotland will be provided in the Scotland and supplementary analyses chapters of the public expenditure White Paper which will be published on Monday 30 January 1989.

Employment Training

Mr. McLeish: To ask the Secretary of State for Scotland, what was the total number of employment training places *(a)* authorised and *(b)* filled on the latest date for which information is available.

Mr. Lang *[holding answer 19 January 1989]:* There is provision for 41,473 employment training places in 1988-89 once the programme is fully operational. On 13 January 1989, 12,497 places were filled by employment training trainees. A further 7,174 were filled by those continuing under community programme terms and conditions.

EDUCATION AND SCIENCE

City Technology Colleges

Mr. Amos: To ask the Secretary of State for Education and Science if he will consider extending the establishment of city technology colleges to rural areas.

Mrs. Rumbold: The terms of section 105 of the Education Reform Act, under which we shall pay grant to CTCs, lay down that a CTC should be situated in an urban area because it is there that the expectations of parents and pupils of the education system are furthest from fulfilment. However, CTCs will have lessons for all schools in combating underachievement, in establishing closer links with employers, in the use of information technology throughout the curriculum and in more effective school management.

Pupil Numbers

Mr. John Evans: To ask the Secretary of State for Education and Science how many children have been in fee-paying schools for the last three years for which figures are available.

Mr. Butcher: The total number of pupils attending non-maintained schools in England in 1986, 1987 and 1988 wre 526,000 538,000 and 547,000 respectively.

Mr. Grocott: To ask the Secretary of State for Education and Science what is his latest estimate of the proportion of children at school who are educated within the state education system.

Mr. Butcher: In January 1988 the number of children attending maintained schools in England as a proportion of all children in school was 92·8 per cent.

History

Mr. Andrew F. Bennett: To ask the Secretary of State for Education and Science when he expects the curriculum working group on history to report; and if he will make a statement.

Mrs. Rumbold: I refer the hon. Member to the reply which my right hon. Friend gave to my hon. Friend the Member for Rugby and Kenilworth (Mr. Pawsey) on 13 January at column *762*.

Truancy

Mr. Barry Field: To ask the Secretary of State for Education and Science whether he has any plans to provide national truancy statistics to enable comparison to be made between schools that have opted out and those that remain with the local education authority.

Mr. Butcher: My right hon. Friend has no plans to require local education authorities and governors of grant-maintaind schools to submit information to him on attendance levels. It will be for local education authorities and governers of grant-maintained schools to monitor attendance levels at their schools and to decide whether to publish information on attendance.

Higher Education

Mr. Wray: To ask the Secretary of State for Education and Science how many full-time students entered *(a)* university or *(b)* polytechnic courses for the first time in the academic year 1988-89.

Mr. Jackson: Provisional estimates for 1988 indicate that there were 87,000 full-time first year students, other than postgraduates, in universities and 124,000 in polytechnics and colleges in Great Britain.

Special Educational Needs

Mr. John Evans: To ask the Secretary of State for Education and Science what was the total amount spent, per capita, on children with special educational needs in each of the last five years at constant prices.

Mr. Butcher: The average net institutional expenditure per pupil in maintained special education for the five years to 1986-87, the last year for which information is available, is as follows:

Net institutional expenditure per pupil (£)
Special education—England[1,2]
£ per pupil
1986-87 real terms[3]

	£
1982-83	3,655
1983-84	3,725
1984-85	3,880
1985-86	4,175
1986-87	4,460

[1] The figures are based on LEA expenditure returns to DOE and pupil number returns to DES.

[2] The figures cover maintained special schools, home teaching, individual teaching in hospitals, other special education provided other than at school and education in social services establishments where this is charged to the education account. Information on expenditure on pupils with special needs educated in primary and secondary schools is not available.

[3] The cash figures for the earlier years have been repriced to 1986-87 prices using the gross domestic product (market prices) deflator.

ECCTIS and CATS

Dr. Hampson: To ask the Secretary of State for Education and Science if he will make a statement on the scale of operations cost and relationship of the educational counselling and credit transfer information system (ECCTIS) and the credit accumulation of transfer systems (CATS).

Mr. Jackson: The ECCTIS is a computerised information service funded by the Department of Education and Science at an estimated cost in 1988-89 of £789,000. Its main purpose is to provide prospective students with information about courses in further and higher education. It also contains a facility to provide information about credit transfer opportunities including, where available, the credit rating of certain courses included in its database. The credit rating information is provided by the Council for National Academic Awards (CNAA) which runs CATS. The CNAA is an independent chartered body funded from fee income and CATS forms an integral part of the services which the council provides. I understand that the annual cost to the CNAA for CATS is of the order of £350,000.

AIDS

Mr. Alfred Morris: To ask the Secretary of State for Education and Science what research is being undertaken in the United Kingdom on the effectiveness of anti-viral drugs in preventing or delaying the development of AIDS in people who are HIV positive; and if he will make a statement.

Mr. Jackson: The Medical Research Council is conducting a clinical trial to test whether zidovudine (formerly known as AZT) benefits healthy HIV positive people. In the MRC's view, no other drug is yet developed enough to justify a trial. The MRC directed programme aims to develop anti-viral drugs and vaccines to prevent or delay the development of AIDS in people infected with HIV.

Medical Students (Drugs)

Mr. Fearn: To ask the Secretary of State for Education and Science whether he will undertake research into the number of medical students who have taken cannabis or other addictive drugs.

Mr. Jackson: My right hon. Friend has no plans to initiate such research.

Residential Special Schools

Mr. Tony Banks: To ask the Secretary of State for Education and Science if he will be providing additional financial support to inner London boroughs to maintain the Inner London education authority's residential special schools after transfer in April 1990.

Mrs. Rumbold: It is hoped that detailed decisions about the allocation of responsibility for these schools will be

reached shortly. Like other local education authorities, from April 1990, the inner London councils will be operating under the financial arrangements established by the Local Government Finance Act 1988; in this context, the Government are currently consulting the local authority associations about a new simplified needs assessment for education.

Marine Pollution

Mr. Matthew Taylor: To ask the Secretary of State for Education and Science if he will make a statement on the level of funding for research into marine pollution.

Mr. Jackson: The Natural Environment Research Council plans to undertake research relevant to marine pollution in the financial year 1989-90 at a level of some £4·55 million, including the North sea project to study water quality. In the wider context, the co-ordinating committee on marine science and technology will report in due course on a national strategic framework for Government-funded marine science.

Departmental Expenditure

Mr. Gordon Brown: To ask the Secretary of State for Education and Science what is his estimate of gross and net public sector capital spending by his Department by both central Government and local authorities for 1988-89 and for each of the next three years, at current prices and at constant 1987-88 prices.

Mrs. Rumbold: The estimated capital spending outturn for 1988-89 within the Department of Education and Science programme and planned provision for the next three years are as follows:

	1988-89 estimated outturn £ million	*1989-90 plans £ million*	*1990-91 plans £ million*	*1991-92 plans £ million*
Cash				
Local authority				
gross	619	545	555	563
net	461	385	394	403
Central Government				
gross	378	494	475	481
net	371	487	466	472
Real terms (1987-88 prices)				
Local authority				
gross	583	489	481	473
net	434	345	341	339
Central Government				
gross	356	443	411	404
net	349	437	403	397

From 1989-90 the central Government figures include capital expenditure on the polytechnics and other higher education institutions transferring from the local education authorities to the Polytechnics and Colleges Funding Council sector.

NORTHERN IRELAND

Mater Hospital

Mr. Jim Marshall: To ask the Secretary of State for Northern Ireland if he will make a statement on the Eastern health board's proposal to remove obstetrics from the Mater hospital.

Mr. Needham: This proposal is one of the recommendations of the eastern board's complementarity study which are currently the subject of consultation as part of the draft operational plan for 1989-90. When the board reaches conclusions on the study I shall want to discuss the implications for the Mater hospital with the chairman.

Prisoners (Working Out Scheme)

Mr. McCusker: To ask the Secretary of State for Northern Ireland how many prisoners in Northern Ireland have been processed through the working out scheme operated from Her Majesty's prison, Belfast during the past three years; how many prisoners are currently working out; how many are awaiting an opportunity to participate in the scheme; what is the average waiting time for the scheme; and if he will consider its extension to Her Majesty's prison Maze.

Mr. Ian Stewart: During the thre-year period between 1 January 1986, and 31 December 1988, 71 indeterminate sentence prisoners were released on licence after completing a pre-release programme operated from Her Majesty's prison, Belfast. Thirty-eight prisoners are currently involved in the pre-release programme. Fifteen of them are working out of the prison each day and eight are working and living in the community, reporting to the prison at intervals.

There are no prisoners awaiting an opportunity to participate in the scheme. The practice is that once a provisional release date has been set by the Secretary of State the prisoner is informed and transferred to Belfast prison shortly afterwards.

There are no plans to move the pre-release unit from Belfast prison. The use of other prisons, including Maze, on an ad hoc basis has not, however been ruled out should the number of prisoners on pre-release exceed the capacity at Belfast.

Students Numbers

Mr. Eddie McGrady: To ask the Secretary of State for Northern Ireland what were the student numbers in each year group of the bachelor of education honours in-service

part-time degree courses in each of the years 1983-84 to 1987-88 in *(a)* Stranmillis college of education and *(b)* St. Mary's college of education, Belfast.

Dr. Mawhinney: The numbers of students receiving support from the Department of Education for Northern Ireland in each year are as follows:

	1983-84	*1984-85*	*1985-86*	*1986-87*	*1987-88*
Stranmillis					
New Starts	Nil	Nil	Nil	25	Nil
Carry over	59	35	Nil	Nil	25
St. Mary's					
New Starts	34	25	10	29	9
Carry over	77	69	56	34	29

Note:

The numbers of St. Joseph's college of Education are included with St. Mary's in respect of 1983-84 and 1984-85. The 2 colleges amalgamated on 1 September 1985 to form St. Mary's college.

The Department does not hold any information about "independent" students who are not receiving student awards.

Mr. McGrady: To ask the Secretary of State for Northern Ireland (1) what were the student numbers in the post-graduate certificate in education course in each of the years 1983-84 to 1987-88 in *(a)* Stranmillis college of education and *(b)* St. Mary's college of education, Belfast;

(2) what were the student numbers in years 1 and 2 of the bachelor of education degree course in each of the years 1983-84, to 1987-88 in *(a)* Stranmillis college of education and *(b)* St. Mary's college of education, Belfast;

(3) what were the student numbers in year 3 of the bachelor of education *(a)* honours and *(b)* pass degree course in each of the years 1983-84, to 1987-88 in (i) Stranmillis college of education and (ii) St. Mary's college of education, Belfast.

Dr. Mawhinney: The information is as follows:

	Stranmillis College	*St. Mary's College*
1983-84		
Year 1	156	157
Year 2	108	102
Year 3 (Pass) Degree	74	56
Year 3 (Hons) Degree	30	40
PGCE	40	43
PGCE (Hons) Psychology	5	—
1984-85		
Year 1	165	168
Year 2	153	153
Year 3 (Pass) Degree	74	59
Year 3 (Hons) Degree	34	45
PGCE	43	46
PGCE (Hons) Psychology	3	—
1985-86		
Year 1	168	166
Year 2	162	160
Year 3 (Pass) Degree	94	95
Year 3 (Hons) Degree	59	57
PGCE	43	47
PGCE (Hons) Psychology	5	—
1986-87		
Year 1	166	171
Year 2	160	165
Year 3 (Pass) Degree	89	86
Year 3 (Hons) Degree	75	64
PGCE	45	46
PGCE (Hons) Psychology	6	—
1987-88		
Year 1	177	173
Year 2	164	166
Year 3 (Pass) Degree	77	75
Year 3 (Hons) Degree	84	94
PGCE	60	58
PGCE (Hons) Psychology	6	—

Note: St. Joseph's college amalgamated with St. Mary's college on 1 September 1985. Figures for the former St. Joseph's college have therefore been included in the St. Mary's college figures for the 1983-84 and 1984-85 years.

Colleges (Grants)

Mr. McGrady: To ask the Secretary of State for Northern Ireland what were the total grant allocations in each of the years 1983-84 to 1987-88 to *(a)* Stranmillis college of education and *(b)* St. Mary's college of education, Belfast.

Dr. Mawhinney: The information is as follows in respect of recurrent grant payments:

	Stranmillis college £	*St. Mary's college* £
1983-84	2,654,476	1,961,725
1984-85	2,590,107	1,988,000
1985-86	2,542,597	2,235,000
1986-87	2,690,466	2,510,000

Notes:

1. St. Joseph's college amalgamated with St. Mary's college on 1 September 1985. Figures for the former St. Joseph's college have therefore been included in the St. Mary's college figures for the 1983-84, 1984-85 and 1985-86 financial years.
2. Figures have been taken from the audited accounts; information is not available for 1987-88.

Employment Bill

Mr. David Evans: To ask the Secretary of State for Northern Ireland if he intends to follow the proposals in the Employment Bill introduced on 30 November 1988; and if he will make a statement.

Mr. Viggers: Yes. It is our intention to legislate where appropriate for corresponding purposes in Northern Ireland.

Firearms Certificates

Mr. Ross: To ask the Secretary of State for Northern Ireland how many police officers of each rank, and how many civilians of each grade are employed in processing firearms certificates at the Royal Ulster Constabulary firearms section; and what were the comparable figures five and 10 years ago, respectively.

Mr. Ian Stewart *[holding answer 24 January 1989]:* The number of police officers and civilians employed in processing firearms certificates at the Royal Ulster Constabulary firearms section is as follows:

	31 December 1988	*31 December 1983*	*31 December 1978*
Superintendent	1	1	1
Chief Inspector	1	1	1
Inspector	1	1	1
Sergeant	1	1	1
Constable	1	1	1
Executive Officer II	1	1	0
Administrative Officer	5	5	5
Administrative Assistant	33	27	22

AGRICULTURE, FISHERIES AND FOOD

Annual Review

Sir Richard Body: To ask the Minister of Agriculture, Fisheries and Food, how his Department's documents covering the annual review of United Kingdom agriculture will be made available to hon. Members and the public; and if there are to be any major changes in content as compared with previous annual review White Papers.

Mr. Ryder: I refer my hon. Friend to the answer that I gave on 5 December to my hon. Friend the Member for Daventry (Mr. Boswell) at col *30*.

Hares

Mr. Ron Davies: To ask the Minister of Agriculture, Fisheries and Food whether his Department is conducting or funding any research into the distribution and density of the British hare population.

Mr. Ryder: My Department is not conducting or funding any research into the distribution and density of the British hare population.

Agriculture Council

Mr. Boswell: To ask the Minister of Agriculture, Fisheries and Food what was the outcome of the Agriculture Council in Brussels on 23 and 24 January; and if he will make a statement.

Mr. Donald Thompson: I refer my hon. Friend to the statement that I gave earlier today.

Food Poisoning

Mr. Ashley: To ask the Minister of Agriculture, Fisheries and Food what responsibility his Department has for ensuring that foodstuffs are safe for human consumption and carry no risk of food poisoning; in what way this responsibility is carried out; how many and what type of staff are required; what is the annual cost to his Department; and what has been the change in the number of staff and the annual cost to his Department in each of the last five years.

Mr. Ryder *[holding answer 15 December 1988.]*: The Ministry has joint responsibility with the Department of Health for ensuring that foodstuffs are wholesome and safe. This responsibility is exercised through legislation, principally the Food Act 1984 and subordinate legislation and the Food and Environment Protection Act 1985. Under the Food Act 1984 the food industry has the primary responsibility for ensuring that its products are safe.

While enforcement of the legislation lies mainly with local authorities the Ministry also carries out an extensive programme of food surveillance designed to complement the effect of statutory controls and monitor their effectiveness. The work is co-ordinated by the steering group on food surveillance and its latest report, "Food Surveillance Paper No. 24," has been deposited in the Library of the House. The steering group and its working parties also liaise with other advisory committees with responsibility for food safety matters, including the food advisory committee, the advisory committee on pesticides and the veterinary products committee.

A detailed breakdown of ministerial objectives in the area of food safety and the resource allocations, including manpower, over the last three years, are given in programmes 35, 36, 37 and 51 of the Ministry's MINIM 1987 publication. Subprogramme 51a identifies the resources allocated for research into food safety. A copy of MINIM 87 is in the Library of the House.

Cook-Chill Food

Mr. Shersby: To ask the Minister of Agriculture, Fisheries and Food if he has any plans to ensure that instructions concerning refrigeration and storage on containers of cook-chill food products are sufficiently clear and are printed in large enough type size as to be easily understood and readily identified by consumers; and if he will make a statement.

Mr. Ryder *[holding answer 23 January 1989]:* The European Community food labelling directive and the Food Labelling Regulations 1984 already require such foodstuffs to be marked or labelled with an indication of special storage conditions. This information has to be easy to understand clearly legible and indelible and when the foodstuff is sold to the consumer marked in a conspicuous place in such a way as to be easily visible.

NATIONAL FINANCE

VAT

Mr. Heddle: To ask the Chancellor of the Exchequer what consultations he has held with *(a)* Government agencies and *(b)* outside bodies and others about the impact of value-added tax on non-domestic construction work on the viability of commercial and mixed commercial and residential schemes of urban renewal of inner city regeneration; and if he will make a statement.

Mr. Lilley: All interested parties, including Government agencies and outside bodies were invited to respond to the consultation document issued on 21 June. Many did so respond and some made points related to urban renewal and inner city regeneration. These responses were followed up in many cases at meetings with me or Customs and Excise officials. As regards residential schemes, there will be no VAT on new housing; and refurbishment of existing housing is already liable to VAT.

HEALTH

Waiting Lists

Mr. Evennet: To ask the Secretary of State for Health Wwhether he has a plans to provide additional funds to reduce hospital waiting lists in the South East Thames region.

Mr. Mellor: Last December we announced a further £1·956 million for South East Thames region from the waiting list fund for 1989-90. This brings the total additional funds made available to South East Thames through this initiative to £6·346 million over three years. In addition two South East Thames districts—West Lambeth, and Lewisham and North Southwark—will have an opportunity to bid against the £6 million reserved next year from the waiting list fund for districts with special waiting problems.

Grading

Mr. Redmond: To ask the Secretary of State for Health what directives have been issued to regional health authorities on regrading nurses; if he will publish them; and if he will make a statement.

Mr. Mellor: We have issued a range of guidance to regional health authorities, copies of which are in the Library. The objective throughout was to ensure that the clinical grading structure was implemented properly, and in accordance with both the spirit and the letter of the agreement reached by both sides of the nursing and midwifery staffs negotiating council.

Pharmacists

Mr. Favell: To ask the Secretary of State for Health if he will make a statement on progress in his drive to encourage pharmacists to provide professional services in addition to dispensing and the savings which are being made.

Mr. Mellor: Discussions are taking place with the representatives of the profession on ways in which the proposals in the White Paper "Promoting Better Health" can be put into effect.

The changes to the remuneration system and the controls on the entry of new pharmacies to NHS dispensing introduced in April 1987 have resulted in expenditure on pharmacists' remuneration being lower than would otherwise have been the case.

OPCS

Mr. McLoughlin: To ask the Secretary of State for Health if he has any changes to announce to the cash and gross running costs limits for the Office of Population Censuses and Surveys for 1988-89.

Mr. Freeman: Subject to parliamentary approval of the necessary Supplementary Estimate, the cash limit for class XX vote 16 will be increased by a token £1,000 from £24,752,000 to £24,753,000,. The OPCS gross running cost limit for class XX vote 16 will be increased by £257,000 from £38,096,000 to £38,353,000. This increase, reflecting increased expenditure by OPCS on services provided to the Department of the Environment, the Department of Education and Science, the Department of Employment and the Health and Safety Commission, will be offset by corresponding reductions in their gross running costs limits and will not, therefore, add to the planned total of public expenditure.

There is no overall increase in gross running costs as a result of these changes.

Crewe District Health Authority

Mrs. Dunwoody: To ask the Secretary of State for Health if he will institute an immediate inquiry into the management of the Crewe district health authority.

Mr. Mellor: No.

Adoption and Care

Mr. Gorst: To ask the Secretary of State for Health what are the national statistics of the number of children adopted or taken into care in 1986, 1987 and 1988 because either or both parents have been suffering from severe mental illness.

Mr. Mellor: This information is not available.

"The Nation's Health"

Dr. Moonie: To ask the Secretary of State for Health (1) if he will make it his policy to accept the targets for health set out in "The Nation's Health: A Strategy for the 1990's"; and if he will make a statement;

(2) if he has considered the recommendations made to Government in "The Nation's Health"; and if he will make a statement.

Mr. Freeman: The recommendations and targets put forward in the report "The Nation's Health" cover the work of a number of Government Departments not simply this Department. We welcome the publication of the report, not least because it helps to emphasise the promotion of good health and the prevention of disease. Many of its concerns had already been recognised by the Government and acted upon before publication. We will be considering the many detailed points in the report.

Ambulance Service

Ms. Ruddock: To ask the Secretary of State for Health how many times recorded announcements have been used in response to calls to the London ambulance service in *(a)* London and *(b)* South East Thames regional health authority in the last year; and if he will make a statement.

Mr. Freeman: This information is not collected routinely in the form requested and could be obtained only at disproportionate cost.

Ms. Ruddock: To ask the Secretary of State for Health how many delays of more than *(a)* two minutes, *(b)* three minutes and *(c)* five minutes were recorded in the response rate by the London ambulance service to incoming calls in (i) London and (ii) South East Thames regional health authority in the last year.

Mr. Freeman: The information is not collected by the London ambulance service.

Ms. Ruddock: To ask the Secretary of State for Health what is the average answering time by the London ambulance service to incoming calls in *(a)* London and *(b)* the South East Thames regional health authority.

Mr. Freeman: This information is not collected routinely in the form requested and could be obtained only at disproportionate cost.

Ms. Ruddock: To ask the Secretary of State for Health if incoming calls to the London ambulance service are stacked by the operator before being connected; and if he will make a statement.

Mr. Freeman: Incoming telephone calls to the London ambulance service are not stacked by an operator. All calls to the LAS central ambulance control are received by their automatic call distribution system which groups them in order of emergency. Within these groups calls are taken in the order that they are received when an operator becomes available. If the hon. Member would like to know more about the capability of the computer which controls the LAS telephone system, and the information which it can provide, she may wish to contact South West Thames regional health authority which manages the service.

Listeria

Mr. Ashley: To ask the Secretary of State for Health, pursuant to his answer to the right hon. Member for Stoke-on-Trent, South, on 14 December 1988, *Official Report*, column *601*, if he will list the causes other than food of listeria poisoning; what were the causes of the 259 incidents of listeria poisoning notified to the public health laboratory in 1987; if he will request the public health laboratory to keep him fully informed of all cases of food poisoning; and if he will make a statement on the growth in the number of cases, the seriousness, and the causes of listeria poisoning, and indicate what precautionary measures are advisable.

Mr. Kenneth Clarke: No vehicle was identified for any of the listeriosis cases reported to the public health laboratory service in 1987 and 1988, other than the three in 1988 which were microbiologically associated with food. My Department has been and is working on the reasons for the increase of listeriosis which occurred between 1986 and 1987; the increase in cases in 1988 was less marked than between 1986-87. The public health laboratory service is keeping us fully informed.

The manifestations of listeriosis range from a mild, flu-like illness to septicaemia and meningitis and the organism can cross the placenta in pregnant women and affect the baby. The mortality rate in reported cases of listeriosis may be of the order of 30 per cent. While adequate cooking will destroy the bacteria, bad handling or bad hygiene subsequent to cooking can result in cross-contamination, and good hygiene practice including adequate refrigeration is essential to reduce risk. This will be a central message of the Government's campaign on food hygiene which is to be launched very soon.

Child Sex Abuse (Broxtowe)

Mr. Allen: To ask the Secretary of State for Health what involvement his Department has had in the Broxtowe child sex abuse case; and if he will make a statement.

Mr. Mellor: The regional office of the Department's social services inspectorate gave appropriate advice and support to the Nottinghamshire social services department.

Medical Manpower Planning

Mr. Anthony Coombs: To ask the Secretary of State for Health if he will publish the report of the second advisory committee on medical manpower planning; and if he will make a statement.

Mr. Kenneth Clarke: I have today published the report of the second advisory committee for medical manpower planning. The committee's two main recommendations are that there should be no immediate change in the numbers entering medical school and that there should be a standing committee to monitor annually the balance of supply and demand for doctors. The Goverment have accepted both these recommendations. Copies of the report will be placed in the Library.

Capital Spending

Mr. Gordon Brown: To ask the Secretary of State for Health what is his estimate of gross and net public sector capital spending by his Department by both central Government and local authorities for 1988-89 and for each of the next three years, at current prices and at constant 1987-88 prices.

Mr. Mellor: Information on the Government's plans on public sector capital spending can be found in table 21.1.11 of the 1989 White Paper on public expenditure which will be published on Monday 30 January.

Certificate of School Nursing

Mr. Cousins: To ask the Secretary of State for Health how many nurses gained the certificate of school nursing in each of the last five years.

Mr. Mellor *[holding answer 19 January 1989]:* The information requested is given in the table:

Number of nurses successfully completing school nursing courses. England

Year ended 31 March	*Number*
1984	306
1985	421
1986	404
1987	294
1988	311

Source: English National Board for Nursing, Midwifery and Health Visiting.

Doctors (Statistics)

Sir Michael McNair-Wilson: To ask the Secretary of State for Health how many doctors are employed in the National Health Service; if he will break the figure down into hospital consultants, junior hospital doctors and general practitioners; and if he will give comparable figures for 1978-79.

Mr. Mellor *[holding answer 24 January 1989]:* The information is set out in the table:

Table: National Health Service Medical Staff in England

	Whole-time equivalents at 30 September	
	1978	*1987*
Medical staff[1]	33,796·1	39,012·7
Hospital consultants	10,381·9	12,830·5
Junior hospital doctors[2]	18,090·5	20,678·8

	Whole-time equivalents at 30 September 1978	1987
	Numbers at 1 October	
General medical practitioners	22,651	27,023

[1] Including hospital, community health services and community medicine staff.
[2] Including senior registrars, registrars, senior house officers and house officers.

Urban Programme

Mr. Gordon Brown: To ask the Secretary of State for Health what is his provision for the urban programme for 1988-89 and for the next three years at cash prices and at 1987-88 constant prices.

Mr. Mellor *[holding answer 24 January 1989]:* The information requested is given in the table:

	Cash Provision £ million	At 1987-88 prices £ million
1988-89	46	43
1989-90	38	36
1990-91	39	37
1991-92	40	38

Care of the Elderly

Mr. John Hughes: To ask the Secretary of State for Health if he will list by regional health authority *(a)* the financial resources allocated to the National Health Service for the care of the elderly and *(b)* the number of units and staff specifically allocated within the National Health Service for the care of elderly people.

Mr. Freeman *[holding answer 25 November 1988]:* In the main the Department does not identify funds for specific purposes such as provision of care of the elderly within its overall allocations to regional health authorities. The allocation of resources to district health authorities is a matter for regions and districts to determine, within a national framework of health care priorities, and in the light of local needs and circumstances.

Information on the number of units and staff allocated to care of the elderly is not available in the form requested. The number of NHS hospitals having beds for elderly in 1987-88 and the number of medical and nursing staff allocated to the geriatric area of work on 30 September 1987 are shown in the table.

(Whole Time Equivalent)

Regional Health Authority	Number of NHS Hospitals Having beds for the Elderly[1]	Staff[2] Medical	Nursing[3]
Northern	65	110	3,330
Yorkshire	63	130	3,710
Trent	63	190	4,330
East Anglian	31	80	2,120
North West Thames	54	120	2,310
North East Thames	57	140	2,970
South East Thames	56	150	2,040
South West Thames	39	110	1,950
Wessex	52	110	3,000
Oxford	44	60	1,770
South Western	72	100	3,030
West Midlands	78	160	5,290
Mersey	34	100	2,390
North Western	65	200	3,980
Special Health Authorities	2	10	90

[1] For the financial year 1987-88. Excluding beds for the elderly mentally ill.
[2] Working the geriatric area. Rounded to the nearest 10 whole time equivalents. (WTE) at 30 September 1987.
[3] Nursing and midwifery staff.

NHS Employees

Ms. Harman: To ask the Secretary of State for Health (1) how many *(a)* men and *(b)* women are employed in the National Health Service;

(2) how many *(a)* men and *(b)* women are employed as nurses in the National Health Service;

(3) how many *(a)* men and *(b)* women are employed as midwives in the National Health Service.

Mr. Mellor *[holding answer 25 November 1988]:* The information for September 1986 is given in the table. This is the latest date for which reliable information to this level of detail is available. Unfortunately, there are discrepancies in the 1987 data which are being checked urgently; I will write to the hon. Member with 1987 figures as soon as these are available.

Number[1] of NHS staff in post—England 30 September 1986

	Male	Female
Total directly employed staff (excluding agency nursing and midwifery staff and locum medical and dental staff).	211,600	735,200
Nursing staff (including agency staff)[2]	42,800	404,000
Midwifery staff (including agency staff)[3]	[4]—	26,500

[1] Figures are independently rounded to the nearest one hundred.
[2] Includes qualified nurses, learners and unqualified nursing staff.
[3] Includes qualified midwives and student midwives.
[4] Less than 50.
Source: Department of Health Annual Censuses of NHS Medical and Non-Medical Manpower.

Baby Food (Aluminium)

Mr. Galbraith: To ask the Secretary of State for Health what information he has on the levels of aluminium in proprietary baby milk and foods; and if he will make a statement.

Mr. Ryder: I have been asked to reply.

A survey of infant formulae recently carried out by this Ministry showed that aluminium present in these products is derived from natural levels of aluminium present in cows' milk or soya from which the foods have been prepared.

The results are shortly to be published in the scientific literature.

Mr. Galbraith: To ask the Secretary of State for Health what discussions he has had with manufacturers of proprietary baby foods and milk on the level of aluminium content in such products; and if he will make a statement.

Mr. Ryder: I have been asked to reply.

Discussions are shortly to be held with representatives of the trade on the results of a recent survey on aluminium levels in infant formulae.

SOCIAL SECURITY

Pensioners' Incomes

Mr. Lester: To ask the Secretary of State for Social Security if he will publish figures showing the disposable incomes of a single pensioner and a married pensioner paying *(a)* average local authority rent and rates and *(b)* rent of £35 and rates of £10 a week, when in receipt of the national insurance basic retirement pension only and when in receipt of (i) state earnings related pensions or occupational pensions of *(a)* £5, *(b)* £10, *(c)* £15, *(d)* £20, *(e)* £25, *(f)* £30, *(g)* £35, *(h)* £40, *(i)* £45, *(j)* £50, *(k)* £75 and *(l)* £100 a week and (ii) income from capital of the same amounts.

Mr. Peter Lloyd: Information relating to (i) is shown in the following tables.

It is not possible to provide an answer to (ii) because entitlement to housing benefit depends upon the amount of a pensioner's capital and the tax payable will vary according to type of investment.

For those on the lowest incomes, income support may be available.

Table showing disposable weekly income of a single man over 65 but under 80, when receiving basic retirement pension and retirement pension plus SERPS/Occupational pension
Average local authority rent and rates

	Gross income	*Tax*	*Income after tax*	*Rent*	*Rent Rebate*	*Rates*	*Rate Rebate*	*Total net income*	*Net income after housing costs*
RP	41·15	0·00	41·15	16·60	16·60	6·90	5·52	63·27	39·77
RP+£5	46·15	0·00	46·15	16·60	15·23	6·90	5·10	66·48	42·98
RP+£10	51·15	0·00	51·15	16·60	11·98	6·90	4·10	67·23	43·73
RP+£15	56·15	0·00	56·15	16·60	8·73	6·90	3·10	67·98	44·48
RP+£20	61·15	0·00	61·15	16·60	5·48	6·90	2·10	68·73	45·23
RP+£25	66·15	1·25	64·90	16·60	3·05	6·90	1·35	69·30	45·80
RP+£30	71·15	2·25	68·90	16·60	0·61	6·90	0·60	70·11	46·61
RP+£35	76·15	3·75	72·40	16·60	0·00	6·90	0·00	72·40	48·90
RP+£40	81·15	5·00	76·15	16·60	0·00	6·90	0·00	76·15	52·65
RP+£45	86·15	6·25	79·90	16·60	0·00	6·90	0·00	79·90	56·40
RP+£50	91·15	7·50	83·65	16·60	0·00	6·90	0·00	83·65	60·15
RP+£75	116·15	13·75	102·40	16·60	0·00	6·90	0·00	102·40	78·90
RP+£100	141·15	20·00	121·15	16·60	0·00	6·90	0·00	121·15	97·65

Table showing disposable weekly income of a single man over 65 but under 80, when receiving basic retirement pension and retirement pension plus SERPS/occupational pension
Assuming rent £35 per week, rates £10 per week

	Gross income	*Tax*	*Income after tax*	*Rent*	*Rent rebate*	*Rates*	*Rates rebate*	*Total net income*	*Net income after housing costs*
	£	£	£	£	£	£	£	£	£
RP	41·15	0·00	41·15	35·00	35·00	10·00	8·00	84·15	39·15
RP+£5	46·15	0·00	46·15	35·00	33·63	10·00	7·58	87·36	42·36
RP+£10	51·15	0·00	51·15	35·00	30·38	10·00	6·58	88·11	43·11
RP+£15	56·15	0·00	56·15	35·00	27·13	10·00	5·58	88·86	43·86
RP+£20	61·15	0·00	61·15	35·00	23·88	10·00	4·58	89·61	44·61
RP+£25	66·15	1·25	64·90	35·00	21·45	10·00	3·83	90·18	45·18
RP+£30	71·15	2·25	68·90	35·00	19·01	10·00	3·08	90·99	45·99
RP+£35	76·15	3·75	72·40	35·00	16·57	10·00	2·33	91·30	46·30
RP+£40	81·15	5·00	76·15	35·00	14·13	10·00	1·58	91·86	46·86
RP+£45	86·15	6·25	79·90	35·00	11·70	10·00	0·83	92·43	47·43
RP+£50	91·15	7·50	83·65	35·00	9·26	10·00	0·00	92·91	47·91
RP+£75	116·15	13·75	102·40	35·00	0·00	10·00	0·00	102·40	57·40
RP+£100	141·15	20·00	121·15	35·00	0·00	10·00	0·00	121·15	76·15

Table showing disposable weekly income of a married man over 65 but under 80, when receiving basic retirement pension and retirement pension plus SERPS/occupational pension
Average local authority rent and rates

	Gross income	Tax	Income after tax	Rent	Rent rebate	Rates	Rate rebate	Total net income	Net income after housing costs
	£	£	£	£	£	£	£	£	£
RP	65·90	0·00	65·90	16·60	16·60	6·90	5·52	88·02	64·52
RP+£5	70·90	0·00	70·90	16·60	14·52	6·90	4·88	90·30	66·80
RP+£10	75·90	0·00	75·90	16·60	11·27	6·90	3·88	91·05	67·55
RP+£15	80·90	0·00	80·90	16·60	8·02	6·90	2·88	91·80	68·30
RP+£20	85·90	0·00	85·90	16·60	4·77	6·90	1·88	92·55	69·05
RP+£25	90·90	0·00	90·90	16·60	1·52	6·90	0·88	93·30	69·80
RP+£30	95·90	0·00	95·90	16·60	0·00	6·90	0·00	95·90	72·40
RP+£35	100·90	1·02	99·88	16·60	0·00	6·90	0·00	99·88	76·38
RP+£40	105·90	2·27	103·63	16·60	0·00	6·90	0·00	103·63	80·13
RP+£45	110·90	3·52	107·38	16·60	0·00	6·90	0·00	107·38	83·88
RP+£50	115·90	4·77	111·13	16·60	0·00	6·90	0·00	111·13	87·63
RP+£75	140·90	11·02	129·88	16·60	0·00	6·90	0·00	129·88	106·38
RP+£100	165·90	17·27	148·63	16·60	0·00	6·90	0·00	148·63	125·13

Table showing disposable weekly income of a married man over 65 but under 80, when receiving basic retirement pension and retirement pension plus Serps/occupational pension
Assuming rent £35 per week, rates £10 per week

	Gross income	Tax	Income after tax	Rent	Rent rebate	Rates	Rate rebate	Total net income	Net income after housing costs
	£	£	£	£	£	£	£	£	£
RP	65·90	0·00	65·90	35·00	35·00	10·00	8·00	108·90	63·90
RP+£5	70·90	0·00	70·90	35·00	32·92	10·00	7·36	111·18	66·18
RP+£10	75·90	0·00	75·90	35·00	29·67	10·00	6·36	111·93	66·93
RP+£15	80·90	0·00	80·90	35·00	26·42	10·00	5·36	112·68	67·68
RP+£20	85·90	0·00	85·90	35·00	23·17	10·00	4·36	113·43	68·43
RP+£25	90·90	0·00	90·90	35·00	19·92	10·00	3·36	114·18	69·18
RP+£30	95·90	0·00	95·90	35·00	16·67	10·00	2·36	114·93	69·93
RP+£35	100·90	1·02	99·88	35·00	14·08	10·00	1·56	115·52	70·52
RP+£40	105·90	2·27	103·63	35·00	11·65	10·00	0·81	116·09	71·09
RP+£45	110·90	3·52	107·38	35·00	9·21	10·00	0·00	116·59	71·59
RP+£50	115·90	4·77	111·13	35·00	6·77	10·00	0·00	117·90	72·90
RP+£75	140·90	11·02	129·88	35·00	0·00	10·00	0·00	129·88	84·88
RP+£100	165·90	17·27	148·63	35·00	0·00	10·00	0·00	148·63	103·63

Mentally Handicapped Persons

Mr. Campbell-Savours: To ask the Secretary of State for Social Security what guidance is issued to local offices in respect of social security payments for the support of mentally handicapped persons in homes transferred from local authority control to private companies.

Mr. Peter Lloyd: General advice on the handling of claims in a variety of circumstances form people in private and voluntary homes is in the adjudication officers' guide, a copy of which is in the Library.

Housing Benefit

Mr. William Powell: To ask the Secretary of State for Social Security (1) how many households in *(a)* Corby and *(b)* east Northants were in receipt of housing benefit in 1987-88;

(2) how many council tenants in *(a)* Corby and *(b)* east Northants are in receipt of housing benefit;

(3) how many council tenants in *(a)* Corby and *(b)* east Northants were in receipt of housing benefit in 1987-88;

(4) how many households in *(a)* Corby and *(b)* east Northants are in receipt of housing benefit.

Mr. Peter Lloyd: The latest information available for 1987-88 is given in the table. Information for 1988-89 will become available when statistical returns from all local authorities have been received and validated.

Estimated number of housing benefit recipients 1987-88

Recipients	*1987-88*
Corby	
Council Tenants	6,125
All households	7,260
East Northants	
Council Tenants	2,880
All households	5,662

Source: Local authority housing benefit subsidy claims.

Mr. Robin Cook: To ask the Secretary of State for Social Security how many applications for housing benefit transitional protection have now been received; and how many have been assessed as eligible for payment.

Mr. Peter Lloyd: Up to 23 January 1989 the transitional payments unit had received 405,314 applications. A total of 402,118 inquiry forms, requesting housing benefit details, have been issued to local authorities of which 370,464 have been returned. The unit processes

applications as soon as these inquiry forms are returned and so far 171,559 have been assessed as eligible for payment; 190,285 have not been eligible

National Insurance Numbercards

Mr. Favell: To ask the Secretary of State for Social Security how many national insurance numbercards have been issued since their launch in 1984; how many national insurance numberholders have these plastic cards and how many do not; what representations he has received since their issue on the implications of the cards for civil liberties; and if he will make a statement.

Mr. Peter Lloyd: About 7 million numbercards have been issued since 8 January 1984. Some of these were reissued cards to replace lost cards or those where the contributor's name had changed. We do not know how many of the estimated 21·5 million national insurance contributors currently have number cards.

In 1984 when the card was first issued concern was expressed, but few representations have been received since. The card is merely a durable reminder to a person of his national insurance number, containing only his name and that number. It is not an identity document.

Mr. Favell: To ask the Secretary of State for Social Security what information is currently stored on the memory strip of the national insurance numbercard; and what free space exists for further information.

Mr. Peter Lloyd: The magnetic strip on the back of the national insurance numbercard contains three tracks. Each is capable of recording 79 characters. The only information currently recorded is that shown on the front of the card, that is the holder's name, nine character national insurance number and the two character check code. The free space remaining on the magnetic strip depends on the number of characters in the cardholder's name. There are no proposals to include any further information on the magnetic strip.

Benefits (Disqualification)

Ms. Short: To ask the Secretary of State for Social Security (1) if he will specify the number of people referred to adjudication offices by employment service staff because of doubts about their availability for work; and how many were disqualified from receiving benefit on grounds of non-availability for work for each of the years 1983 to 1988;

(2) if he will specify the number of people referred to adjudication officers by employment service staff because of restrictions they placed on their availability; and how many were disqualified from receiving benefit on grounds of non-availability for work for each of the years 1983 to 1988.

Mr. Scott: The information requested is given in the table.

Claims referred to adjudication officers and claims disallowed: availability for work and restricted availability

Year	Availability		Restricted availability	
	Referrals	Disallowances	Referrals	Disallowances
1983	97,844	50,243	21,853	6,994
1984	81,186	43,465	16,781	5,578
1985	100,474	45,903	16,520	5,617
1986	114,447	61,402	23,868	7,371
1987	171,515	85,319	68,400	16,455
1988[1]	78,259	38,141	45,347	10,149

[1] To June 1988 only. Later information is not available.

Ms. Short: To ask the Secretary of State for Social Security if he will specify the number of people referred to adjudication officers by employment service staff because they neglected to avail themselves of or refused suitable employment; and how many were disqualified from receiving benefit on grounds of neglecting to avail themselves of or refusing suitable employment for each of the years 1983 to 1988.

Mr. Scott: The information requested is as follows:

	Neglect to avail of a reasonable opportunity of suitable employment		Refusal of suitable employment	
	Claims[1] Referred	Claims[1] Disqualified	Claims[1] Referred	Claims[1] Disqualified
1983	784	433	5,030	1,450
1984	1,071	504	5,019	1,461
1985	1,564	762	5,331	1,534
1986	2,906	1,242	5,654	1,945
1987	5,176	2,013	7,783	2,308
1988[2]	4,697	1,733	3,939	1,205

[1] Figures relate to the number of claims, not the number of people making those claims.
[2] Figures for 1988 are for the first six months only; data for the second half of the year are not yet available.
Source: 100 per cent. count of adjudication officer decisions.

Transitional Payments

Mr. Tony Banks: To ask the Secretary of State for Social Security (1) how many people are now receiving housing benefit transitional protection;

(2) how many people will lose housing benefit transitional protection after April.

Mr. Peter Lloyd: Up to 20 January 1989, 155,153 awards of housing benefit transitional payments had been made. The closing date for applications is 31 March 1989 and until all applications are received, and processed, we will not know the final number of successful applicants or how many of them will cease to receive these payments from April 1989.

Mr. Tony Banks: To ask the Secretary of State for Social Security how many claimants have lost their income support transitional addition as a result of changes in their circumstances.

Mr. Peter Lloyd: Of the estimated 1·4 million income support claimants who received a transitional addition at the inception of the scheme in April 1988, some 1·1 million are expected still to be receiving such an addition at the beginning of April 1989.

Family Credit

Mr. Tony Banks: To ask the Secretary of State for Social Security how many families are now receiving family credit.

Mr. Peter Lloyd: I refer the hon. Member to my reply to the hon. Member for Livingston (Mr. Cook) on 13 January at columns *781-82*.

Mr. Tony Banks: To ask the Secretary of State for Social Security when the Government expect to achieve their target for the take-up of family credit.

Mr. Peter Lloyd: Expenditure on family credit is already running at approximately the level estimated for the current financial year. It is apparent that the majority of people with a large entitlement are already claiming it. Our overall target is to ensure that families are made aware of their possible entitlement to family credit and encouraged to claim it. We have had two major television and press campaigns and have issued leaflets to child benefit recipients paid through the Post Office. We are now planning a further major campaign, to include television, to coincide with the uprating in April.

Severe Hardship Allowance

Mr. Tony Lloyd: To ask the Secretary of State for Social Security if he will give details of the numbers of young people under the age of 18 years who were in receipt of severe hardship allowance by month, for the period September to December 1988 inclusive.

Mr. Peter Lloyd: I regret that the information is not available. However the number of directions enabling income support to be paid on grounds of severe hardship was as follows:

Period ended (1988)	*Cumulative number of directions*[1,2]
30 September	234
28 October	545
25 November	980
30 December	1,637

[1] Figures relate to the number of decisions rather than to the number of individuals involved. Some individuals may have had more than one decision made in respect of them.
[2] Severe hardship directions are for variable periods.

Social Security Operational Strategy

Mr. Robin Cook: To ask the Secretary of State for Social Security what were the estimates of net savings and costs contained in "Social Security Operational Strategy: A Framework for the Future" at 1987-88 prices.

Mr. Peter Lloyd: Using the gross domestic product reflator, the estimates of total costs and net savings would be £856 million and £1,379 million respectively (at 1987/88 prices).

Family Income Implement

Mr. Tony Banks: To ask the Secretary of State for Social Security if he will provide figures detailing the number of claims made for family income supplement in each year since 1983; how many such claims were received in each year; how many were determined in each year; and how many resulted in an award.

Mr. Peter Lloyd: The information is as follows:

	Claims made/ received (thousands)	*Determinations (thousands)*	*Awards (thousands)*
1983	[1]108	351	205
1984	386	394	210
1985	397	393	204
1986	411	409	225
1987	420	422	227
1988[2]	111	103	61

[1] Figure available from 3 September 1983 only.
[2] January to April only.

Widows (Benefit)

Mr. Ashdown: To ask the Secretary of State for Social Security how many women in Britain have been excluded from receiving widow's benefit owing to new regulations effective from 11 April 1988; and how many women in Britain are receiving a reduced amount of widow's benefit in relation to that paid prior to 11 April 1988.

Mr. Tony Banks: To ask the Secretary of State for Social Security how many women who would otherwise have been eligible are estimated to have lost their entitlement to widow's pension because of the raising of the age limit from 40 to 45 years; and, of these, how many actually qualified for widow's allowance but were then disqualified by their age from receiving a widow's pension.

Mr. Peter Lloyd *[holding answer 19 January 1989]:* Latest estimates* indicate that during 1988-89 approximately 2,500 women, who would otherwise have been eligible, will have lost their entitlement to widow's pension because of the raising age limit from 40 to 45 years. Approximately 600 women will have qualified for widow's allowance but will then have been disqualified by their age from receiving a widow's pension. Approximately 17,500 women are receiving a reduced amount of widow's benefit in relation to that paid prior to 11 April 1988.

* Source Government Actuary's Department.

Mr. Tony Banks: To ask the Secretary of State for Social Security how much it is estimated would have been paid out in 1989-90 in widows' benefits had the age limit for widows' pension not been raised from 50 to 55 years.

Mr. Peter Lloyd *[holding answer 19 January 1989]:* Estimates* indicate that expenditure on widows' benefits in 1988-89 would have been £965 million had the age limit for widows' pension not been raised from 50 to 55 years. This represents an increase of £35 million on estimated actual expenditure.

* Source: Government Actuary's Department.

Attendance Allowance (Training)

Mr. Ashley: To ask the Secretary of State for Social Security what is the purpose of reviewing attendance

allowance when a recipient commences an employment training programme or a youth training scheme; and if he will make a statement;

(2) how many reviews of attendance allowance recipients who entered employment training or a youth training scheme took place in 1988; and what percentage of these reviews have resulted in the withdrawal of attendance allowance.

Mr. Scott *[holding answer 20 January 1989]:* Entitlement to an attendance allowance is reviewed if there has been a relevant change in a recipient's attendance needs. It is for the independent attendance allowance board to decide whether such a change has occurred in each individual case. Information about the number and outcome of reviews conducted in 1988 where the attendance needs of a recipient undergoing employment or youth training had changed is not available.

ENERGY

High Moor Colliery (Accident)

Mr. Harry Barnes: To ask the Secretary of State for Energy if he will make a statement on the events leading up to the collapse of 30 m of roof in 91's main site heading at High Moor colliery in which 10 miners were trapped in an accident on 13 January.

Mr. Michael Spicer: This is primarily a matter for British Coal and the Health and Safety Executive's mines and quarries inspectorate. I understand that they are each carrying out their own investigations into the cause or causes of the accident.

Coal Imports

Mr. Dewar: To ask the Secretary of State for Energy if he will estimate the cost of transporting imported coal from port of entry to power stations; and what percentage of the total price at the port of entry this represents.

Mr. Michael Spicer: Transport costs, which vary widely depending on distance and other factors, are a commercial matter for those importing coal.

Mr. Dewar: To ask the Secretary of State for Energy how much foreign coal has been imported into *(a)* the United Kingdom and *(b)* Scotland in each year of the last five years.

Mr. Michael Spicer: Available information for the five years commencing 1984 is as follows:

Imports of Foreign Coal

Thousand tonnes

Destination	*1984*	*1985*	*1986*	*1987*	*January-November 1988*
United Kingdom	8,894	12,732	10,554	9,781	10,755
Scotland	1,097	1,650	1,174	1,269	1,655

Source: Her Majesty's Customs and Excise (port of entry basis).

Energy Systems

Mr. Flynn: To ask the Secretary of State for Energy if his Department, or consultants to his Department, have carried out a comparative study of *(a)* public concern towards, and *(b)* the environmental intrusion of, renewable energy systems such as wind farms or wave generator arrays off shore, and nuclear power plants, respectively.

Mr. Michael Spicer: Energy Paper No. 54 "Energy Technologies for the United Kingdom: 1986 Appraisal of R, D and D" summarised the environmental implications of energy technologies in the United Kingdom. Appropriate studies of environmental features and public attitudes are being conducted of each renewable source as part of its development programme. An application to my right hon. Friend, under the Electric Lighting Act 1909, for consent to build a new major power station (including a nuclear station) is accompanied by an environmental statement. My right hon. Friend requires the applicant to advertise any such applications so that the public has a full opportunity to express their views.

Ministerial Broadcasts

Mr. Flynn: To ask the Secretary of State for Energy if he will seek permission from the British Broadcasting Corporation to issue a copy of a transcript of *(a)* his interview on BBC1 Television's "On the Record" and *(b)* his interview with BBC Radio 4's "The World this Weekend", both on 15 January; and if he will place copies in his departmental library and the Library of the House of Commons.

Mr. Parkinson: No. I understand that the Library of the House does obtain transcripts from the broadcasters on behalf of hon. Members.

Electricity Generation

Mr. Flynn: To ask the Secretary of State for Energy what is his latest estimate of the cost of the capital investment programme to replace old electricity generating plant, for the new power generation and national power companies in Wales and England.

Mr. Michael Spicer: The cost of investment to replace old electricity generating plant will depend on a number of factors including when the plant is retired and what type of equipment is chosen by the CEGB's successor companies and their competitors to replace it.

Electricity Industry (Expenditure)

Mr. Gordon Brown: To ask the Secretary of State for Energy what is his estimate of capital spending by the electricity industry for 1988-89 and for each of the next three years at current prices, and at constant 1987-88 prices.

Mr. Michael Spicer: Approvals given for capital expenditure by the electricity supply industry in England and Wales, based on programmes submitted in 1988, related to projected expenditure of:

	1987-88 prices £ billion	*Outturn prices £ billion*
1988-89	1·4	1·5
1989-90	1·5	1·6
1990-91	1·7	1·9
1991-92	1·9	2·2

Departmental Spending

Mr. Gordon Brown: To ask the Secretary of State for Energy what is his estimate of gross and net public sector capital spending by his Department by both central Government and local authorities for 1988-89 and for each of the next three years at current prices and at constant 1987-88 prices.

Mr. Parkinson: Estimates of public sector capital spending by my Department appear in the public expenditure White Paper supplementary analysis—chapter 21, Cm. 621—which is due to be published on Monday 30 January.

EMPLOYMENT

RPI

Mr. Meacher: To ask the Secretary of State for Employment what was the percentage contribution made by each component to the retail prices index in December 1988; and what was the percentage contribution of the same components at the same month in each of the preceding nine years.

Mr. Lee: Following is the information for the sub-groups of the retail prices index. Owing to a change made in January 1987 in the structure of the index it has not been possible to provide a complete back series in all cases. Because the contributions have been rounded independently they do not all add precisely to the 12-month change for all items.

Contributions to the percentage increase in the "all items" retail prices index in the 12 months ended:

	December									
	1979	*1980*	*1981*	*1982*	*1983*	*1984*	*1985*	*1986*	*1987*	*1988*
Food	3·2	2·1	2·0	0·8	1·2	0·6	0·7	0·6	0·6	0·6
Catering	1·1	0·7	0·3	0·3	0·3	0·3	0·2	0·3	0·3	0·3
Alcoholic drink	1·4	1·4	1·3	0·7	0·5	0·4	0·5	0·3	0·4	0·4
Tobacco	0·7	0·5	1·1	0·4	0·2	0·5	0·3	0·4	0·1	0·1
Housing	2·3	3·6	3·0	−0·1	1·3	1·3	1·7	1·3	0·7	2·9
Fuel and light	1·1	1·6	0·8	1·0	0·1	0·3	0·3	−0·3	−0·1	0·3
Clothing and footwear	0·9	0·5	0·0	0·1	0·1	0·0	0·3	0·2	0·1	0·3
Motoring expenditure									0·7	0·6
Fares and other travel costs	3·1	2·0	1·7	1·0	0·8	0·3	0·6	0·1		
Household goods									0·1	0·1
Household services									0·2	0·3
Personal goods and services	3·3	2·8	1·5	1·1	0·8	0·9	1·1	0·5	0·2	0·2
Leisure goods									0·2	0·2
Leisure services									0·2	0·1
									0·1	0·2
ALL ITEMS	17·2	15·1	12·0	5·4	5·3	4·6	5·7	3·7	3·7	6·8

Employment Training

Mr. Meacher: To ask the Secretary of State for Employment what was the target number of employment training scheme places to be filled by the end of each month from 30 September 1988 onwards, in each area where such statistics are collected.

Mr. Nicholls: Planning profiles for the number of filled places are for internal management purposes only and are not normally made available.

Mr. Butler: To ask the Secretary of State for Employment whether he will make a statement on the decision of Warrington borough council to boycott employment training and on the reasons it has given for their decision.

Mr. Nicholls: Many local authorities support employment training and are actively participating in the programme. Unfortunately Warrington borough council has decided not to do so. The council disagreed with some of the arrangements for the programme, including the payment of training allowances to trainees. In the council's view, those taking part should be employees and paid a wage, even though the concept of "rate for the job" is quite out of place in a programme of training. The council's approach is of no help whatsoever to unemployed people in Warrington.

Opencast Mining

Mr. Batiste: To ask the Secretary of State for Employment if he will list the opencast sites identified by the Health and Safety Executive mines and quarries inspectorate where preventive and advisory action has been taken following the flooding of the St. Aidon's site and specify the action taken.

Mr. Nicholls: Following the national survey carried out by the Health and Safety Executive's mines and quarries inspectorate four sites were identified where working was planned in the vicinity of water courses. Where appropriate, modifications to existing methods of work have been agreed.

Mr. C. Petrie

Mr. Frank Field: To ask the Secretary of State for Employment when he will receive a reply to the letter he wrote to the unemployment benefit office in Wavertree, Liverpool 15, about an ex-Cammell Laird shipyard employee, Mr. H. C. Petrie of 93 Picton Road, Liverpool, on 21 March 1988 and on two subsequent occasions.

Mr. Lee: Although officials at the Wavertree unemployment benefit office have spoken to the hon. Member's private secretary on two occasions, I regret that a written response to his letter had not been sent. I have

asked the office manager to ensure that a full reply and an appropriate apology is sent immediately giving the complete details of the case in question.

I understand that the case has been resolved in Mr. Petrie's favour, and a payment can now be made.

Student Exchange

Mr. Sims: To ask the Secretary of State for Employment how many United States students have taken temporary employment in the United Kingdom under the student exchange employment programme in the most recent 12-month period for which figures are available; and how many British students worked in the United States of America under the same programme during that period.

Mr. Lee: In 1988, a total of 4,122 United States students came to the United Kingdom under the British Universities North America Club student exchange programme which allows those taking part to take up temporary employment. In the same period 8,684 British students went to the United States of America under the same programme. It is not known how many students actually took up jobs.

Pay Differentials

Ms. Quin: To ask the Secretary of State for Employment whether his Department has figures for pay differentials between low and high-paid workers in the United Kingdom; and if a breakdown of such figures by standard planning region is available.

Mr. Nicholls: Annual surveys of earnings are conducted concurrently for Great Britain and Northern Ireland and the results are published separately. They provide figures of the average weekly and hourly earnings of different categories of employees and of the distribution of their earnings for a pay period in April. Summary figures are published in table 1 of the reports. Details figures by standard regions of Great Britain are published in part E of the report on the new earnings survey and for Northern Ireland in the separate report on the new earnings survey for Northern Ireland. Copies of the latest, 1988, reports are in the Library.

Tilbury Port (Health and Safety)

Mr. Cartwright: To ask the Secretary of State for Employment if he will conduct a full public inquiry into the level of health and safety provision at the port of Tilbury.

Mr. Nicholls: No.

Tilbury Docks (Deaths)

Mr. Cartwright: To ask the Secretary of State for Employment what discussions he has had with the chairman of the Port of London Authority about the number of deaths caused by industrial accidents at Tilbury docks.

Mr. Nicholls: My right hon. Friend has had no such discussions.

Dockyards

Mr. Cartwright: To ask the Secretary of State for Employment what steps he is taking to improve the safety record in Britain's dockyards.

Mr. Nicholls: The new Dock Regulations and the Loading and Unloading of Fishing Vessels Regulations came into force on 1 January 1989. Both are aimed at promoting health and safety in docks and have the support of all sides of the ports industry. They reflect the technological changes that have occurred in cargo handling since the inception of the now revoked Docks Regulations 1934 and take account of the 1979 International Labour Office convention and recommendation on dock work. The Health and Safety Executive is working on establishing the new standards and is co-operating with the British Ports Federation and others to bring the requirements to the attention of all concerned.

Restart

Mr. Leighton: To ask the Secretary of State for Employment what percentage of long-term unemployed people have obtained jobs from their restart interviews.

Mr. Lee: We do not know how many people get a job as a result of the restart interview. The aim of the restart programme is to make contact with longer-term unemployed people. It provides information and advice about opportunities to help people back into work.

Mr. Tony Lloyd: To ask the Secretary of State for Employment if he will publish the most recent figures for the north-west region showing how many unemployed people have, for each year since the introduction of the restart initiative *(a)* been called for a restart interview, *(b)* attended a restart interview, *(c)* had their benefit disallowed for failing to attend a restart interview, *(d)* been referred to a claimant adviser as a result of a restart interview and, *(e)* been referred to the disablement resettlement officer.

Mr. Lee: The information requested is shown in the table.

North-west region	*Letters of invitation*	*Restart interviews*	*Benefit/Credit disallowances for failing to attend interview*	*Referred to claimant adviser*	*Referred to disablement resettlement officer*
January	43,000	33,000	2,000	2,000	900
February	35,000	31,000	2,000	1,900	800
March	32,000	30,000	2,100	2,100	800
April	41,000	34,000	2,000	2,400	900
May	34,000	28,000	1,800	2,300	1,000
June	38,000	28,000	2,000	2,500	1,000
July	44,000	38,000	2,500	3,100	1,300
August	36,000	29,000	2,100	2,400	900
September	42,000	28,000	1,500	2,100	900

North-west region	Letters of invitation	Restart interviews	Benefit/Credit disallowances for failing to attend interview	Referred to claimant adviser	Referred to disablement resettlement officer
October	53,000	30,000	1,700	2,500	1,000
November	42,000	32,000	2,100	2,600	1,100
December	32,000	28,000	2,400	2,200	800

Mr. Tony Lloyd: To ask the Secretary of State for Employment if he will publish details, as soon as they become available, of how many unemployed people in the north-west region have in each month January to December 1988 inclusive *(a)* been called for a restart interview, *(b)* attended a restart interview, *(c)* had their benefit disallowed for failing to attend a restart interview, *(d)* been referred to a claimant adviser as a result of a restart interview and, *(e)* been referred to the disablement resettlement officer.

Mr. Lee: The information requested is shown in the table:

North West Region

	From / To	1 July 1986 / 9 April 1987	10 April 1987 / 25 March 1988	28 March 1988 / 30 December 1988
(a) Letters of Invitation		259,000	441,000	362,000
(b) Restart interviews		217,000	353,000	276,000
(c) Benefit/Credit disallowances for failing to attend interview		N/A	19,000	18,000
(d) Referred to Claimant Adviser		1,600	19,000	22,000
(e) Referred to Disablement Resettlement Officer		8,000	10,000	9,000

Career Development Loans

Mr. Tony Lloyd: To ask the Secretary of State for Employment if he will give the most recent details of how many people have been awarded career development loans; in what occupational sectors; and what was the status of those awarded loans at the time of application —employed, unemployed, student, trainee and other; and the destinations of recipients and the average cost of each place.

Mr. Cope: As at 31 December 1988, a total of 1,706 people had obtained career development loans, 655 of whom had obtained their loans during the pilot phase of the scheme. The training courses undertaken were in the following occupational sectors:

	Numbers
Management	249
Commercial/professional	215
Shorthand/typing	140
Processing	9
Engineering	37
Construction	30
Hotel/Catering	6
Service/Retail	137
Computer Skills	156
Clerical	40
Science/Technology	129
Automotive	1
Flying Occupations	102
Driving Occupations	217
Health	184
Miscellaneous	54

At 31 December 1988, a total of 678 trainees were recorded as having been unemployed at the time of application, 814 as employed and 214 as "other".

Of those individuals who, at 31 December 1988, had responded to a follow-up questionnaire 81 per cent. had obtained employment following their course, and a further 3 per cent. had gone on to further training.

The average size of a career development loan at the end of 1988 was £2,400, although loans have been taken out across the full available range, from £300 to £5,000. The Government pay the interest on the loans during the period of training and for up to three months afterwards.

YTS

Mr. Tony Lloyd: To ask the Secretary of State for Employment if he will publish the most recent details, for the north-west, of *(a)* the numbers of filled places in YTS by training occupational classification and *(b)* the number of contracted places in YTS by training occupational classification.

Mr. Cope: At 31 December 1988 there were 65,906 young people training on YTS in the north-west region. A breakdown by training occupational classification is given in the table. Information on the number of contracted places for YTS by training occupational classification is not held centrally and could be obtained only at disproportionate cost.

North west region
Filled places by training occupational classification at 31 December 1988

	Number
Administrative and clerical occupations	13,409
Creative, and educational and recreational service occupations	1,650
Health, community and personal service occupations	7,009
Selling and storage occupations	7,262
Scientific occupations	473
Catering, and food preparation and processing occupations	2,550
Agricultural and related occupations	2,109
Fishing occupations	19
Transport operating occupations	667
Construction and civil engineering occupations	10,350
Mining, oil extraction and quarrying occupations	62
Electrical and electronic engineering occupations	2,992
Mechanical engineering, and metal production and processing occupations	6,315
Motor vehicle repair and maintenance occupations	4,181
Non-metal processing occupations	1,143
Printing occupations	393
Clothing and textiles manufacturing occupations	1,924
Security service occupations	16

	Number
Others	3,382
Total	65,906

Mr. Tony Lloyd: To ask the Secretary of State for Employment if he will publish the most recent details, in the north-west region, of *(a)* the number of young people who have been referred by the careers service for failing or refusing to take up a YTS place, *(b)* the number of young people who have waited more than eight weeks for a suitable YTS place, and in which occupational sector, and *(c)* the financial arrangements which have been made for young people in *(b)*.

Mr. Cope: I am not aware of any case where the careers service has referred a young person to the benefit service for failing or refusing to take up a YTS place.

It is not possible to provide information on the number of young people who may be waiting for a YTS place, as young people are not required to report what they are doing once bridging allowance expires. Provided they had made early contact and kept in regular touch with their local careers office they would have been offered a YTS place before the eight weeks bridging allowance period ends.

A young person who is still actively seeking a YTS place when his bridging allowance runs out and who, if benefit were not paid, would suffer severe hardship, may be eligible for income support.

Mr. Tony Lloyd: To ask the Secretary of State for Employment if he will make a statement on proposals to review the YTS, in particular if he will give details of the date and scope of the review, and of the parties likely to be involved in such a review.

Mr. Cope: I have nothing to add to the reply my right hon. Friend the Secretary of State gave to the hon. Member for Leicester, South (Mr. Marshall) on 17 January 1989 at column *197*.

Mr. Tony Lloyd: To ask the Secretary of State for Employment if the YTS allowances will be increased in the current year.

Mr. Cope: I refer the hon. Member to the reply which I gave to my hon. Friend the Member for Derbyshire, West (Mr. McLoughlin) on 18 January at column *253*.

Mr. Tony Lloyd: To ask the Secretary of State for Employment if he will publish the most recent details of *(a)* the number of YTS schemes and work placements which have been referred to the Training Agency in regard to allegations of racial discrimination, sex discrimination and discrimination against people with disabilities, *(b)* the outcome of the above allegations and *(c)* the number of YTS schemes and work placements which have had their contracts with the Training Agency cancelled because of evidence of discrimination in the three categories referred to in *(a)*.

Mr. Cope: Within the past year there have been three cases of racial discrimination drawn to the attention of the Training Agency head office, which have been the subject of a Commission for Racial Equality investigation. In one, a potential work experience provider was found guilty of unlawful discrimination. In the others, two managing agents are currently being investigated by the Commission for Racial Equality.

Allegations of discrimination in YTS are handled initially at local level by the Training Agency, where most are resolved and do not need to be reported to head office.

Five YTS managing agents have failed to achieve approved training organisation status on grounds which included an unsatisfactory equal opportunities policy.

Equal Opportunities

Mrs. Ray Michie: To ask the Secretary of State for Employment (1) if he will meet the chair of the Equal Opportunities Commission to discuss the advancement of equal opportunities in the workplace;

(2) if he will discuss plans for the provision of childcare facilities to ensure equality of opportunity in the workplace with the chair of the Equal Opportunities Commission.

Mr. Nicholls: Department of Employment Ministers have frequent discussions with the chairman of the Equal Opportunities Commission about equal opportunities in employment. The EOC chairman will be leading a discussion on child care for working parents at a meeting on 2 February of the advisory committee on women's employment chaired by me.

Co-operative Development Agency

Mrs. Gorman: To ask the Secretary of State for Employment if he will make a statement on the future of the Co-operative Development Agency.

Mr. Cope: The Co-operative Development Agency was set up in 1978, with the aim of promoting co-operative ventures and representing the interests of the co-operative movement. Since that time and with the help of the CDA, many co-operative support agencies have been established, offering advice and assistance to anyone wanting to start or develop a co-operative business.

The CDA was originally set up with a finite ceiling of financial support. Its life was extended under the 1984 Co-operative Development Agency and Industrial Development Act and the financial ceiling increased to £3 million. We estimate that this ceiling will be reached in the 1990-91 financial year.

The CDA has done the job it was asked to do by Parliament and there is now a good national network of local co-operative development agencies. There is also a wider network including the small firms service and local enterprise agencies able to offer business advice to small firms of all kinds; the local training and enterprise councils announced in the White Paper "Employment in the 1990s" will be asked to take account of the needs of all small and developing businesses in their localities including co-operatives.

We are therefore inviting comments from interested bodies on whether the agency is still needed and on our proposal to bring it to an end. We will consider any comments carefully. If, after doing so, we conclude that the agency should be wound up we will do so by order under the affirmative resolution procedure in accordance with the provisions of the 1984 Act.

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Safety at Work

Mr. Cryer: To ask the Secretary of State for Employment how many prosecutions have been brought

under the Health and Safety at Work, etc. Act 1974 and associated legislation in England and Wales in each year from 1982 to 1988; and if any estimate has been made of the inspection days saved if all proceedings had been conducted by the Crown Prosecution Service.

Mr. Nicholls *[holding answer 23 January 1989]:* The figures requested are given in the table.

Number of informations laid by Her Majesty's Factory and Agricultural Inspectorates and local authorities England and Wales[4]

Year	*Factory and Agricultural Inspectorates*	*Local Authorities*
1982	2,099	[3]468
1983	1,971	[3]511
1984	1,978	[3]585
1985	1,898	394
1986-87[2]	1,892	560
1987-88[1,2]	2,103	..

.. = not available.
[1] Provisional.
[2] Year commencing 1 April.
[3] Informations laid relate to Great Britain. Data for England and Wales alone is not readily available.
[4] Data for the small number of prosecutions taken by other enforcing authorities is not readily available.

No estimate has been made of the effects of proceedings being conducted by the Crown Prosecution Service. Since health and safety cases are frequently highly technical, and the expertise of HSE inspectors is required to explain them to the court, it is highly unlikely that many inspector days would be saved.

Labour Statistics

Ms. Quin: To ask the Secretary of State for Employment how many firms in percentage terms have a work force of *(a)* 1 to 50 persons, *(b)* 51 to 100 persons, *(c)* 101 to 250 persons, *(d)* 251 to 500 persons, *(e)* 501 to 1,000 persons, *(f)* 1,001 to 2,500 persons, *(g)* 2,501 to 5,000 persons, *(h)* over 5,001 persons and (i) broken down by sector and standard planning region.

Mr. Maude: I have been asked to reply.

Expressed as a percentage of all firms, that is companies, partnerships and sole proprietors, the numbers registered for VAT are:

Sector	*Per cent.*
Agriculture, forestry and fishing	11·1
Production	10·1
Construction	14·8
Transport industries	4·4
Wholesaling and dealing	8·0
Retail	16·5
Finance, property and professional services	8·3
Catering	8·0
Motor trades	4·9
Other services	13·9

Employment figures are available solely for manufacturing industries to the following bands:

Percentage of total firms in manufacturing

Employment	*Per cent.*
1 to 49	90·9
50 to 99	4·1
100 to 199	2·4
200 to 499	1·6
500 to 999	0·5
1,000 and over	0·4

These figures relate to 1988 which are the latest available and are derived from tables 1 and 6 of *Business Monitor* PA1003 "Size analyses of United Kingdom businesses", which is available in the House of Commons Library. Because corporate businesses may have widely dispersed local sites, an analysis by standard planning region is not produced.

ENVIRONMENT

Houses in Multiple Occupation

8. **Mr. Sedgemore:** To ask the Secretary of State for the Environment whether he intends to include provisions covering houses in multiple occupation in the forthcoming Housing and Local Government Bill; and whether he will make a statement.

Mr. Trippier: We are still considering possible changes to the legislation on houses in multiple occupation in the light of the 200 responses to our consultation paper.

Urban Regeneration

13. **Mr. Devlin:** To ask the Secretary of State for the Environment if he will make a statement on the progress of urban development corporations in carrying out the regeneration of the areas for which they are responsible.

Mr. Ridley: The corporations are making very good progress indeed.

Water Company Land

16. **Mr. Mullin:** To ask the Secretary of State for the Environment what representations he has received on the case for the code of practice on conservation and access to the countryside to apply to water company land which is sold or transferred.

Mr. Howard: My right hon. Friend has received a number of representations on this matter. I published the draft code yesterday.

Litter

17. **Mr. Atkinson:** To ask the Secretary of State for the Environment if he has any plans to introduce new legislation to control litter.

Mrs. Virginia Bottomley: No, the Government are vigorously pursuing a series of initiatives within the existing legal framework.

Mr. Gordon Brown: To ask the Secretary of State for the Environment if he will estimate the spending on litter collection for each year from 1979.

Mrs. Virginia Bottomley: Details of local authority expenditure on litter collection are not available centrally.

Strategic Planning (London)

18. **Mr. Spearing:** To ask the Secretary of State for the Environment what plans he has for improving the quality of strategic planning in Greater London.

Mr. Howard: My right hon. Friend is preparing strategic planning guidance for London which will be published in draft for consultation in the near future.

Housing (Torbay)

19. **Mr. Matthew Taylor:** To ask the Secretary of State for the Environment if he will make a statement on the proposed transfer of council housing stock in Torbay.

Mr. Ridley: Torbay borough council applied to me on 17 November for consent to dispose of its housing stock to two housing associations. My Department replied on 10 January saying that I am minded not to give consent to the disposals, and inviting the council to consider conducting a further ballot of tenants to establish more clearly both the extent of the opposition and the extent of positive support.

Housing Associations (Bolton)

21. **Mr. Thurnham:** To ask the Secretary of State for the Environment how many homes were provided by housing associations in Bolton in 1987; and what is the estimated figure for 1988.

Mr. Trippier: Bolton metropolitan district has reported that housing associations completed 259 new dwellings and renovation work on a further 57 dwellings in their area in 1987. In the first nine months of 1988, 91 new dwellings were completed, whilst in the first half of the year there were 12 renovations.

Rating Reform

22. **Mr. Franks:** To ask the Secretary of State for the Environment what measures he has taken to assist local authorities with the implementation of the community charge.

Mrs. Virginia Bottomley: The Government are working closely with local authorities to ensure that they are fully prepared to implement the community charge in April 1990, in terms both of advice and resources. We are also helping local authorities by ensuring that the public are fully informed about the community charge.

23. **Mr. Bellingham:** To ask the Secretary of State for the Environment what is the latest available estimate for the levels of community charges in Norfolk after April 1990.

Mr. Ridley: The illustrative figures for Norfolk, based on 1988-89 expenditure, are in the range £173 to £206 with no safety net and £178 to £215 with the full safety net.

30. **Mr. Harry Greenway:** To ask the Secretary of State for the Environment what a typical ward sister would pay *(a)* in rates, *(b)* in community charge and *(c)* in a system of capital value rates plus local income tax paid in the proportions of 80:20, respectively, if she lived in a typical one-bedroom flat in Ealing.

Mrs. Virginia Bottomley: A ward sister earning £15,000, living in a flat in Ealing worth £70,000 and with a rateable value of £300, would pay a rates bill of £537, a community charge of £234 (disregarding the transitional safety net), and £695 under a system of capital value rates plus local income tax.

33. **Mr. Bowis:** To ask the Secretary of State for the Environment what estimates he has made of the cost to the average household in London of a system of local government finance based on *(a)* the community charge and *(b)* a local income tax combined with a local domestic rate based on capital values of property.

Mr. Gummer: Illustrative figures, published on 23 June 1988, show that the average household in London would be considerably worse off under a system of local income tax combined with capital value rates than with the community charge.

56. **Mr. Rooker:** To ask the Secretary of State for the Environment if he has any proposals to change the date at which registration for the poll tax will begin in England.

Mr. Gummer: The Government have no plans to introduce a poll tax. We intend that the regulations enabling community charges registration officers to request information from members of the public will come into force on 22 May.

110. **Mr. Wood:** To ask the Secretary of State for the Environment if he will make a statement on the progress of local authorities in preparing for the introduction of the community charge.

Mr. Gummer: Many local authorities are clearly making good progress in preparing for the introduction of the community charge. I intend to monitor progress carefully in the months ahead.

Unleaded Petrol

24. **Mr. Burns:** To ask the Secretary of State for the Environment what percentage of car refuellings now take place at garages which stock unleaded petrol.

Mrs. Virginia Bottomley: About 25 per cent. of refuellings are now estimated to take place at petrol stations where unleaded petrol is available.

70. **Mr. Mans:** To ask the Secretary of State for the Environment what was the percentage increase in demand for unleaded petrol over the last 12 months.

Mrs. Virginia Bottomley: The demand for unleaded petrol has increased by over 1,500 per cent. during the last year. We hope the demand will increase substantially further in the next 12 months.

99. **Mr. Andrew MacKay:** To ask the Secretary of State for the Environment if he is satisfied with the current availability of unleaded petrol; and if he will make a statement.

Mrs. Virginia Bottomley: Encouraging progress has been made with about 3,000 petrol stations around the country now selling unleaded petrol. This is growing by some 60 stations a week.

Drinking Water

25. **Mr. Riddick:** To ask the Secretary of State for the Environment what proposals he has to change the law in relation to drinking water.

Mr. Howard: The Water Bill contains proposals for a new and substantially strengthened system for setting drinking water quality standards and ensuring compliance with those standards.

Waste (North Sea)

26. **Mr. Kirkwood:** To ask the Secretary of State for the Environment what representations he has received concerning the dumping of waste into the North sea.

Mrs. Virginia Bottomley: We have continued to receive a large number of representations about a wide range of marine environment issues including the dumping of waste from ships and discharges from land-based sources.

Planning Applications

27. **Mr. Ian Taylor:** To ask the Secretary of State for the Environment how many planning applications were allowed in 1988 after appeal and where only minor modifications were necessary; what proportion these constituted of the total number of applications made; and what was the estimated average length of time between submission and final approval of applications allowed after appeal and with only minor modification.

Mr. Howard: Information in the form requested is not available. Generally, the number of appeals allowed is estimated to represent some 1 per cent. of over 600,000 planning applications submitted in a year. Between 1 January and 31 October 1988 (the latest date for which information is available), 16,977 planning appeals were determined, of which 6,375 were allowed. The average length of time between the date the application was made to the local planning authority and final approval following the appeal, for these 6,375 cases, was 54 weeks.

Football Clubs (Membership Scheme)

28. **Mr. John Marshall:** To ask the Secretary of State for the Environment what representations he has received about the proposed football membership scheme.

Mr. Moynihan: I have received over 1,800 representations on a wide range of issues relating to the idea of a scheme, most of them against the idea. In addition, I have received a large number of proposals to implement the scheme from computer companies and others.

Mr. John Greenway: To ask the Secretary of State for the Environment what representations he has received from football authorities on the proposed football membership scheme; and if he will make a statement.

Mr. Moynihan: The football authorities contributed fully to the working party I chaired on the national membership scheme and agreed the report which the working party produced. They have made it clear that they are opposed to the principle of the scheme but have confirmed that they will co-operate with the Government in producing a workable scheme.

I wrote to the president of the Football league and the chairman of the Football Association on 17 January inviting them to confirm that the football authorities would wish to take on responsibility for the FMA. I understand that the president of the League has said they will do so and I welcome this.

63. **Mr. Wareing:** To ask the Secretary of State for the Environment if he will make a statement on the latest meeting held between his Parliamentary Under-Secretary of State and the chairmen of Football League clubs.

Mr. Moynihan: I had a useful and constructive meeting about the Football Spectators Bill with the chairmen of many of the league clubs on 17 January. I have accepted an invitation from the Football League to meet club chairmen again on 26 January.

73. **Mr. John Carlisle:** To ask the Secretary of State for the Environment whether he intends to meet the chairman of the Football League to discuss proposed legislation on a football membership scheme.

Mr. Moynihan: I wrote to the president of the Football League and the chairman of the Football Association about the Bill on 17 January, I look forward to meeting them soon.

97. **Mr. Pendry:** To ask the Secretary of State for the Environment when he next intends to meet representatives from the Football Supporters Association and the National Federation of Football Supporters Clubs to discuss identity cards.

Mr. Moynihan: At the meeting I held with the FSA and NFFSC on 6 December about the proposed national membership scheme I said that any further views that both organisations wished to express would be welcomed. I also said that I would be happy to meet both organisations again following the introduction of the Football Spectators Bill.

100. **Mr. Menzies Campbell:** To ask the Secretary of State for the Environment if he has had any discussions with the chairman of the Sports Council since the publication of the report of the working party on the proposed national football supporters membership scheme.

Mr. Moynihan: I have not discussed the proposed national membership scheme for football supporters with the chairman of the Sports Council. I have, however, seen the council's press release of 9 January. I welcome the chairman's comments about the commercial opportunities that the scheme would provide.

Local Authorities (Enforcement Powers)

29. **Mr. Key:** To ask the Secretary of State for the Environment whether he has any plans to seek to amend local authorities' enforcement powers in relation to planning, air pollution and waste disposal.

Mr. Howard: We hope shortly to receive the report of the review of local authorities' planning enforcement powers, now being carried out by Mr. Robert Carnworth QC, and the need to amend existing powers will be considered in the light of the report's recommendations. My right hon. Friend the Secretary of State has already announced our intention to introduce, in the lifetime of this Parliament, legislative proposals to improve waste management. We hope to provide for new controls over air pollution which will give local authorities powers of prior authorisation (and associated enforcement powers) over certain industrial processes as announced in consultation papers issued in December 1986 and December 1988.

Local Authority Land

31. **Mr. Cryer:** To ask the Secretary of State for the Environment whether any application for the sale of local authority land in Bradford has been made since September 1988; and if he will make a statement.

Mr. Trippier: No applications have been received.

Global Environment (Research)

32. **Dr. Bray:** To ask the Secretary of State for the Environment what responsibility he has for research into the global environment supported from public funds; and what support he is giving to it on the Votes for which he is responsible in 1988-89 and 1989-90.

Mrs. Virginia Bottomley: The Department supports research into the global environment where this will provide a sound scientific basis for its policy and statutory responsibilities. Climate change and ozone layer depletion are currently the principal issues of global significance. Expenditure on these areas is expected to rise from £191,000 this year to about £950,000 in 1989-90.

Council Properties (Transfers)

34. **Mrs. Mahon:** To ask the Secretary of State for the Environment whether he will introduce legislation to ensure that a tenant who moves into a council property after a landlord has made a bid for that property will not have his home transferred without his consent.

Mr. Trippier: Where a dwelling is let by the existing landlord after a tenant's choice application has been made, regulations under Section 101 of the Housing Act 1988 will provide for vacant possession to be given on transfer. Such lettings will therefore be temporary and will not involve the transfer of dwellings over a tenant's or licensee's head. Existing landlords will be required to make the temporary nature of any such lettings clear at the time to the tenants or licensees.

Beijing (Ministerial Visit)

35. **Mr. Clay:** To ask the Secretary of State for the Environment if he will make a statement on his visit to Beijing to discuss the effects of chlorofluorocarbons on the global environment.

Mrs. Virginia Bottomley: My right hon. Friend the Secretary of State had very useful discussions in December and was impressed by the understanding of the Chinese Government of the effects of chlorofluorocarbons on the ozone layer and by their appreciation of the gravity of the possible effect of CFCs on world climate. China has given an enthusiastic and positive response to our initiative in holding a major international conference in March on "Saving the Ozone Layer" and is considering the most appropriate senior level of representation.

Nirex

36. **Mr. Sillars:** To ask the Secretary of State for the Environment when he next expects to meet representatives of UK Nirex.

48. **Mr. Andrew Welsh:** To ask the Secretary of State for the Environment when he next expects to meet representatives of UK Nirex.

52. **Mrs. Margaret Ewing:** To ask the Secretary of State for the Environment when he next expects to meet representatives of UK Nirex.

68. **Mr. Salmond:** To ask the Secretary of State for the Environment when he next expects to meet representatives of UK Nirex.

Mrs. Virginia Bottomley: My right hon. Friend the Secretary of State has no plans at present to meet representatives of UK Nirex.

Planning Law

37. **Mr. Adley:** To ask the Secretary of State for the Environment if he will seek to amend existing legislation that provides presumption in favour of developers, in current planning law; and if he will make a statement.

Mr. Chope: There is a long-standing principle that applications for planning permission should be granted unless the development proposed would cause demonstrable harm to interests of acknowledged importance. That principle remains sound.

Housing Action Trusts

38. **Mr. Madden:** To ask the Secretary of State for the Environment whether he proposes to publish the consultants' reports on housing action trusts.

Mr. Trippier: When we have received all the consultants' reports and have had an opportunity to consider them, we shall publish their findings.

London Boroughs Grants Scheme

40. **Ms. Primarolo:** To ask the Secretary of State for the Environment what representations he has received from the London boroughs grants scheme on section 137 of the Local Government Act 1972; and whether he has arranged to meet their representatives.

Mrs. Virginia Bottomley: The London borough grants scheme wrote to my right hon. Friend the Secretary of State arguing against the proposal in paragraph 8.20 of the White Paper "The Conduct of Local Authority Business". My right hon. Friend, the Minister for Local Government, will meet representatives on 23 February.

Homelessness

41. **Mr. Tony Banks:** To ask the Secretary of State for the Environment what action he proposes to take in light of the findings of the Audit Commission study on homelessness and local authorities.

Mr. Trippier: I shall consider action on this study when it is finalised and published.

105. **Ms. Armstrong:** To ask the Secretary of State for the Environment if he will give the latest figures for families accepted as homeless by local authorities *(a)* in Greater London and *(b)* in England and Wales as a whole.

Mr. Trippier: The latest estimates of households accepted as homeless by English local authorities appears in table 1 of "Local authorities' action under the homelessness provisions of the 1985 Housing Act: England, Results for the third quarter of 1988, Supplementary tables", which is available in the Library.

For Welsh figures, I refer the hon. Member to my right hon. Friend the Secretary of State for Wales.

Mr. Tony Banks: To ask the Secretary of State for the Environment what is the reason for the delay in publishing the Audit Commission's report on its study of local authorities and homelessness; when he expects the report to be published; and if he will make a statement.

Mr. Trippier: The timing of publication of Audit Commission reports is entirely a matter for the Commission.

Greenhouse Effect

42. **Mr. Alan W. Williams:** To ask the Secretary of State for the Environment what is the Government's latest assessment of the danger posed by the greenhouse effect; and if he will make a statement.

Mrs. Virginia Bottomley: I refer the hon. Member to the Government's reply to the first report from the Environment Committee, Session 1987-88, HC 270-1 on air pollution, Cm. 552.

Water Authority Land

43. **Mr. Geraint Howells:** To ask the Secretary of State for the Environment what representations he has received from recreational groups concerning access to water authority land after privatisation; and if he will make a statement.

Mr. Moynihan: My right hon. Friend has received representations from a number of bodies which are being carefully considered.

However, the Water Bill imposes on the NRA and on the water and sewerage undertakers the same duties in respect of public access as at present apply to the water authorities, and the associated draft code of practice will make clear the presumption that the undertakers should continue to open up land of high amenity value to public access wherever circumstances allow.

58. **Mr. Lofthouse:** To ask the Secretary of State for the Environment what representations he has received on the financial implications of the Water Bill in respect of land owned by the water authorities.

Mr. Moynihan: My right hon. Friend has received representations from the Council for the Protection of Rural England, the Countryside Commission and others on access to and conservation of water authority land after privatisation. In addition he has received representations from a local authority about compensation for councils whose land was transferred to water authorities under the Water Act 1973.

77. **Mr. David Young:** To ask the Secretary of State for the Environment if he has received a copy of the Countryside Commission's report of December 1988 on sites of conservation and recreation value currently in the ownership of water authorities; and if he will make a statement.

Mr. Moynihan: The Countryside Commission has produced an interesting and useful study.

The planning system, together with the existing arrangements for national parks and areas of outstanding natural beauty, protects and will continue to protect amenity land.

The majority of land in national parks has always been in private ownership, and there is no evidence that this inhibits public enjoyment or leads to unacceptable development.

Local Authority Housing (Paper)

44. **Ms. Abbott:** To ask the Secretary of State for the Environment what representations he has received in response to the consultation paper "A New Financial Regime for Local Authority Housing in England and Wales"; and if he will make a statement.

Mr. Trippier: I refer the hon. Member to the answer I gave to my hon. Friend the Member for Bexhill and Battle (Mr. Wardle) on 11 January 1989 at column *676*.

River Quality

45. **Mr. Kirkhope:** To ask the Secretary of State for the Environment what percentage of rivers in England and Wales are of good or fair quality.

Mr. Moynihan: I refer my hon. Friend to the answer I gave to my hon. Friend the Member for Taunton (Mr. Nicholson) on 14 December at column *618*.

106. **Mr. Conway:** To ask the Secretary of State for the Environment what further action he proposes to improve the quality of English rivers.

Mr. Moynihan: The Water Bill provides for the establishment of the new National Rivers Authority with strong powers for the protection and enhancement of the water environment. The Bill also contains proposals for a strengthened general framework for the control of water pollution through the introduction of statutory water quality objectives. Improved powers to establish water protection zones are included in the Bill along with new provisions designed to allow most stringent controls over discharges of the most dangerous "Red List" substances.

Other action in hand includes major programmes by the regional water authorities, costing in the region of £900 million to £1,000 million to bring sewage treatments works which are at present failing to meet discharge consent conditions into compliance by March 1992. Regulations are also being prepared to improve controls over three of the commonest sources of water pollution incidents—slurry, silage and oil stores.

Climatic Change (Research)

46. **Ms. Walley:** To ask the Secretary of State for the Environment what support he is giving to research into the effects of long-term climatic change on the United Kingdom.

Mrs. Virginia Bottomley: I refer the hon. Member to the reply which I gave to the hon. Member for Wakefield (Mr. Hinchliffe) on 22 December at column *431*.

Bed-and-Breakfast Accommodation

47. **Mr. Morley:** To ask the Secretary of State for the Environment if he will give the latest available figures for households in bed-and-breakfast accommodation *(a)* in Greater London and *(b)* in England and Wales as a whole.

Mr. Trippier: Latest estimates of households temporarily placed in bed-and-breakfast accommodation by English local authorities appear in table 4(a) of "Local authorities' action under the homelessness provisions of the 1985 Housing Act: England. Results for the third quarter of 1988. Supplementary Tables", which is available in the Library.

For Welsh figures, I refer the hon. Member to my right hon. Friend the Secretary of State for Wales.

80. **Mr. Haynes:** To ask the Secretary of State for the Environment what is his latest estimate of the cost of keeping a homeless family in bed-and-breakfast accommodation.

Mr. Trippier: The latest estimate of the average cost per household day of bed-and-breakfast accommodation provided by English local authorities in 1987-88 is £34 (£26 net of offsetting income such as DSS allowances).

Chlorofluorocarbons

49. **Ms. Quin:** To ask the Secretary of State for the Environment what further measures his Department is considering to control the use and production of chlorofluorocarbons in commercial products.

Mrs. Virginia Bottomley: I refer the hon. Member to the answer given earlier today by my right hon. Friend the Secretary of State to my hon. Friend, the Member for Suffolk, South (Mr. Yeo).

Rate Support Grant Settlement

50. **Mr. Barron:** To ask the Secretary of State for the Environment what representations he has received following his announcement last month of the rate support grant settlement for 1989-90.

Mrs. Virginia Bottomley: We have received representations from or on behalf of about 15 local authorities concerning the announcement on 19 December by my right hon. Friend the Minister for Local Government of the rate support grant settlement for 1989-90. Several hon. Members also made representations during the debate on the settlement on 19 January. The House then approved the 1989-90 rate supports grant report and supplementary reports for earlier years.

Rural Planning Strategies

51. **Mr. Boswell:** To ask the Secretary of State for the Environment what progress is being made in the preparation of rural planning strategies by district councils in England.

Mr. Chope: District councils for rural areas should include appropriate planning policies in their local development plans. Our planning policy guidance note on local plans, published in November, notes that large areas of the country still have no local plan and urges local planning authorities to make full use of this key component of the planning system. In rural areas new and updated local plans should reflect the Government's policies for fostering diversification of the rural economy.

Housing Association Rent Levels

53. **Mr. Beith:** To ask the Secretary of State for the Environment what assessment he has made of the extent to which housing association rent levels can be kept within the means of locally employed people in rural areas under his present policies.

69. **Mr. Campbell-Savours:** To ask the Secretary of State for the Environment whether he has any proposals to ensure that housing association rents set under mixed funding in rural areas will be affordable by rural workers.

Mr. Trippier: The average grant rate for housing association schemes using mixed private and public funding in England in 1989-90 will be 75 per cent. The Housing Corporation is publishing rates, within this overall average, for different types of development in different areas of the country. Housing associations in all parts of the country, including rural areas, will be able to set rents within the reach of people in lower-paid employment.

Housing Associations

54. **Mr. Harris:** To ask the Secretary of State for the Environment what is the percentage increase in provision for housing associations between 1988-89 and 1991-92.

Mr. Trippier: I refer my hon. Friend to the answer given to my hon. Friend, the member for Nottingham, East (Mr. Knowles) on 14 December 1988 at column *629*.

Private Tenants (Landlords)

55. **Mr. Meale:** To ask the Secretary of State for the Environment what proposals he has to enable private tenants of non-resident landlords to change their landlord in the event of being subjected to persistent harassment.

Mr. Trippier: The Housing Act 1988 extends the remedies available to tenants through the courts by strengthening the law on harassment and illegal eviction, and introducing a new civil right to damages for an illegally evicted occupier. With the increase in privately rented accommodation expected as a result of the Act, tenants who wish to change landlord for whatever reason should find it easier to do so.

Bathing Water Standards

57. **Mr. Fearn:** To ask the Secretary of State for the Environment if his Department has any plans to bring forward the date of compliance with EEC bathing water standards; and if he will make a statement.

Mr. Moynihan: At present, some £70 million a year is being spent on schemes to improve the quality of bathing waters. We are discussing with water authorities the costs and the feasibility of bringing all waters identified under directive 76/160/EEC up to the European standards. In 1987, some 60 per cent. of the waters met those standards. The indications are that the results for the 1988 bathing season will show a further improvement.

Council House Sales

59. **Mr. French:** To ask the Secretary of State for the Environment if he will make a statement on the current level of council house sales.

Mr. Trippier: Sales have increased substantially over the last two years. The current forecast is for more than 150,000 sales by local authorities and new towns in England in 1988-89 some 70 per cent. more than in 1986-87 and the second largest total for any financial year since the right to buy was introduced.

Estate Action

60. **Mr. O'Brien:** To ask the Secretary of State for the Environment what percentage of Estate Action finance is directed to energy conservation and to providing heating facilities; and if he will make a statement.

Mr. Trippier: I refer the hon. Member to the answer I gave him on Wednesday 18 January 1989 at column *211*.

Mortgage Arrears

61. **Mr. Bradley:** To ask the Secretary of State for the Environment what information he has as to how many families have been admitted into local authority homeless accommodation in the last 12 months due to mortgage arrears.

91. **Miss Lestor:** To ask the Secretary of State for the Environment what estimate he has of the number of persons currently homeless as a result of building societies foreclosing on their mortgages.

Mr. Trippier: In the 12 months to September 1988 local authorities accepted responsibility to secure accommodation for an estimated 9,100 households under the homelessness provisions of the 1985 Housing Act, where the immediate reason for homelessness was mortgage arrears. Information is not available of type of mortgage lender.

90. **Mr. Battle:** To ask the Secretary of State for the Environment if he will give the latest figures for mortgage repossessions in England and Wales.

Mr. Trippier: The latest figures available for mortgage repossessions by building societies cover the first half of 1988. At 0·134 per cent. of all mortgage advances, the figure shows a continuing downward trend.

Parish Councils

62. **Mr. Amos:** To ask the Secretary of State for the Environment if he will make a statement on the new financial arrangements for parish councils when the Local Government Finance Act becomes operational.

Mrs. Virginia Bottomley: When the Local Government Finance Act becomes operational, parish councils will continue to have the right to raise whatever money they need by precepting on the charging authority for their area, which must meet such precepts from the moneys—community charge, needs grant and its share of the national business rate—in its collection fund. The charging authority will reflect a parish precept in the community charge it sets for the parish area.

We are currently discussing with the local authority associations needs assessments for the grant system and the detailed arrangements for paying precepts. We envisage that charging authorities' needs assessments will include recognition of spending on functions which may be undertaken by parishes, and that a charging authority will meet its parish precepts in full, whatever the actual amount of community charges it collects.

Pield Heath Nurseries, Cowley, Uxbridge

64. **Mr. Shersby:** To ask the Secretary of State for the Environment when he expects to be able to announce his decision on the appeal by Milton Hutchings Ltd. and the Costain Group against the decision of the London borough of Hillingdon in connection with Pield Heath Nurseries, Cowley, Uxbridge.

Mr. Chope: As my hon. Friend will know, this is a complex and difficult case. We are making good progress in considering the further views of the parties and hope to reach a decision shortly.

Empty Council Houses

65. **Mrs. Maureen Hicks:** To ask the Secretary of State for the Environment if he will make a statement on the number of empty council homes.

Mr. Trippier: I can reply only for England. Returns made by English local authorities with their latest housing investment programmes indicate that there were 102,900 empty council dwellings at 1 April 1988. With the agreement of the local authority associations, my Department has carried out a survey of authorities' policy and practice with their empty dwellings; when the results are available, I will consider what action should be taken to bring these dwellings into use.

Derelict Land Grant

66. **Mr. Hardy:** To ask the Secretary of State for the Environment whether he expects to change the criteria in regard to the derelict land grant.

Mr. Trippier: A departmental review of measures for dealing with derelict land reclamation and the criteria attaching to derelict land grant is now under way. The outcome will be announced later in the year.

72. **Mr. Anthony Coombs:** To ask the Secretary of State for the Environment what was the level of Government grant aid for the reclamation of derelict land in inner city areas in 1987-88 and 1986-87; and how many acres of land were involved in each year.

Mr. Trippier: Public expenditure of approximately £50 million in 1986-87 and £75 million in 1987-88 was applied to the reclamation or improvement of land in the areas of the 57 urban programme authorities, through derelict land grant, urban development grant, the urban programme and the urban development corporations. Comprehensive statistics for the area of land reclaimed in inner cities were not collected centrally for this period.

Nuclear Waste

67. **Mr. Maclennan:** To ask the Secretary of State for the Environment what proposals he has received from Nirex concerning the choice of sites for the disposal of nuclear waste; and if he will make a statement.

Mrs. Virginia Bottomley: My right hon. Friend the Secretary of State has still to receive Nirex's proposals for a radioactive waste disposal facility. These are expected shortly.

Planning White Paper

71. **Mr. John Hunt:** To ask the Secretary of State for the Environment when he expects to publish his White Paper on planning; and if he will make a statement.

Mr. Chope: My right hon. Friend hopes to do so shortly.

Basildon Council

74. **Mr. Amess:** To ask the Secretary of State for the Environment on what information he based his decision not to rate-cap Basildon council in the current financial year.

Mrs. Virginia Bottomley: My right hon. Friend the Secretary of State decided in July last year not to designate Basildon for rate limitation in 1989-90 on the best information then available to him about Basildon's likely total expenditure for 1988-89, namely the budget return for 1988-89 dated 14 April 1988.

National Rivers Authority Advisory Committee

75. **Mr. Michael:** To ask the Secretary of State for the Environment what criteria he used in considering the appointment of a chairman to the National Rivers Authority advisory committee; and whether it is his policy to extend the criteria in making future appointments including the chairman for the proposed National Rivers Authority.

Mr. Moynihan: My right hon. Friend the Secretary of State wished to appoint as chairman of the National Rivers Authority advisory committee someone with proven management experience and experience of environmental matters. In accordance with the requirement in clause 1(4) of the Water Bill my right hon. Friend will seek to appoint people to the board of the National Rivers Authority who have experience of, and have shown capacity in, matters relevant to the functions of the authority.

Housing Act 1985

76. **Mr. Corbyn:** To ask the Secretary of State for the Environment what representations he has received concerning his review of part III of the Housing Act 1985, previously the Homeless Persons Act; and if he will make a statement.

Mr. Trippier: Reports have been sent by SHAC/Shelter; the Institute of Housing; the National Association of Citizens Advice Bureaux; the Association of London Authorities and the Association of District Councils. In addition, a number of other organisations, individual local authorities and members of the public have sent representations.

Green Belt, Barnsley

78. **Mr. Illsley:** To ask the Secretary of State for the Environment whether he has any proposals to release land from the green belt around Barnsley.

Mr. Chope: My right hon. Friend has had no such proposals before him.

Service Men (Tenancies)

79. **Mr. McCartney:** To ask the Secretary of State for the Environment if he will take steps to prevent the homes of service men on active service being transferred from the local authority to another landlord if they are unable to vote under the tenants' choice provisions in the Housing Act 1988.

Mr. Trippier: Arrangements proposed under the tenants' choice provisions to consult tenants, including those temporarily absent from home, were described in my Department's consultation paper "Tenants' Choice: Consultation and Voting", which was issued on 8 December 1988 and copies of which were placed in the Library.

Marine Environment

81. **Mr. Wallace:** To ask the Secretary of State for the Environment if he has any plans to promote further measures to protect the marine environment.

Mr. Moynihan: Protection of the marine environment remains a high priority for my Department and other Departments with marine responsibilities. In addition to implementing the major programme of measures agreed at the London North sea conference and preparing for the third North sea conference in March next year, we are discussing a wide range of follow-up work in other fora including the Oslo and Paris commissions, the North sea scientific task force and, where relevant, the European Community.

Housing Corporation (Funding)

82. **Mr. Baldry:** To ask the Secretary of State for the Environment what initiatives he is taking to ensure that areas including north Oxfordshire have access to Housing Corporation funding.

Mr. Trippier: It is for the Housing Corporation to determine the allocation of its capital programme to individual housing associations and areas, within broad priorities agreed with my right hon. Friend. Details of the approved development programme for 1989-90 and forward plans for 1990-91 and 1991-92 were given in my answer of 14 December to my hon. Friend the Member for Nottingham, East (Mr. Knowles) at column 629.

Domestic Rates

83. **Mr. Cunliffe:** To ask the Secretary of State for the Environment what was the average increase in domestic rates in April 1988.

Mrs. Virginia Bottomley: The average increase in domestic rates between 1987-88 and 1988-89 was 8·8 per cent.

Atmospheric Pollution

84. **Mr. Malcolm Bruce:** To ask the Secretary of State for the Environment if he will list the five main sources of pollution into the atmosphere, giving the tonnage of pollution per year in each case.

Mrs. Virginia Bottomley: Data on emissions of selected gases into the atmosphere are published annually in the "Digest of Environmental Protection and Water Statistics", the latest issue of which (No. 10) contains figures for 1976-86.

The table summarises the data given for 1986.

United Kingdom estimated emissions of selected gases into the atmosphere, by source, 1986

thousand tonnes

Source	[1]SO2	NOx	CO	HCs	[2]CO2 (million tonnes)
Domestic	200	57	483	78	91
Commercial/Public Service	130	45	11	1	35
Power Stations	2,600	783	48	13	227
Refineries	170	38	4	1	22
Agriculture (fuel use)	10	3	1	—	3
Other industry	570	179	75	3	122
Transport	50	821	4,762	583	96
Other sources	—	[3]12	[3]220	[4]1,387	25
Total	3,740	1,937	5,602	2,065	621

[1] from fuel combustion only.
[2] to be published for the first time in Digest No. 11.
[3] incineration and agricultural burning.
[4] mostly industrial processes and solvent evaporation.

Pollution (Trees)

85. **Mrs. Ray Michie:** To ask the Secretary of State for the Environment if he will make a statement of his Department's policies towards protecting trees from the effects of pollution.

Mrs. Virginia Bottomley: The surveys carried out by the Forestry Commission are giving us information about the state of health of trees, but do not tell us whether any effects observed are the result of pollution. The Department is supporting research into possible mechanisms by which air pollution might damage trees. The most recent authoritative advice, from the Department's terrestrial effects review group, is that some trees are exposed to pollution levels which may be expected to cause stress. Research will continue in order to establish whether there is any threat to the long-term health of trees. The Department also funds the arboricultural advisory and information service located at the Forestry Commission's research station at Alice Holt, which gives a wide range of advice to local authorities and others on tree matters.

Irish Sea (Pollution)

86. **Mr. Pike:** To ask the Secretary of State for the Environment what percentage of riverborne pollution in the Irish sea comes from British rivers.

Mr. Moynihan: The recent status report prepared for the International Council for the Exploration of the Sea by scientists from the UK and Ireland summarises available information on inputs from rivers to the Irish sea. The information supplied for river discharges from English and Welsh coasts, Northern Ireland and the Republic of Ireland indicates that for the majority of anthropogenic inputs, the proportion coming from English and Welsh rivers ranges between 50 and 80 per cent. and is typically about two thirds. As the report indicates, the data available is of variable quality.

Water Supplies (Nitrate Levels)

87. **Mr. Teddy Taylor:** To ask the Secretary of State for the Environment what further estimate he has made of the cost to water authorities of reducing nitrate levels in public water supplies; and if he will make a statement.

Mr. Moynihan: The capital costs to water authorities of reducing nitrate levels in public supplies will be between £25 million and £35 million; the cost to statutory water companies will be around £5 million.

Water Bill

88. **Mr. Livsey:** To ask the Secretary of State for the Environment what representations he has received from organisations representing consumers concerning the Water Bill.

Mr. Moynihan: During the preparation of the Water Bill and following its publication, representations have been received from

The National Consumer Council
The Consumer Association
The National Federation of Consumer Groups
The Welsh Consumer Council
The Birmingham Consumer Group
The Tyneside Consumer Group
The Portsmouth and District Consumer Group
The National Association of Citizens' Advice Bureaux

These have been concerned mainly with the organisation of river basin management, the question of a national body to represent consumers, the responsibilities and powers of the National Rivers Authority and of the Director General of Water Services, and price control. More recently the National Consumer Council has also made representations on the guaranteed standards scheme and on disconnections practice.

In addition, the consumer consultative committees of all ten water authority regions in England and Wales have made representations on the scope, membership and responsibilities of the proposed new customer service committees.

Local Government Manpower

89. **Mr. Favell:** To ask the Secretary of State for the Environment how many people were employed in local government in 1968 and in the latest year for which figures are available.

Mr. Gummer: The number of people employed by local authorities in England in June 1968 was 1,948,000; this figure excludes law and order staff (except police—all ranks) and agency staff, as these were not included in surveys before 1975. The corresponding figure for June 1988 was 2,440,000.

Water Quality

92. **Mr. Win Griffiths:** To ask the Secretary of State for the Environment when he last discussed the implementation of the EEC directives on bathing water and tap water quality with the Commission of the European Communities.

Mr. Moynihan: My officials are in regular contact with Commission officials about the implementation of these directives.

London Docklands (Infrastructure Schemes)

93. **Ms. Ruddock:** To ask the Secretary of State for the Environment how he intends to respond to the request by the London Docklands development corporation for an extra £400 million Government subsidy to fund infrastructure schemes; and whether he intends to put a limit on the amount of subsidy payable.

Mr. Trippier: The LDDC's splendid achievements in regenerating London's docklands are funded by Government grant and by receipts from land sales. No request for £400 million additional grant is under consideration. Grant is paid within annual limits as voted expenditure approved by Parliament.

Empty Council Houses (London)

94. **Mr. Janman:** To ask the Secretary of State for the Environment what is the number of council properties in Greater London which have been empty for longer than six months.

Mr. Trippier: London boroughs reported in their housing investment programme returns that there were 12,400 council houses which had been vacant for more than six months at 1 April 1988.

Redundant Agricultural Buildings

95. **Mr. Hunter:** To ask the Secretary of State for the Environment if he will take further measures to encourage planning authorities to consider positively applications for the change of use of redundant agricultural buildings.

Mr. Chope: Since 1980 we have consistently encouraged planning authorities to take a positive approach to proposals for the reuse of redundant farm buildings. This policy is clearly stated in our planning policy guidance notes on green belts and rural enterprise and development. We shall continue to advocate this policy as opportunities arise, and to have regard to it when determining planning appeals.

Council House Tenants (Opting-out)

96. **Mr. Sumberg:** To ask the Secretary of State for the Environment what steps his Department is taking to ensure that all council house tenants are fully appraised of the choice to opt out of local authority control.

Mr. Trippier: Tenants' choice will be implemented fully in the spring. Comprehensive information material from my Department about tenants' choice is being prepared and will be published shortly. The Housing Corporation is already providing advice, information and assistance to tenants and prospective new landlords about the scheme. Any tenant or body wishing to know more should contact the corporation.

Canary Wharf

98. **Mr. Bernie Grant:** To ask the Secretary of State for the Environment whether he intends to put a limit on the subsidy to the developers of the Canary wharf.

Mr. Trippier: The Isle of Dogs enterprise zone provisions lapse on 26 April 1992. Within the statutory provisions, variations are not possible between particular developers or sites.

HIP Allocations, London

101. **Mr. Cohen** (Leyton): To ask the Secretary of State for the Environment by how much housing investment programme allocations for London have been reduced for 1989-90 from 1988-89, in real terms; and why.

Mr. Trippier: The total for basic HIP allocations in London for 1989-90 is £289·891 million. In real terms this amounts to 74·4 per cent. of that for 1988-89. London received 33·2 per cent. of the national total, the same proportion as for 1988-89. Although the net total for HIP allocations has reduced, capital receipts from sales of council housing have increased substantially, and gross provision nationally for local authority housing capital expenditure in 1989-90 is £3,303 million, an increase of 15 per cent. on previous plans.

Planning Inquiries (Appeals)

102. **Mr. Dykes:** To ask the Secretary of State for the Environment if he will consider introducing changes in the planning inquiry appeals procedures, including the inspectors' adjudication, which would help to equalise the rights of existing local residents and property development companies.

Mr. Chope: The rules of procedure at public inquiries are designed to meet the criteria of openness, fairness and impartiality which were laid down by the Franks committee in 1957. The present rules were comprehensively revised only last year; I see no need for further changes at this stage. Within the framework provided by the rules, inspectors are expected to use their discretion to ensure that all relevant submissions, from whatever source and however presented, are given due consideration.

Council House Sales

103. **Mr. Knox:** To ask the Secretary of State for the Environment how many council houses have been sold to sitting tenants in England since May 1979.

Mr. Trippier: From April 1979 to September 1988 about 963,000 tenants bought their homes from English local authorities and new towns.

Water Companies (Ownership)

104. **Mr. Cousins:** To ask the Secretary of State for the Environment what steps he is taking to preserve diversity of ownership of the statutory private water companies.

Mr. Moynihan: I refer the hon. Member to the statement by my right hon. Friend the Secretary of State on 11 January.

London (Air Pollution)

107. **Mr. Michael J. Martin:** To ask the Secretary of State for the Environment how many times carbon

monoxide levels in London's air have exceeded World Health Organisation deadlines in the last 12 months; and how many times nitrogen dioxide levels in London's air have exceeded the air quality standard contained in the European directive 85/201 over the last 12 months.

Mrs. Virginia Bottomley: The World Health Organisation has set guidelines for carbon monoxide concentrations using average periods of eight hours and one hour. These are targets for improved air quality and not limit values. In 1988 one exceedance of the eight hour guideline was measured at the Department of the Environment's monitoring station in central London. No exceedances of the one hour guideline were measured.

Provisional results from the United Kingdom nitrogen dioxide monitoring network indicate that the EC directive limit value, which is based on the 98th percentile of measurements throughout the year, was not exceeded in London in 1988.

People With Special Needs (Hostels)

109. **Mr. Boateng:** To ask the Secretary of State for the Environment if he will make a statement concerning the future of hostel placements for people with special needs.

Mr. Trippier: No. Placements are a matter for the individual local authorities, housing associations and voluntary bodies concerned.

Child Care Provision

109. **Mrs. Fyfe:** To ask the Secretary of State for the Environment what advice he will be giving local authorities on improving child care provision for their employees.

Mrs. Virginia Bottomley: None. Conditions of employment in local government are a matter for the local authorities.

Ports (Pollution)

Mr. Speller: To ask the Secretary of State for the Environment if he will list those ports in the south-west of England and south Wales which make a charge for the disposal of refuse from ships using those ports; what charges are levied; and if he will make a statement on the environmental consequences of dumping such refuse in United Kingdom coastal waters.

Mrs. Virginia Bottomley: Regulations made by my right hon. Friend the Secretary of State for Transport, which came into effect on 31 December 1988, permit harbour authorities providing reception facilities for ships' garbage to make reasonable charges for their use. Although some information on these facilities is available, details of what charges they make are not definite or comprehensive.

This Department is concerned with arrangements for the disposal of landed ships' waste. Regulations made under the Control of Pollution Act classify ships' waste, including refuse, as industrial waste. Most industrial waste is collected by the private sector but where local authorities undertake this function they are required to levy a reasonable charge for collection and disposal.

Dumping ships' waste in coastal waters can have very damaging environmental consequences. The dumping of certain materials such as plastics is now an offence under the Merchant Shipping Acts.

67 Tufton Street, London

Mr. Campbell-Savours: To ask the Secretary of State for the Environment what annual rental charges have been paid by the Property Services Agency to the owner of the freehold of 67 Tufton street, Westminster, London, for each of the years since 1980.

Mr. Chope: The rental charges agreed by the Property Services Agency of leasehold buildings are determined on a strictly commercial, and therefore confidential, basis.

Mr. Campbell-Savours: To ask the Secretary of State for the Environment what changes occurred in the terms and conditions of the leasehold agreement between the Property Services Agency and their landlord at 67, Tufton street, Westminster, London at or around the time when Westminster city council disposed of the freehold to Bourne Association Ltd.

Mr. Chope: One minor change to provide an optional access to the top floor.

Mr. Campbell-Savours: To ask the Secretary of State for the Environment what changes occurred in the terms and conditions of the leasehold agreement between the Property Services Agency and their landlord at 67, Tufton street, Westminster, London at or around the time when Bourne Association Ltd. disposed of the freehold to the present owners.

Mr. Chope: None.

Mr. Campbell-Savours: To ask the Secretary of State for the Environment who is the present landlord of the Property Services Agency at 67, Tufton street, Westminster, London.

Mr. Chope: This information, like all aspects of the landlord-tenant relationship, is a matter of confidentiality.

Greenhouse Effect

Mr. Bidwell: To ask the Secretary of State for the Environment what research is undertaken by his Department to ascertain the contributions to the greenhouse effect of vehicle exhaust gas emissions.

Mrs. Virginia Bottomley: I refer the hon. Member to the reply that I have today given to the hon. Member for Gordon (Mr. Bruce) which includes information about emissions of CO_2, the principal greenhouse gas.

London Docklands

Mr. Spearing: To ask the Secretary of State for the Environment if he will place a copy in the Library of the report on employment in London docklands commissioned by the London Docklands development corporation from Research Bureau Ltd.

Mr. Trippier: I will do so, as soon as the report has been considered, and can be published.

East Thameside Study

Mr. Soley: To ask the Secretary of State for the Environment what extra resources he is planning to commit to the provision of housing for those on low and medium incomes on the sites included in the east Thameside study.

Mr. Trippier: I refer the hon. Member to the answer that my right hon. Friend the Secretary of State gave earlier today to the hon. Member for Hartlepool (Mr. Leadbitter).

Construction Work (VAT)

Mr. Heddle: To ask the Secretary of State for the Environment what discussions he has had about the impact of value added tax on non-domestic construction work on schemes planned and appraised but not legally binding or backed by a building contract on 21 June 1988.

Mr. Trippier The Government have had discussions with some interested parties who made representations on their proposals for transitional relief on VAT for non-domestic construction projects.

Mr. Heddle: To ask the Secretary of State for the Environment what consultations he has had with the chairman of each urban development corporation on the likely effect of the imposition of value added tax on non-domestic construction work on the contribution private sector investment will make to urban regeneration; and if he will make a statement.

Mr. Trippier None, but I am of course aware of the representations being made by developers.

Water Industry (Spending)

Mr. Gordon Brown: To ask the Secretary of State for the Environment what is his estimate of the capital spending by the water industry for 1988-89 and for each of the next three years at current prices and at constant 1987-88 prices.

Mr. Moynihan: Estimates of capital expenditure in 1988-89 and in 1989-90 will be published on 30 January by my right hon. Friend the Chancellor of the Exchequer in the public expenditure White Paper. The remaining information requested by the hon. Member is not available.

Housing Subsidies

Mr. Gordon Brown: To ask the Secretary of State for the Environment if he will list the housing subsidy paid to each partnership and programme authority in each of the years from 1978-79 to 1989-90 (plans) expressed in cash and constant 1987-88 prices.

Mr. Trippier I will write to the hon. Member.

Viraj Mendis

Mr. Nicholas Bennett: To ask the Secretary of State for the Environment whether he will request a report from Manchester City Council as to the reasons why Mr. Viraj Mendis who has illegally overstayed in the United Kingdom since 1975 was provided with council properties by that council; what the total subsidies were on these properties; and whether Mr. Mendis's rates and rent were in arrears.

Mr. Trippier *[holding answer 24 January 1989]:* Yes. I have requested a report from the city council and will write to my hon. Friend in the light of its reply.

Mr. Nicholas Bennett: To ask the Secretary of State for the Environment what information he has of any rent and rate rebates and housing benefit payments made to Mr. Viraj Mendis since 1973.

Mr. Trippier *[holding answer 24 January 1989]:* I have no information, but I have taken the matter up with the city council and will write to my hon. Friend in the light of that reply.

DEFENCE

Plutonium, Uranium, Tritium (Exports)

Mr. Flynn: To ask the Secretary of State for Defence if any unsafeguarded plutonium, uranium or tritium has been exported to the United States of America since May 1979.

Mr. Sainsbury: I refer the hon. Member to the answer given to the right hon. Member for Manchester, Wythenshawe (Mr. Morris) on 25 April 1984 by the then Minister of State for Defence Procurement at column *506*.

Development Projects

Mr Kirkwood: To ask the Secretary of State for Defence if he will list those development projects which have been written off by his Department in the last two years in each of the services; what will be the savings for each project cancelled; and how much development expenditure had been involved in each project until the date the projects were cancelled.

Mr. Sainsbury: In the financial years 1986-87 and 1987-88 the following major projects which had entered full development were cancelled:

Title	*Service*	*Date of cancellation*	*Expenditure at cancellation £ million*
CACS 4	Royal Navy	1987-88	[1]28
SP 70	Army	1986-87	88
Nimrod AEW	Royal Air Force	1986-87	660

[1] Expenditure on hardware only. Other expenditure is commercially confidential.

Projects funded for full development are the preferred solution to approved defence requirements. Although a project may subsequently be cancelled, the underlying requirement will almost certainly remain and will need to be met by other means. This is the case in respect of all three projects listed. The question of savings in respect of these cancellations does not arise.

Payroll Deduction Scheme

Mr. Sean Hughes: To ask the Secretary of State for Defence what is *(a)* the name of the agency charity which has been awarded the contract for his Department's payroll deduction scheme, *(b)* the length of time that the agency has been in existence, *(c)* the number of civilian and military personnel that will be covered by the agency, *(d)* the number of staff employed by the agency, *(e)* the agency's experience in dealing with computerised records systems, *(f)* the number of other payroll deduction schemes with which it is involved and the number of employees covered by such schemes, and *(g)* the length of time that will have elapsed between Mr. Chancellor's announcement of tax concessions for payroll deduction schemes and the operative date of his Department's scheme.

Mr. Sainsbury: The agency charity which has been awarded the Ministry of Defence contract for the payroll deduction scheme is South West Charitable Giving. This agency was awarded Inland Revenue approved status in March 1987. Potentially there are 161,950 civilians and 312,000 military personnel who could subscribe to the payroll deduction scheme. Details relating to the agency such as personnel are of course a matter for the company. I can however say that it is registered for payroll giving under the Data Protection Act 1986. The Chancellor of the Exchequer announced tax concessions for payroll deduction schemes in the 1986 Budget. For civilians the charities payroll giving scheme came into effect on 1 November 1988, and the armed forces expect to join the scheme on 1 April 1989.

Ministerial Staff

Mr. Sean Hughes: To ask the Secretary of State for Defence what is the number of staff, by grade, in receipt of local pay additions outside London and the south-east economic planning region; what are the different amounts paid to staff, by grade; whether this sum varies due to location; what qualifying period of scale-related criteria is used; and whether this varies by location.

Mr. Sainsbury: None.

Military Aircraft (Accidents)

Mr. Cartwright: To ask the Secretary of State for Defence what are the numbers of military aircraft destroyed or severely damaged by accident during each of the last 10 years for which figures are available, indicating the aircraft types involved.

Mr. Neubert: I refer the hon. Member to the annual statements on the defence Estimates (SDE) which since 1980 have published such information about accidents to aircraft of the three services. The relevant information for 1988 is as follows:

Date	*Aircraft*	*Service*
1. 22 January	Hawk	RAF
2. 3 February	Sea King	RN
3. 2 March	Bulldog	RAF
4. 10 March	Lynx	RN
5. 30 March	Tornado	RAF
6. 11 April	Lightning	RAF
7. 20 April	Phantom	RAF
8. 6 May	Chinook	RAF
9. 10 May	Tornado	RAF
10. 13 May	Hawk	RAF
11. 20 May	Harrier	RAF
12. 30 May	Meteor	RAF
13. 14 June	Hunter	RN
14. 23 June	Lynx	Army
15. 24 June	Hawk	RAF
16. 2 August	Phantom	RAF
17. 9 August	Tornado × 2	RAF
18. 18 August	Harrier	RAF
19. 6 September	Bulldog	RAF
20. 6 September	Gazelle	Army
21. 7 September	Jaguar	RAF
22. 14 September	Gazelle	Army
23. 23 September	Phantom	RAF
24. 13 October	Sea King	RN
25. 18 October	Phantom	RAF
26. 19 October	Gazelle	Army

Skyguard Radar

Mr. Menzies Campbell: To ask the Secretary of State for Defence what training in the operation of the Skyguard radar system has been given to RAF police responsible for monitoring low flying.

Mr. Neubert: There is no operational training requirement for the RAF police in the use of Skyguard in a monitoring role because trained operators and engineering support are provided by 2729 squadron, Royal Auxiliary Air Force Regiment, RAF Waddington. However, limited training has been provided during the trials of the equipment to enable RAF police investigators to familiarise themselves with its operation.

Mr. Menzies Campbell: To ask the Secretary of State for Defence if the assessment of the results of the trial of the Skyguard radar system for monitoring low-flying aircraft is complete; and if he will make a statement.

Mr. Neubert: The results of the trials to assess the possibility of using a Skyguard system to monitor the heights of low-flying aircraft are still under consideration. I hope to be able to announce our conclusions shortly.

Low Flying

Mr. Menzies Campbell: To ask the Secretary of State for Defence what plans exist to deploy mobile threat simulator equipment in low-flying areas during exercises, to provide electronic warfare training to aircrews.

Mr. Neubert: A programme is currently underway to construct eight remote sites within Spadeadam range airspace to which mobile threat simulators could routinely be deployed. In addition to this, mobile threat simulators may be used on a limited basis elsewhere in the country in support of a RAF sponsored exercise.

Arms Race (Symposium)

Mr. Flynn: To ask the Secretary of State for Defence, pursuant to his reply to the hon. Member for Newport, West, 10 January, *Official Report*, column *539*, if he will list those civil servants by grade and division who took up the invitations from Imperial college, London, to attend the "Ways Out of the Arms Race" scientists conference symposium on 2-4 December 1988.

Mr. Sainsbury: I have nothing to add to the answer that I gave to the hon. Member on 10 January at column *539*.

Disarmament (Verification)

Mr. Flynn: To ask the Secretary of State for Defence what contribution in terms of research finances and personnel has been made by his Department's arms control unit into the outstanding verification problems, within the disarmament regimes of *(a)* chemical, biological or toxic warfare agents, *(b)* cruise missiles, *(c)* nuclear warhead testing, *(d)* the safeguarding of military grade nuclear materials from misuse and *(e)* ballistic missile exports and testing.

Mr. Archie Hamilton: The defence arms control unit, in consultation with a number of other divisions in the Ministry of Defence and the Foreign and Commonwealth Office, keeps all aspects of arms control, including

verification, under review. The Department does not, however, record the time spent by personnel on individual arms control issues in the way that the hon. Member requests. Although no research finance is currently devoted specifically to arms control verification by the Department, we do maintain close contact with academics both in the United Kingdom and internationally who are engaged on research in this field.

Radioactive Waste

Mr. Flynn: To ask the Secretary of State for Defence if any Royal Air Force bases ever receive air freighted consignments of radioactive wastes from British military bases abroad.

Mr. Sainsbury: Small quantities of radioactive waste from British military bases abroad have been returned to the United Kingdom on an ad hoc basis. Most of the consignments have been sent by sea. Some minor items containing very small quantities of radioactive material, for example, instruments luminised with radium, may have been moved by air, but records of such movements, if any, are not held centrally, and therefore the question could be answered only at disproportionate cost.

Chemicals

Mr. Flynn: To ask the Secretary of State for Defence if there are any stocks held at any Ministry of Defence establishment in the United Kingdom or elsewhere of *(a)* diphenylaminechloroasine, or phenarsazine chloride (Adamsite), *(b)* phosgene, *(c)* dichlororethyl sulphide, *(d)* hydrocynanic acid, *(e)* chlorovinyldichloroarsine and *(f)* diphenylcyanoarsine.

Mr. Sainsbury: The Ministry of Defence holds small experimental quantities of agents solely for research into protective measures for personnel against chemical and biological attack. These include substances of the type identified in the question. The United Kingdom abandoned its offensive capability in chemical warfare in the late 1950s and does not hold stocks of agents for offensive purposes.

Chemical Weapons

Mr. Flynn: To ask the Secretary of State for Defence, pursuant to his reply to the hon. Member for Rutland and Melton (Mr. Latham), *Official Report*, 10 January, column *679*, if he will give the locations, dates and methods of destruction of the United Kingdom chemical weapons stockpile, to which he made reference.

Mr. Sainsbury: The United Kingdom abandoned its offensive capability in chemical warfare in the late 1950s. United Kingdom chemical weapons were disposed of over a lengthy period and it would require disproportionate effort to research old records for precise locations, dates and methods. However, I can confirm that all known stocks were disposed of, although from time to time there are discoveries of buried items dating back to the two world wars, which are taken to the chemical defence establishment at Porton Down for safe disposal.

Parliamentary Questions

Mr. Flynn: To ask the Secretary of State for Defence what criteria are used to decide whether the standard £250 cost limit for the answering of parliamentary questions may be waived.

Mr. Younger: Any parliamentary question which is likely to involve disproportionate expenditure—currently £250—is referred to the responsible Minister before significant resources are committed. It is not a rigid limit: it is for the Minister concerned to decide in each case whether there are exceptional circumstances to justify answering a question which would cost more than £250.

Chemical Warfare Agents

Mr. Flynn: To ask the Secretary of State for Defence when members of the scientific section of the Japanese Ministry of Foreign Affairs and the Japanese Army Institute of Science and Technology visited this country to obtain details of production of chemical or biological warfare agents.

Mr. Sainsbury: We have been unable to find any record of a visit which might correspond to the one described by the hon. Member. In any event, the United Kingdom does not provide chemical or biological warfare agents.

Low Flying (Swansea)

Mr. Alan Williams: To ask the Secretary of State for Defence if he will make a statement on the low-flying incident over the city of Swansea on Friday 20 January.

Mr. Neubert: Following a number of complaints about the incident to both RAF Brawdy and the Ministry of Defence by residents of Killay, Newton and Langland during the afternoon of Friday 20 January, a full investigation was commissioned to establish what military aircraft was involved and the circumstances. Such investigations are always thorough and may take some time to complete, but I shall write to the right hon. Member once the results are available.

Tactical Booking Cell, West Drayton

Dr. Thomas: To ask the Secretary of State for Defence (1) if he will make a statement on the roles, responsibilities and staffing levels of the tactical booking cell, RAF West Drayton;

(2) what responsibility the tactical booking cell at RAF West Drayton has for the control of military low-level flying in each of the low flying areas 1A, 1B, 3, 9, 13, 19, 20, (T) and Yeovilton.

Mr. Neubert *[holding answer 16 December 1988]:* The tactical booking cell at RAF West Drayton manages the day-to-day use of the United Kingdom low-flying system and air weapons ranges, provides warnings and compiles statistics. The cell is also responsible for dedicated user low-flying areas when their co-ordinating authorities are closed. The established staff level of the cell is 20 Royal Air Force personnel.

Aircraft (Low-flying Sorties)

Dr. Thomas: To ask the Secretary of State for Defence if he will list those aircraft types for which central records are kept of low-flying sorties over the United Kingdom.

Mr. Neubert *[holding answer 16 December 1988]:* Central records of low-flying sorties over the United Kingdom are kept for all regular military users of the United Kingdom low flying system.

Low-level Flying (Management Group)

Dr. Thomas: To ask the Secretary of State for Defence how many civilian personnel from the National Air Traffic Services serve on the military low flying management group.

Mr. Neubert *[holding answer 16 December 1988]:* One.

Written Answers to Questions

Thursday 26 January 1989

FOREIGN AND COMMONWEALTH AFFAIRS

Chemical Weapons

Dr. Thomas: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) if he will make it his policy to offer to *(a)* the United States of America and *(b)* the Union of Soviet Socialist Republics, United Kingdom expertise in the destruction or disablement of their chemical biological or toxic warfare agent stockpiles;

(2) if he has any plans to offer to *(a)* Libya, *(b)* Iraq and *(c)* Israel, United Kingdom technical expertise and technology to destroy or disable chemical or biological warfare agents held by each respective country.

Mr. Waldegrave: Information on the destruction of chemical weapon stockpiles is widely available. A number of countries have tabled papers on the subject at the negotiations in Geneva aimed at achieving a global ban on chemical weapons. In particular, Britain has tabled two papers in 1979 and 1988 on the destruction of the pilot nerve agent production plant at Nancekuke, Cornwall.

We would, of course, consider approaches from any country for technical advice on the disposal of such weapons. We have no particular expertise in the destruction of biological weapons.

Dr. Thomas: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make it his policy to request the incoming United States Secretaries of Defence and State that the United States of America implement a moratorium on its new binary chemical weapons development programme.

Mr. Waldegrave: No. The unilateral United States moratorium on chemical weapons production from 1969 to 1987 was not matched by the Soviet Union, which has the world's largest and most sophisticated chemical weapons capability. In the face of this, the continuing disparity between our assessment of, and Soviet claims about, the size of their stockpile, and in the absence of a comprehensive convention banning these weapons, we support the United States modernisation programme as a means to maintain a limited but credible deterrent capability.

The eventual United States binary stockpile will, in fact, be smaller than their limited and aging unitary stockpile, which is already being destroyed.

Gulf States (Visit)

Dr. Thomas: To ask the Secretary of State for Foreign and Commonwealth Affairs if, during his recent visit to the Gulf states he raised with any of the heads of state or Government ministers whom he met the possibility of sales of United Kingdom nuclear reactor and fuel service technology to their country.

Mr. Waldegrave: No.

Dr. Thomas: To ask the Secretary of State for Foreign and Commonwealth Affairs if, during his recent meeting with Saudi Government ministers during his Gulf state tour he took the opportunity to welcome the recent accession of the nuclear non-proliferation treaty by Saudi Arabia.

Mr. Waldegrave: Yes.

Departmental Library

Dr. Thomas: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will arrange for copies of videos and transcripts of the Central television 12-part series on the nuclear age to be put in his Departmental library.

Mr. Waldegrave: No. The Foreign and Commonwealth Office library does not normally stock audiovisual material or transcripts of television programmes.

Public Records

Dr. Thomas: To ask the Secretary of State for Foreign and Commonwealth Affairs if he made any application under the Public Records Act of 1958 in accordance with paragraphs 26 and 27 of the White Paper on Modern Public Records, Cmnd. 8531, to withhold beyond 30 years papers concerning the background to the signing with the United States Government of the Anglo-American mutual defence agreement on atomic energy matters in July 1958.

Mr. Eggar: Records may be retained or closed for longer periods than 30 years under appropriate sections of the Public Records Act 1958 and in accordance with established criteria. It has been the practice of successive administrations not to disclose the content of records which are so withheld from public release.

Soviet Tanks

Dr. Thomas: To ask the Secretary of State for Foreign and Commonwealth Affairs if his arms control and disarmament research unit has examined the potential benefits to future Soviet tank division readiness and efficiency from the redeployment of Soviet tank technicians from obsolete tanks to be withdrawn under the commitment made by president Gorbachev in his speech to the United Nations in December; and if he will make a statement.

Mr. Waldegrave: We are examining the effect which the cuts in Soviet forces announced by Mr. Gorbachev on 7 December, on which he and Mr. Shevardnadze elaborated on 18 and 19 January, might have on Soviet military capabilities. We welcome the statement that 5,300 of the 10,000 Soviet tanks to be withdrawn will be modern, although it is disappointing that only 5,000 of the 10,000 will be destroyed. A number of detailed questions remain to be answerd about how the cuts will be implemented, including the question of how residual forces might be redeployed.

Japanese Prisoners of War

Mr. Amos: To ask the Secretary of State for Foreign and Commonwealth Affairs if he has received any representations on the level of compensation paid to former Japanese prisoners of war; and if he will make a statement.

Mr. Eggar: Yes. The question of compensation was dealt with in the 1951 treaty of peace with Japan. The total sum made available to the United Kingdom for compensation was £4,816,473, including £174,871 contributed by the Thai Government for work done on the Burma-Siam railway.

Emperor Hirohito

Mr. Amos: To ask the Secretary of State for Foreign and Commonwealth Affairs how many representations he has received regarding his decision to attend Emperor Hirohito's funeral.

Mr. Eggar: My right hon. and learned Friend the Secretary of State has received 57 letters regarding his decision to attend the late Emperor of Japan's funeral, including 25 letters from hon. Members.

ODA

Zambia

Mr. Tom Clarke: To ask the Secretary of State for Foreign and Commonwealth Affairs whether the Government have yet determined the conditions under which they would be prepared to write off their development loans to Zambia.

Mr. Chris Patten: I refer the hon. Member to the answer that I gave the hon. Member for Oxford, East (Mr. Smith) on 14 November 1988 at column 366.

Debt

Mr. Tom Clarke: To ask the Secretary of State for Foreign and Commonwealth Affairs how much of the debt owed by each of the 17 most indebted countries is owed to *(a)* Her Majesty's Government and *(b)* British banks.

Mr. Chris Patten: As at 31 March 1988 amounts outstanding to the Overseas Development Administration from the 17 countries classified by the World Bank as highly indebted were as follows:

	£
Argentina	—
Bolivia	270,856·48
Brazil	3,416,096·55
Chile	—
Colombia	2,847,924·56
Costa Rica	3,214,041·25
Cote D'Ivoire	1,814,770·77
Ecuador	7,557,273·24
Jamaica	49,180,720·59
Mexico	—
Morocco	—
Nigeria	5,175,084·04
Peru	4,194,608·65
Philippines	5,481,634·67
Uruguay	—
Venezuela	—
Yugoslavia	—

The latest available figures on amounts at risk to ECGD were published in its "Summary of audited trading results 1986/87". Claims by United Kingdom commercial banks on developing countries are listed in table 15 of the Bank of England Quarterly Bulletin.

Mr. Tom Clarke: To ask the Secretary of State for Foreign and Commonwealth Affairs what was the net financial transfer of resources to the 17 most indebted countries during 1988; and if he will make a statement.

Mr. Chris Patten: Figures for net resource transfers in 1988 are not yet available.

Commonwealth Distance Learning Project

Mr. Wells: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) what contribution he is making towards the implementation of the decisions taken at the Commonwealth Ministers' meeting at Vancouver to establish a Commonwealth distance learning project; and whether he will make a statement;

(2) what action he has taken to implement the decisions taken by Commonwealth Ministers at Vancouver about a Commonwealth distance learning project; and whether he is yet in a position to make a statement.

Mr. Chris Patten: The United Kingdom is playing a major part in the new Commonwealth of learning, a distance learning network to help students in one country take advantage of educational facilities in another. An important requirement for the network will be a comprehensive information unit and credit transfer register. Her Majesty's Government have agreed to finance these developments by building on existing facilities at the British Open university.

Discussions have already taken place and a meeting of representatives of user institutions is being held at the Open university in February. A proposal will then be placed before the board of governors of the Commonwealth of learning, on which the United Kingdom is represented, at its second meeting in March.

The cost of these developments will be between £1 million and £2 million over five years and is additional to the support which Her Majesty's Government will continue to give to distance education under its bilateral aid programme.

ATTORNEY-GENERAL

Ministerial Staff

Mr. Sean Hughes: To ask the Attorney-General what is the number of staff in the Crown Prosecution Service, by grade, in receipt of local pay additions outside London and the south-east economic planning region; what are the different amounts paid to staff, by grade; whether this figure varies due to location; what qualifying period of scale-related criteria is used; and whether this varies by location.

The Attorney-General: Local pay additions are not paid to members of the Crown Prosecution Service employed outside London and the south-east economic planning region.

Mr. Sean Hughes: To ask the Attorney-General what is the number of staff in the Lord Chancellor's Department, by grade, in receipt of local pay additions outside London and the south-east economic planning region; what are the different amounts paid to staff by grade; whether this figure varies due to location; what qualifying period of scale-related criteria is used; and whether this varies by location.

The Attorney-General: The number of staff in the Lord Chancellor's Department by grade in receipt of local pay additions outside London and the south east economic planning region is as follows:

	Number
EO	6
AO	13
Typist	5

All are paid at the same rate of £300 per annum on completion of six months service.

Mr. Sean Hughes: To ask the Attorney-General what is the number of staff in Her Majesty's Land Registry,b y grade, in receipt of local pay additions outside London and the south-east economic planning region; what are the different amounts paid to staff by grade; whether this figure varies due to location; what qualifying period of scale-related criteria is used; and whether this varies by location.

The Attorney-General: There are no Land Registry staff, outside London and the south east economic planning region, in receipt of local pay additions.

Campaign for Nuclear Disarmament

Dr. Thomas: To ask the Attorney-General what criteria were used by the Lord Chancellor in determining the reasons for the witholding of papers from release at the Public Record Office for 1958 concerning the Campaign for Nuclear Disarmament.

The Attorney-General: The Public Records Act 1958 makes provision for records to be retained or closed from access for periods longer than 30 years. Records are retained or closed from access in accordance with established criteria, which were set out in paragraphs 24-31 of the White Paper "Modern Public Records", Cmnd. 8531, March 1982.

Criminal Law Jurisdiction Act

Mr. McNamara: To ask the Attorney-General on how many occasions his Department has been informed by the prosecuting authorities of the Republic of Ireland that witnesses have refused to travel to the Republic to give evidence in cases involving the Criminal Law Jurisdiction Act 1976.

The Attorney-General: I am not aware of any occasion when information of such refusal has been communicated by the prosecuting authorities of the Republic of Ireland to my Department.

Cash Limits

Mr. Devlin: To ask the Attorney-General whether any changes will be made to the Lord Chancellor's Department's cash limit and running costs limit for 1988-89.

The Attorney-General: Yes. Subject to parliamentary approval of the necessary Supplementary Estimate, the cash limit for the Lord Chancellor's Department, class XI vote 5 will be increased by £9,999,000 from £207,384,000 to £217,383,000. This increase reflects an increase of £8,000,000 to take account of a projected shortfall in receipts from civil court business fees; an increase of £2,000,000 to maintain progress on the court building programme; and a reduction of £1,000 to £213,803,000 in the running cost limit. The running costs limit decrease will be offset by a corresponding increase in the running costs limit for the Office of the Minister for the Civil Service (class XX, vote I) and reflects the transfer of costs for recruitment under the direct entry grade 7 competition 1988.

The cash limit increase will be charged to the reserve and will not therefore add to the planned total of public expenditure.

WALES

"Our Changing Schools"

Mr. Nicholas Bennett: To ask the Secretary of State for Wales whether he intends to issue a Welsh Office version of the Department of Eduction and Science handbook "Our Changing Schools."

Mr. Wyn Roberts: We have no plans at present to do so. The Welsh Consumer Council published in 1988 a guide for parents with children starting school.

Parliamentary Questions

Mr. French: To ask the Secretary of State for Wales how many oral parliamentary questions he has answered by written reply because the question was not reached at Question Time, for the most recent year for which figures are available.

Mr. Peter Walker: A total of 240 oral questions were tabled to the Secretary of State for Wales between 1 January and 31 December 1988; of these oral questions 100 were answered by written reply because they were not reached.

The figure does not include oral questions which were subsequently withdrawn, unstarred or transferred to other Departments.

Cardigan Bypass

Mr. Geraint Howells: To ask the Secretary of State for Wales if he has any plans to build the Cardigan bypass within the next three years; and if he will make a statement.

Mr. Wyn Roberts: Yes. Details of the timing will be given in the forthcoming edition of "Roads in Wales".

Royal Welsh Agricultural Society

Mr. Geraint Howells: To ask the Secretary of State for Wales if he has any plans to give financial aid or a loan to the Royal Welsh Agricultural Society during the next three years; and if he will make a statement.

Mr. Peter Walker: The Royal Welsh Agricultural Society has recently made an application to my Department which is under consideration.

Labour Statistics

Mr. Ron Davies: To ask the Secretary of State for Wales if he will state for each of the districts within

mid-Glamorgan the number of jobs *(a)* lost and *(b)* created for the 12 months ended (i) December 1987 and (ii) December 1988.

Mr. Peter Walker: Comprehensive information on jobs lost and created is not available.

Gresford-Pulford Bypass

Dr. Marek: To ask the Secretary of State for Wales what was the saving achieved in building the Gresford to Pulford bypass as a result of the prior singling of the Wrexham to Chester railway line.

Mr. Wyn Roberts: About £300,000.

Higher Education

Mr. Nicholas Bennett: To ask the Secretary of State for Wales if he is able to announce his decisions on local authority higher education provision in 1989-90; and if he will make a statement.

Mr. Peter Walker: Having consulted the Welsh joint education committee and the Welsh counties committee I have decide that the higher education quantum for 1989-90, formerly known as the advanced further education quantum, ahould be set at £39·4 million. This represents a 7·7 per cent. increase between 1988-89 and 1989-90.

I have received advice from the Wales advisory body for local authority higher education on the planned disposition of academic provision, the number of student places on higher education courses in local authority colleges in Wales and the distribution of the higher education quantum. The WAB proposals provide a growth of 2·9 per cent. between the target of 13,589 full-time equivalent students in 1988-89 and the target student numbers of 13,986 for 1989-90. They provide for continued emphasis to be given to courses in science, engineering and other vocational disciplines and for sub-degree and part-time provision to be protected. The proposals for distributing the quantum relate to the proposals for target student numbers by institution, mode of attendance and subject, and allow additional funding for degree and postgraduate courses. WAB has considered bids from institutions against the £400,000 set aside for selective initiatives and has proposed that this money be used to fund the following initiatives:

- Continued support for the manufacturing systems engineering degree course at the Polytechnic of Wales.
- Continued support for the engineering access course at the Polytechnic of Wales.
- Continued support for professional, industrial and commercial updating (PICKUP) courses at six institutions.
- Continued support for research activities at the Polytechnic of Wales, together with new support for research at the South Glamorgan and West Glamorgan Institutes of Higher Education.
- Support for the development of an all-Wales access consortium.
- Support for the development of a training course for management education teachers.

I have decided to accept the WAB's advice on academic provision and student numbers, on the methodology for distributing the quantum and on the distribution of the £400,000 for selective initiatives. The local education authorities have been informed of these decisions and of their individual allocations.

Copies of a note explaining the methodology by which the AFE quantum for 1988-89 is being distributed have been placed in the Libraries of both Houses.

CIVIL SERVICE

Cash Limits

Mr. Ground: To ask the Minister for the Civil Service if there are any proposals to change the 1988-89 cash limit for the office of the Minister for the Civil Service.

Mr. Luce: Subject to parliamentary approval of the necessary Supplementary Estimate, the cash limit for the Office of the Minister for the Civil Service (class XX, vote 1) will be increased by £2,889,000 from £30,994,000 to £33,883,000. The increase will be charged to the reserve and will not therefore add to the planned total of public expenditure. The increase is required to cover the cost of physical security improvements to the Downing street complex and other buildings; refurbishment and maintenance in 10 Downing street and uprating of the telecommunications system (this charge is partially offset by appropriations in aid); charges by the Foreign and Commonwealth Office for the provision of conference officers for visits overseas by the Prime Minister (previously provided as an allied service); additional costs associated with the running of a competition for recruitment of direct entry grade 7 staff (this charge is offset by a corresponding decrease of £92,000 in the votes for the various Departments who are participating in the scheme). The increase also reflects the decision to disburse to charities and benevolent associations the savings to the Exchequer arising from the underpayment of public service pensioners as a result of the miscalculation of RPI increases.

The above increases have a consequent effect on the Department's running costs limit which will increase by £831,000 from £28,773,000 to £29,604,000.

THE ARTS

British Library

Mr. Harry Greenway: To ask the Minister for the Arts if he will make a statement on the progress of the construction of the British Library.

Mr. Luce: Satisfactory progress on stage 1A of the new British Library, currently under construction at St. Pancras, is being maintained. Stage 1A is on target to be completed in 1993 within the cash target of £300 million which I announced last November. The current position is that, measured in expenditure terms, stage 1A is 24 per cent. complete.

The completion phase is now at the outline sketch design stage and progressing satisfactorily. This final phase of the building is being planned so that the whole new British Library will be complete and fully operational in 1996.

Departmental Staff (Child Care)

Ms. Richardson: To ask the Minister for the Arts what child care provision the Office of Arts and Libraries provides for pre-school age children of employees; what child care provision, for school holiday or after-school

care, is provided for employees' children aged five and over; what plans there are for increasing provision in the next five years; and how these are to be funded.

Mr. Luce: The Office of Arts and Libraries does not at present provide child care facilities for its employees. The Cabinet Office, with which the Office would be associated in this matter, is considering the need to do so.

Items in Lieu of Tax

Mr. Baldry: To ask the Minister for the Arts if there have been any items accepted in lieu of tax or allocated since he last made an announcement on the subject to the House.

Mr. Luce: Since my announcement on 19 December at column *2*, I am pleased to announce that three items have been accepted in lieu of tax; a drawing by Rubens, a sculpture by Naum Gabo, and "The Artist's Studio" by Peter Tillemans. The tax liability satisfied was £50,000, £286,610 and £52,270 respectively. The Tillemans painting will go to the Castle museum, Norwich but a decision over the allocation of the other two items has not yet been taken.

Cash Limits

Mr. Carrington: To ask the Minister for the Arts if he will give details of any proposed changes to the cash limits of his Department's votes in 1988-89.

Mr. Luce: Subject to parliamentary approval of the necessary Supplementary Estimates, the cash limits of the following votes will be increased as indicated:

Class and Vote	*Current Cash Limit* £	*Change* £	*Revised Cash Limit* £
XIII, 1	153,576,000	+500,000	154,076,000
XIII, 2	174,362,000	+5,200,000	179,562,000

Additional provision of £500,000 is being sought in a spring Supplementary Estimate on class XIII, vote 1. The grant-in-aid to the Tate gallery is to be increased by £800,000 to meet completion costs of building projects which exceed previous estimates. That increase will be partly met from savings of £300,000 elsewhere on the vote.

Additional provision of £5·2 million is being sought on class XIII, vote 2. The main Estimate provision for assets accepted in lieu of tax is to be augmented by £5·7 million but this additional provision is partially offset by savings of £500,000 elsewhere on the vote.

The increase of £5,700,000 on these two votes has been charged to the reserve and will not, therefore, add to the planned total of public expenditure.

TRADE AND INDUSTRY

Malaysia and Singapore Air Carriers

Mr. Sheerman: To ask the Chancellor of the Duchy of Lancaster how many Rolls-Royce engines have been sold to *(a)* Malaysia and *(b)* Singapore air carriers in each of the last 10 years.

Mr. Atkins: Rolls-Royce plc has provided my Department with the following details of engines supplied for civil purposes to Malaysia and Singapore:

	Number
Malaysia	
1980	1 Dart
1982	10 RB211-524
1986	1 RB211-524
1987	1 RB211-524
Singapore	
1979	2 Dart
1980	1 Dart
1987	2 Spey

European Single Market

Mr. Tom Clarke: To ask the Chancellor of the Duchy of Lancaster if he will provide funds for those non-Confederation of British Industry member firms unable to afford the £1,725 fee for attendance at the Confederation of British Industry's Initiative 1992 seminars.

Mr. Maude: The DTI does not subsidise attendance at private sector conferences on the single European market. Our "Europe Open for Business" campaign provides a comprehensive service free of charge to help firms prepare for the single market challenge. This includes access to a database listing hundreds of conferences and seminars throughout the country.

Mr. Tom Clarke: To ask the Chancellor of the Duchy of Lancaster excluding media advertising *(a)* how much has been spent on preparing British industry for the creation of the European single market in 1992 and *(b)* how this money has been spent.

Mr. Maude: Excluding advertising, some £3·65 million has been spent on DTI's campaign to encourage firms to prepare for the single European market. The expenditure includes detailed and comprehensive literature on the single market programme; a major series of business conferences; a national telephone inquiry service (01-200 1992) and mailing operation; the 1992 'Spearhead' computer database; video materials; and research into business preparations.

Peckham (Ministerial Visits)

Ms. Harman: To ask the Chancellor of the Duchy of Lancaster if he will give details of Ministers' visits to the Peckham area in connection with the north Peckham task force, including the name of the Minister, the date of the visit, and the purpose of the visit.

Mr. Forth: The information is as follows and relates to visits since the launch of the task force in May 1986:

Date	
1 July 1986	Kenneth Clarke, Paymaster General and Sir George Young, Parliamentary Under-Secretary of State at DoE, to look at projects in development.
4 March 1987	Kenneth Clarke, Paymaster General opened the south east adult training project and looked at other task force funded projects.
22 September 1987	Kenneth Clarke, inaugurated the task force and Lloyds business development fund.
20 January 1988	Robert Atkins, Parliamentary Under-Secretary of State at DTI—familiarisation visit.
1 February 1988	John Patten, Minister of State at the Home Office inaugurated the task force/Brook Street project.

Date	
9 June 1988	Tim Renton, Minister of State at Home Office opened the Vietnamese refugee community's employment and training project.
13 July 1988	John Patten, Minister of State at Home Office launched the Peckham enterprise centre.
26 July 1988	Norman Fowler, Secretary of State for Employment, to talk about task force funded projects, with special reference to ET providers.
12 December 1988	Lord Young, Secretary of State for Trade and Industry inaugurated the Walworth school world of work scheme.

Disposable Products

Mrs. Ray Michie: To ask the Chancellor of the Duchy of Lancaster what plans he has to encourage manufacturers to produce dioxin-free disposable nappies and disposable paper products; and if he will make a statement.

Mr. Forth: I refer the hon. Member to the answer given by the Parliamentary Secretary to the Ministry of Agriculture, Fisheries and Food on 28 November, at column 96. I understand that the quantities of dioxin which may occur in these products are very small. I will consider the matter further when the expert advice from the Ministry of Agriculture, Fisheries and Food and the committee on toxicity at the Department of Health is available.

Overseas Companies

Mr. William Powell: To ask the Chancellor of the Duchy of Lancaster how many overseas companies have set up operations in Britain over the past year.

Mr. Alan Clark *[pursuant to his answer 18 January 1989, c. 231.]*: Toyota has for some time been considering setting up a car manufacturing plant in the European Community and has engaged consultants to help them assess the options. The Government believe that at this stage the United Kingdom is the lead candidate as a location for the project. Feasibility studies are in hand based on a plant producing up to 200,000 cars a year, with a local (EC) content level rising after a transitional period to 80 per cent. The project would create up to 3,000 direct jobs.

My right hon. and learned Friend has made it clear to Toyota that it would receive a warm welcome from the Government if it were to decide to locate the project in the United Kingdom, and he has invited the company to work closely with the Department of Trade and Industry in pursuing its feasibility studies.

HOME DEPARTMENT

Prostitutes (Prosecutions)

Mr. Butler: To ask the Secretary of State for the Home Department if he will seek to make it a criminal offence for a prostitute knowingly to infect a person with HIV or hepatitis B.

Mr. John Patten: We have considered most carefully whether it should be an offence for one person knowingly to pass HIV on to another, but have concluded, for the present, that this would not be justified, principally because:

(a) there is little evidence that reckless infection is a problem or that people who are HIV antibody-positive are deliberately infecting others;

(b) any such offence would be difficult to prove and probably unworkable in practice;

(c) it is doubtful whether an offence would deter; and

(d) the introduction of an offence might well be counter-productive, discouraging those at risk from being tested and, arguably, thereby contributing to the spread of the disease.

Similar considerations apply in relation to hepatitis.

Local Pay Additions

Mr. Sean Hughes: To ask the Secretary of State for the Home Department what, in respect of the payment of local pay additions in the Metropolitan police, are the different amounts paid to staff, by grade; whether this sum varies due to location; what qualifying period of scale-related criteria is used; and whether this varies by location.

Mr. Douglas Hogg: I understand from the Commissioner that the information is as follows:

Grade	*Location*	*£ per annum*
Executive Officer (excluding those in ADP field)	Jubilee House	600
Administrative Officer (excluding those in receipt of specialist allowances)	All	600
Administrative Assistants (excluding those in receipt of specialist allowances)	All	300
Senior Personal Secretary	Inner London	700
Personal Secretary	Elsewhere	600
Typing Manager	Inner London	700
Typist	Elsewhere	600
Trainee Typist		
Knowledge of London Examiner (Grades I and II)	All	600
Area Traffic Warden Controller	All	450
Senior Traffic Warden Controller	All	450
Traffic Warden Controller	All	450
Traffic Warden Supervisor	All	450
Traffic Warden	All	375

No qualifying periods are required except for traffic wardens who receive local pay additions after one year's service. This does not vary by location.

Fire-fighting Equipment

Mr. Bill Michie: To ask the Secretary of State for the Home Department if he is satisfied that the fire tenders known as Green Goddesses and equipment to be used in an emergency are maintained at a high state of readiness for immediate use.

Mr. John Patten: Yes.

Police Raid (Leyton)

Mr. Cohen: To ask the Secretary of State for the Home Department if, further to his answer of 12 January, *Official Report*, columns *487-8*, to the hon. Member for Battersea (Mr. Bowis) about the explosives find in Battersea, he will make a further statement about the subsequent police raid on 21 December on premises in Leyton.

Mr. Hurd: Following the discovery of the cache at Staplehurst court, Battersea and in an effort to trace possible witnesses, police made inquiries at a number of addresses including one in Leyton. They were satisfied that the occupants of the Leyton address were not connected with any terrorist organisation.

Football (Policing)

Mr. Riddick: To ask the Secretary of State for the Home Department (1) what was the cost of policing matches involving Football League clubs in each of the last five football seasons;

(2) what was the contribution made by Football League clubs towards the cost of policing football matches involving Football League teams in each of the last five football seasons;

(3) what was the total cost for policing football matches at the grounds of *(a)* Chelsea football club, *(b)* Leeds United football club, *(c)* Huddersfield Town football club, *(d)* Newcastle United football club, *(e)* Liverpool football club, *(f)* Oxford United football club, *(g)* Luton Town football club in each of the last five seasons; and what proportion of these costs was paid for by each club itself.

Mr. Douglas Hogg: I understand from the Commissioner that the payments made by football League clubs in London over the past five years are as follows:

Club	*1983-84* £	*1984-85* £	*1985-86* £	*1986-87* £	*1987-88* £
Arsenal	108,076·00	110,024·92	141,636·43	160,581·23	161,875·96
Brentford	23,388·43	39,254·80	33,351·45	31,095·05	34,078·68
Charlton	11,387·11	21,512·63	41,572·66	74,500·35	49,273·65
Chelsea	107,811·24	177,138·67	167,815·67	142,615·45	168,257·86
Crystal Palace	22,144·55	52,710·05	39,918·13	44,755·58	37,173·59
Fulham	40,745·69	34,171·18	42,351·03	34,814·48	26,526·79
Leyton Orient	9,547·73	13,777·59	14,947·57	14,225·96	17,509·17
Millwall	18,300·89	39,280·96	50,093·27	43,658·14	57,693·28
Queen's Park Rangers	49,685·61	65,986·81	96,304·41	95,717·26	129,564·28
Tottenham Hotspur	200,864·02	156,247·01	195,159·92	171,440·49	153,785·36
West Ham United	104,530·17	102,908·85	119,049·89	146,478·51	176,303·08
Wimbledon	19,556·66	24,951·89	22,718·80	57,469·45	81,354·26
Total	716,038·10	837,965·36	964,919·23	1,017,351·95	1,093,395·96

There is no central record of the costs of policing matches or of contributions made by clubs outside London. This information could be obtained only at disproportionate cost.

Television Licences

Sir Dennis Walters: To ask the Secretary of State for the Home Department if he intends to review the possibility of extending the present rules governing refunding of television licences.

Mr. Renton: We have no plans to do so.

Fly Posting

Mr. Gregory: To ask the Secretary of State for the Home Department how many successful prosecutions there have been in each of the last three years for unauthorised fly posting; and if he will make a statement.

Mr. John Patten: Information collected centrally does not distinguish illegal bill posting from other offences against the Town and Country Planning Acts 1968-71.

Child Abuse (Research)

Mr. Allen: To ask the Secretary of State for the Home Department if he will list the research on child sexual abuse undertaken by his Department *(a)* since 1979, *(b)* currently underway, and *(c)* planned for the future together with the amount of money allocated in each instance; and if he will make a statement.

Mr. John Patten: The Home Office has conducted no major research studies specifically focusing on child sexual abuse. It has, however, published two short articles in the Home Office research and planning unit's research bulletin —copies of which are in the Library—which deal with various aspects of child abuse. These are:

Child Homicide and Child Physical and Sexual Abuse 1986, Research Bulletin No. 20.

Child Molestation: A Research Note 1987, Research Bulletin No. 23.

The Home Office is funding a research project on the experiences of "Children as Victims of Crime". This study will shed light on experiences of sexual abuse as well as other types of crime. The grant made in respect of this project is £98,000. Moreover, a contract has recently been let to examine the effectiveness of live TV links for child witnesses in the Crown courts, including cases of child sexual abuse. The cost of this research is £45,000.

Planning of our programme of research for the financial year 1989-90 is under way. We are considering research needs in respect of child sexual abuse and discussions are being held with the Department of Health on this important topic.

Court Attendance (Parents)

Mr. Gill: To ask the Secretary of State for the Home Department whether he will consider introducing an

experimental scheme making the attendance at court mandatory for parents of children under the age of 17 years who are on trial.

Mr. John Patten: Where juveniles are charged with criminal offences, it is normally right for their parents to attend court with them. The law already imposes a duty on the court, where it considers the parents' attendance desirable, to require them to attend unless it would be unreasonable to do so.

Bulk Loads

Mr. Cohen: To ask the Secretary of State for the Home Department how many prosecutions there have been under paragraph 100(2) of the Road Vehicle (Construction and Use) Regulations for failing to secure a loose bulk load, in the most recent period for which figures are available.

Mr. John Patten: The information collected centrally on court proceedings does not separately distinguish contravention of regulation 100(2) of the Road Vehicles (Construction and Use) Regulations 1986. The available information relates to offences of causing danger by reason of the number of passengers carried, by insecure load, by weight or distribution, and is published annually in "Offences relating to motor vehicles England and Wales, Supplementary tables" (table 5 of the issue for 1987, the latest available). Probably of the order of 90 per cent. of these offences will have related to the load carried. This publication also gives, table 20, the available information on the issue of fixed penalty notices, which may be issued as an alternative to prosecution for certain loading offences, including the one in question.

Association of Chief Police Officers

Mr. Evennett: To ask the Secretary of State for the Home Department when he last met representatives of the Association of Chief Police Officers; and what matters were discussed.

Mr. Hurd: I would refer my hon. Friend to the reply that I gave to a question from my hon. Friend the Member for Lancashire, West (Mr. Hind) on 15 December at column *708*.

Peremptory Challenge

Mr. Vaz: To ask the Secretary of State for the Home Department whether he will take steps to ensure that the abolition of a defendant's rights of peremptory challenge in jury trials will not in any way weaken the fairness of the jury system.

Mr. John Patten: We believe that abolition of peremptory challenge will increase the fairness of the jury system. We have no present plans for further changes, but we will of course keep the working of the system under review.

Radio

Mr. Barry Field: To ask the Secretary of State for the Home Department what plans he has to widen choice for radio listeners.

Mr. Renton: We have endorsed IBA proposals to award 20 contracts for incremental radio stations. The first five will be announced in the spring. We have also agreed that a separate contract should be advertised for a station covering Heathrow and Gatwick airports. In addition we have authorised BBC and independent local radio stations to provide separate programmes if they wish on each of their current frequencies. The White Paper "Broadcasting in the '90s" makes further proposals to allow the expansion of radio in due course, in particular the establishment of independent national radio stations and up to several hundred local and community radio stations.

Association of Chief Police Officers

Mr. Harry Barnes: To ask the Secretary of State for the Home Department when he last had a meeting with the Association of Chief Police Officers; and what matters were discussed.

Mr. Hurd: I refer the hon. Member to the reply that I gave to a question from my hon. Friend the Member for Lancashire, West (Mr. Hind) on 15 December at column *708*.

Mr. Viraj Mendis

Mr. Canavan: To ask the Secretary of State for the Home Department whether he will make an up-to-date statement on the case of Viraj Mendis.

Mr. Renton: Further to the reply given to a question from the right hon. Member for Birmingham, Sparkbrook (Mr. Hattersley), on 18 January, Mr. Mendis applied for judicial review of my right hon. Friend's refusal to reverse the decisions to refuse refugee status and to make a deportation order against him. The Divisional court and the Court of Appeal rejected this application on 19 January.

No satisfactory assurance was received about Mr. Mendis' admissibility to a third country, and he was removed to Sri Lanka on the 12.15 pm Air Lanka flight from Gatwick airport on 20 January.

Mr. Marlow: To ask the Secretary of State for the Home Department what is his estimate of the total cost to public funds in respect of Mr. Viraj Mendis including legal costs, transport costs and supplementary benefit payments since the time at which his overstay in the United Kingdom commenced.

Mr. Renton: It is not practicable to quantify the staffing and other resources spent by the Home Office in connection with Mr. Mendis' case, but these were considerable. Costs incurred by other Departments are a matter for my right hon. and hon. Friends the Ministers concerned.

Disclosure of Information

Mr. Maclennan: To ask the Secretary of State for the Home Department if he has reviewed all the statutory provisions bearing upon the disclosure of official information, other than the Official Secrets Act, to ensure that they are consistent with the principles and provisions concerning liability to criminal prosecution for disclosure of official information contained in the Official Secrets Bill; and if he will make a statement.

Mr. Hurd: The purpose of the Official Secrets Bill is to replace section 2 of the Official Secrets Act 1911 in

accordance with the principles set out in the White Paper published in June 1988 (Cm 408). The Government are aware of other legislation containing specific offences relating to the disclosure of particular information provided under statutory requirements and it referred to these in its White Paper at paragraph 35. Any consideration of such offences needs to be made in the context of the specific provisions to which they relate.

Immigration

Mr. Tony Lloyd: To ask the Secretary of State for the Home Department what was the date on which the papers relating to the family of KMA (Ref. No. K362905/3) were received by his Department; and when he expects to have processed this case and advised the Foreign and Commonwealth Office of his conclusions.

Mr. Renton: I regret that when I wrote to the hon. Member on 13 January I was not aware that the referral papers had been received in the Home Office on 5 December but were not linked with the file. The entry clearance officer in Bombay was instructed on 25 January to issue suitable entry clearance.

Football Clubs (Membership Scheme)

Mr. McCrindle: To ask the Secretary of State for the Home Department if it is anticipated that companies running the proposed football identity card scheme should have access to the police national computer.

Mr. Douglas Hogg: No.

Drugs

Mr. Butler: To ask the Secretary of State for the Home Department if he will make a statement on the recent level of arrests for narcotics-related offences.

Mr. Douglas Hogg: Figures for the number of people arrested for drug-related offences are not collected centrally. Figures available for people dealt with at court or cautioned are published regularly and 1987 figures can be found in chapters 5 and 7 of "Criminal Statistics, England and Wales, 1987". Also, figures for people whose offences are settled by compounding or who are given informal warnings can be found in the Home Office statistical bulletin "Statistics on the Misuse of Drugs 1987".

Women Prisoners

Mr. Bermingham: To ask the Secretary of State for the Home Department what is *(a)* the total number of females who served all or part of a prison sentence during 1987 accompanied by a dependent child or baby in England and Wales, and *(b)* the proportion and number of such females who had committed an offence involving robbery or violence; and if he will make a statement.

Mr. Douglas Hogg *[holding answer 24 January 1989]:* During 1987, 129 females served all or part of a prison sentence accompanied by their babies. Of these, 20—16 per cent.—had committed an offence involving robbery or violence.

NORTHERN IRELAND

Belfast City Airport

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland what arrangements he is proposing to make for the future of Belfast city airport in the context of the sale of Short Brothers; and if he will make a statement.

Mr. Viggers: The future of Belfast harbour airport will depend largely on the outcome of the process to privatise Short Brothers plc. An information memorandum on Shorts was recently issued to a selected number of prospective purchasers inviting them to submit preliminary proposals for the company. This memorandum was issued to only those parties interested in purchasing the company as a whole. In the detailed negotiations which will follow the proposals of possible purchasers, the future of the harbour airport will be covered, but meanwhile there will be no change in its operation.

Fair Employment

Mr. McNamara: To ask the Secretary of State for Northern Ireland, pursuant to his reply to the hon. Member for Kingston upon Hull, North, *Official Report*, 20 January, columns *335-36*, if he will identify those recommendations contained in paragraphs 15.5 to 15.123 of the Standing Advisory Commission on Human Rights' "Report on Fair Employment" (Cm. 237) which have been incorporated *(a)* in full and *(b)* in part in the Fair Employment (Northern Ireland) Bill 1988, indicating in which clauses of the Bill they can be found.

Mr. Viggers: An analysis of the kind requested would be inappropriate given the complexity of the issues involved. The Fair Employment (Northern Ireland) Bill reflects those recommendations of the SACHR report which relate to the meaning of discrimination and equality of opportunity, the scope of new legislation, the encouragement of equality of opportunity in practice, new institutional arrangements, the conduct of strategic investigations and new duties on employers to monitor the religious composition of their work force. In addition, the Government fully endorses the SACHR's general principles on the provision of equality of opportunity. The Bill's provisions dealing with the registration and certification of employers, the enforcement powers of the fair employment tribunal and the disqualification of employers from public sector grants and contracts reflect concerns expressed by SACHR, but address the issues by means different from those recommended in the report.

Mr. McNamara: To ask the Secretary of State for Northern Ireland whether he will publish the proposed code of practice refered to in the Fair Employment (Northern Ireland) bill 1988 two clear sitting days before the Second Reading of the Bill.

Mr. Viggers: No. The code will be drawn up by the Fair Employment Commission, and will therefore be available until the commission has been established. However, I intend to make available before Committee stage a preliminary draft of the revised "Guide to Effective Practice", which will serve as the first code once the Bill receives Royal Assent.

Mr. McNamara: To ask the Secretary of State for Northern Ireland when he intends to publish the drafts of seven sets of regulations referred to in the Fair Employment (Northern Ireland) Bill 1988.

Mr. Viggers: It is not normal practice to publish drafts of subordinate legislation of this kind. However, I expect to be able to inform the House during Committee stage of the likely content of the main regulations referred to in the Bill.

Fair Employment Act

Mr. McNamara: To ask the Secretary of State for Northern Ireland if, pursuant to his reply of 13 January to the hon. Member for Kingston upon Hull, North, he will list in the *Official Report* the employers in respect of whom section 42 certificates under the Fair Employment Act were issued.

Mr. Viggers *[holding answer 18 January 1989]:* It is not the policy of the Fair Employment Agency to release the names of parties in individual complaint cases. Of the 18 section 43 certificates referred to in my reply of 13 January, five involved either the Northern Ireland Office or Northern Ireland Departments whilst the remaining 13 concerned public bodies in Northern Ireland.

Toxocariasis

Mr. Ross: To ask the Secretary of State for Northern Ireland what is is his estimate of the number of cases of toxocariasis which occur each year in Northern Ireland; what is the distribution of such cases, over the last few years; and whether there is any evidence as to whether the incidence of the condition has been affected by the dog licensing scheme operating in Northern Ireland.

Mr. Needham *[holding answer 24 January 1989]:* Information about cases of toxocariasis is not available. It is not possible, therefore, to say if the incidence of the disease has been affected by the current dog licensing scheme.

NATIONAL FINANCE

Inflation

13. **Mr. Worthington:** To ask the Chancellor of the Exchequer what is the rate of inflation *(a)* now and *(b)* last January.

69. **Mr. Martyn Jones:** To ask the Chancellor of the Exchequer what is the rate of inflation *(a)* now and *(b)* last January.

106. **Mr. Morgan:** To ask the Chancellor of the Exchequer what is the rate of inflation *(a)* now and *(b)* last January.

Mr. Brooke: 6·8 and 3·3 per cent. respectively.

58. **Mr. Win Griffiths:** To ask the Chancellor of the Exchequer what forecast he has made of the rate of inflation in six months' time.

Mr. Lilley: The Autumn Statement contains the latest published forecast for retail prices index inflation in 1989.

94. **Mr. Cabom:** To ask the Chancellor of the Exchequer if he will give his latest forecast for the rate of inflation in 1989.

138. **Mr. Hinchliffe:** To ask the Chancellor of the Exchequer what is his latest forecast for the rate of inflation in 1989.

Mr. Lilley: The Autumn Statement contains the latest published forecast for retail prices index inflation in 1989.

114. **Ms. Mowlam:** To ask the Chancellor of the Exchequer if he will state the number of countries in the European Community which have a lower rate of inflation than the current rate in the United Kingdom.

Mr. Lilley: I refer the hon. Member to the reply that I gave to the hon. Member for Barnsley, Central (Mr. Illsley) on 20 January at column *358*.

115. **Mr. Gareth Wardell:** To ask the Chancellor of the Exchequer when the Government expect to achieve the objective of zero per cent. inflation.

123. **Mr. Ronnie Campbell:** To ask the Chancellor of the Exchequer when the Government expect to achieve the objective of zero per cent. inflation.

141. **Ms. Armstrong:** To ask the Chancellor of the Exchequer when the Government expect to achieve the objective of zero per cent. inflation.

Mr. Lilley: The Government's resolve against inflation remains firm, as shown by recent policy actions in raising interest rates to keep downward pressure on inflation. The ultimate objective remains stable prices.

Income Statistics

14. **Mr. Wallace:** To ask the Chancellor of the Exchequer if there are any plans to change the system of collation of national income statistics.

Mr. Major: The CSO are always looking for ways to improve the accuracy and completeness of the national accounts. The Government established last summer a review to make recommendations for cost-effective improvements. It has now been completed and a comprehensive report will be published in due course.

Ministerial Meetings

15. **Mr. Batiste:** To ask the Chancellor of the Exchequer when he next expects to meet his counterparts in the other major industrial countries.

Mr. Yeo: To ask the Chancellor of the Exchequer when he next expects to meet his counterparts in the other major industrial countries.

Mr. Nicholas Bennett: To ask the Chancellor of the Exchequer when he next expects to meet his counterparts in the other major industrial countries.

Mr. Lawson: The G7 Finance Ministers will be meeting in Washington next week.

Labour Statistics

16. **Mr. Lord:** To ask the Chancellor of the Exchequer in which regions adult unemployment has fallen over the past year.

Mr. Brooke: Adult unemployment has fallen sharply in every region of the United Kingdom over the last year, but fastest in the west midlands, the north west and Wales.

61. **Mr. William Powell:** To ask the Chancellor of the Exchequer in which regions adult unemployment has fallen over the past year.

129. **Mr. Burt:** To ask the Chancellor of the Exchequer in which regions adult unemployment has fallen over the past year.

Mr. Major: Adult unemployment has fallen sharply in every region of the United Kingdom over the last year, but fastest in the west midlands, the north west and Wales.

83. **Mr. Michael Brown:** To ask the Chancellor of the Exchequer what has been the fall in the number of long-term unemployed aged 18 to 24 years since October 1986.

95. **Mr. Gerald Bowden:** To ask the Chancellor of the Exchequer what has been the fall in the number of long-term unemployed aged 18 to 24 years since October 1986.

97. **Mr. Andy Stewart:** To ask the Chancellor of the Exchequer what has been the fall in the number of long-term unemployed aged 18 to 24 years since October 1986.

Mr. Major: The latest available figures, for October 1988, show that the number of long-term unemployed aged between 18 and 24 has fallen by one half since October 1986.

Exchange Rate

18. **Mr. Flyn:** To ask the Chancellor of the Exchequer if he will make a statement on the latest exchange rate policy.

110. **Mr. Murphy:** To ask the Chancellor of the Exchequer if he will make a statement on exchange rate policy.

Mr. Lilley: The Government's policy is unchanged. The need to reduce inflation is paramount and a firm exchange rate is essential to achieve this objective.

World Bank and IMF

19. **Miss Lestor:** To ask the Chancellor of the Exchequer when he next expects to meet the managing director of the International Monetary Fund and the President of the World Bank; and what matters they propose to discuss.

Mr. Lawson: I expect to see the managing director of the IMF at the G7 meeting in Washington next week.

VAT

20. **Mr. Baldry:** To ask the Chancellor of the Exchequer what representations he has received from charities concerning the European Court of Justice ruling on value added tax on new buildings.

Mr. Lilley: My right hon. Friend and I have received a large number of representations from charitable bodies about the impact of the recent European court judgement on VAT zero rates, and I and customs officials have also held meetings with representative groups. The points made are being carefully considered and I will make an announcement soon.

31. **Mr. Graham:** To ask the Chancellor of the Exchequer how much a person on average earnings spends as a proportion of his total income on value added tax now; and what is the comparable figure for 1978-79.

119. **Mr. McCartney:** To ask the Chancellor of the Exchequer how much a person on average earnings spends as a proportion of his total income in value added tax now; and what is the comparable figure for 1978-79.

137. **Mr. Bradley:** To ask the Chancellor of the Exchequer how much a person on average earnings spends as a proportion of his total income on value added tax now; and what is the comparable figure for 1978-79.

Mr. Norman Lamont: Estimates of VAT payments as a proportion of total income (ie including unearned income) are not available. Estimates of VAT payments as a proportion of gross earnings were given as part of an answer to my hon. Friend the Member for Hornchurch (Mr. Squire) on 10 January 1989 at columns *634-56*.

42. **Mr. Pike:** To ask the Chancellor of the Exchequer what recent representations he has received regarding the future policy on taxation of those items at present exempt from value added tax.

Mr. Lilley: My right hon. Friend the Chancellor has received a number of representations about the future policy on taxation of items at present exempt from value added tax.

117. **Mr. Andrew F. Bennett:** To ask the Chancellor of the Exchequer what representations he has received regarding the imposition of value added tax on books, periodicals and newspapers.

Mr. Lilley: My right hon. Friend the Chancellor has received a number of representations in favour of maintaining VAT zero rating for books, periodicals and newspapers.

Investment

21. **Mr. Tim Smith:** To ask the Chancellor of the Exchequer what are the latest figures for the growth of manufacturing investment.

70. **Mr. French:** To ask the Chancellor of the Exchequer what are the latest figures for the growth of manufacturing investment.

111. **Mr. John Greenway:** To ask the Chancellor of the Exchequer what are the latest figures for the growth of manufacturing investment.

Mr. Major: In the first three quarters of 1988, manufacturing investment was 11 per cent. higher than in the same period a year earlier.

22. **Mr. Redwood:** To ask the Chancellor of the Exchequer what has been the growth of total fixed investment in the United Kingdom since 1981.

45. **Mr. Hind:** To ask the Chancellor of the Exchequer what has been the growth of total fixed investment in the United Kingdom since 1981.

73. **Mr. Fishburn:** To ask the Chancellor of the Exchequer what has been the growth of total fixed investment in the United Kingdom since 1981.

76. **Mr. Bill Walker:** To ask the Chancellor of the Exchequer what has been the growth of total fixed investment in the United Kingdom since 1981.

93. **Mr. David Davis:** To ask the Chancellor of the Exchequer what has been the growth of total fixed investment in the United Kingdom since 1981.

Mr. Major: In the first three quarters of 1988 total fixed investment was 43 per cent. higher in real terms than in 1981.

25. **Mr. Hayes:** To ask the Chancellor of the Exchequer what has been the ratio between the growth of investment and the growth of consumption over the past five years.

36. **Mrs. Peacock:** To ask the Chancellor of the Exchequer what has been the ratio between the growth of investment and the growth of consumption over the past five years.

63. **Mr. David Shaw:** To ask the Chancellor of the Exchequer what has been the ratio between the growth of investment and the growth of consumption over the past five years.

108. **Mr. David Nicholson:** To ask the Chancellor of the Exchequer what has been the ratio between the growth of investment and the growth of consumption over the past five years.

Mr. Major: Investment has grown over one and a half times faster than consumption over the past five years up to the third quarter of 1988.

33. **Mrs. Roe:** To ask the Chancellor of the Exchequer what is his latest estimate of the growth in total investment in 1988.

35. **Mr. Whitney:** To ask the Chancellor of the Exchequer what is his latest estimate of the growth in total investment in 1988.

Mr. Major: Total investment was forecast in the Autumn Statement to increase in real terms by 12 per cent. in 1988.

43. **Mr. Cousins** To ask the Chancellor of the Exchequer if he will make a statement on current foreign investment and capital flows into the United Kingdom.

52. **Mr. Doran** To ask the Chancellor of the Exchequer if he will make a statement on current foreign investment and capital flows into the United Kingdom.

Mr. Major: I refer the hon. Member to the reply that I gave to the hon. Member for Bridgend (Mr. Griffiths) on 23 January at column *374*.

46. **Mr. Darling:** To ask the Chancellor of the Exchequer if he will provide the latest available data on net flows of *(a)* direct investment, *(b)* portfolio investment and *(c)* banking flows into the United Kingdom in 1988.

Mr. Major: I refer the hon. Member to the reply that my hon. Friend the Economic Secretary gave earlier today to the hon. Member for Edinburgh, South (Mr. Griffiths).

Mr. Robert G. Hughes: To ask the Chancellor of the Exchequer what is his latest estimate of the growth in total investment in 1988.

Mr. Major: Total investment was forecast in the Autumn Statement to increase in real terms by 12 per cent. in 1988.

Labour Costs

23. **Mr. Gregory:** To ask the Chancellor of the Exchequer what is his latest information on the growth of unit labour costs in manufacturing industry.

79. **Mr. Burns:** To ask the Chancellor of the Exchequer what is his latest information on the growth of unit labour costs in manufacturing industry.

85. **Sir Hal Miller:** To ask the Chancellor of the Exchequer what is his latest information on the growth of unit labour costs in manufacturing industry.

89. **Sir David Price:** To ask the Chancellor of the Exchequer what is his latest information on the growth of unit labour costs in manufacturing industry.

Mr. Major: In the three months to November, manufacturing unit wage costs increased by 0·5 per cent. on the same period a year earlier.

Public Sector Surplus

24. **Mr. Janman:** To ask the Chancellor of the Exchequer what is his latest forecast for the level of public sector surplus in 1988-89.

Mr. Major: I refer my hon. Friend to the reply that my right hon. Friend the Chancellor of the Exchequer gave earlier today to my hon. Friend the Member for Bridlington (Mr. Townend).

Employment

26. **Mr. Devlin:** To ask the Chancellor of the Exchequer what has been the growth of *(a)* self-employment and *(b)* part-time employment in the United Kingdom since 1979.

Mr. Major: Between June 1979 and September 1988 the number of self-employed people in Great Britain rose by 60 per cent. to nearly 3 million. Over the same period, the part-time work force in employment rose by 30 per cent. to more than 6 million.

National Insurance

27. **Mr. Ian Taylor:** To ask the Chancellor of the Exchequer what discussions has he had with the institute for fiscal studies regarding reform of the national insurance contributions system.

Mr. Major: None, but I have noted their proposals.

Interest Rates

28. **Mr. Speller:** To ask the Chancellor of the Exchequer whether he will take steps to reduce bank interest rates and the mortgage interest rates.

Mr. Lilley: I refer my hon. Friend to the answer that I gave earlier today to the hon. Member for Tooting (Mr. Cox).

32. **Mr. Matthew Taylor:** To ask the Chancellor of the Exchequer if he will make a statement on his Department's estimate of the future level of interest rates and mortgage rates in the next three months.

Mr. Lilley: Interest rates will remain as high as they need be, for as long as necessary, to bring inflationary pressures back under control. Mortgage rates are a matter for lenders to decide.

55. **Mr. Latham:** To ask the Chancellor of the Exchequer whether he will make a statement on the current level of interest rates.

57. **Mr. Dunnachie:** To ask the Chancellor of the Exchequer if he will make a statement on the current level of interest rates.

67. **Mr. McAvoy:** To ask the Chancellor of the Exchequer if he will make a statement on the current level of interest rates.

Mr. Lilley: Bank base rates are 13 per cent.

66. **Mr. Kennedy:** To ask the Chancellor of the Exchequer if he will assess the impact of current levels of interest rates on the economy.

Mr. Lilley: Higher interest rates will take some time to have their full effect, but there are already some clear signs that economic growth is moderating to sustainable rates. Higher interest rates encourage saving and discourage borrowing.

98. **Mr. Wigley:** To ask the Chancellor of the Exchequer on how many occasions during the past 12 months he has increased interest rates; what is the total increase; and what is his assessment of the total resultant increase in annual interest payments within the United Kingdom economy.

Mr. Lilley: Bank base rates were moved 13 times in the last year, both up and down, and increased by 4 per cent. in total. The impact on total interest payments within the United Kingdom economy will be less than proportionate as long-term interest rates have moved much less than short-term rates.

101. **Mr. Patchett:** To ask the Chancellor of the Exchequer what is his estimate of the extra borrowing costs to industry incurred by a rise of 1 per cent. in interest rates.

128. **Mr. Morley:** To ask the Chancellor of the Exchequer what is his estimate of the extra borrowing costs to industry incurred by a rise of 1 per cent. in interest rates.

Mr. Major: The cost to industrial and commercial companies of a one percentage point rise in United Kingdom short-term interest rates maintained for a full year is estimated to be about £400 million.

Government Expenditure

29. **Dr. Goodson-Wickes:** To ask the Chancellor of the Exchequer if he will make a statement on the outlook for general Government expenditure as a percentage of gross domestic product.

107. **Mr. Neil Hamilton:** To ask the Chancellor of the Exchequer if he will make a statement on the outlook for general Government expenditure as a percentage of gross domestic profit.

Mr. Major: My right hon. Friend the Chancellor of the Exchequer's Autumn Statement to the House on 1 November 1988 set out the Government's plans for public spending. It noted that general government expenditure (excluding privatisation proceeds) in 1988-89 is expected to be below 40 per cent. of GDP for the first time in over 20 years; and that over the next three years it is expected to fall further.

Bank of England (Governor)

30. **Mr. Skinner:** To ask the Chancellor of the Exchequer when he next intends to meet the Governor of the Bank of England; and if he will make a statement.

Mr. Lilley: My right hon. Friend meets the governor from time to time to discuss a variety of topics.

60. **Mr. Yeo:** To ask the Chancellor of the Exchequer when he last met the Governor of the Bank of England; and what subjects were discussed.

Mr. Lilley: My right hon. Friend meets the governor from time to time to discuss a variety of topics.

Balance of Payments

34. **Mr. McLeish:** To ask the Chancellor of the Exchequer if he will state the current balance of payments as a proportion of gross domestic product.

51. **Dr. Godman:** To ask the Chancellor of the Exchequer what is the current balance of payments as a proportion of gross domestic product.

105. **Mr. Tom Clarke:** To ask the Chancellor of the Exchequer if he will state the current balance of payments as a proportion of gross domestic profit.

Mr. Major: In the latest 12 months for which figures are available the current account deficit as a proportion of gross domestic product was 2½ per cent.

56. **Mr. Strang:** To ask the Chancellor of the Exchequer if he will list his policies which are aimed at reducing the balance of payments deficit; and if he will make a statement.

Mr. Major: The rise in the current account deficit has primarily reflected the strength of domestic demand. The Government responded appropriately by tightening monetary policy and the effects of this are already beginning to bite, particularly in the housing market and in the retail sector. However, as my right hon. Friend the Chancellor has made clear, the current account deficit is likely to be one of the last indicators to respond.

88. **Mr. Battle:** To ask the Chancellor of the Exchequer if he will give his latest forecast for the United Kingdom's balance of payments.

99. **Mr. Cohen:** To ask the Chancellor of the Exchequer if he will give his latest forecast for the United Kingdom's balance of payments.

Mr. McFall: To ask the Chancellor of the Exchequer if he will give his latest forecast for the United Kingdom's balance of payments.

Mr. Major: The Autumn Statement forecast a current account deficit this year of £11 billion. There will be a new forecast published on Budget day in the usual way.

Exports

37. **Dr. Moonie:** To ask the Chancellor of the Exchequer if he will provide his latest forecast for growth in the United Kingdom's visible exports in 1989.

74. **Mr. Clelland:** To ask the Chancellor of the Exchequer if he will provide his latest forecast for growth in the United Kingdom's visible exports in 1989.

Mr. Major: I refer the hon. Members to the reply that my right hon. Friend the Paymaster General gave earlier today to the hon. Member for Hemsworth (Mr. Buckley).

Overseas Assets

38. **Mr. Bowis:** To ask the Chancellor of the Exchequer what is his latest estimate of the stock of United Kingdom net overseas assets.

91. **Mr. Jacques Arnold:** To ask the Chancellor of the Exchequer what is his latest estimate of the stock of United Kingdom net overseas assets.

120. **Mr. Beaumont-Dark:** To ask the Chancellor of the Exchequer what is his latest estimate of the stock of United Kingdom net overseas assets.

127. **Dr. Twinn:** To ask the Chancellor of the Exchequer what is his latest estimate of the stock of United Kingdom net overseas assets.

Mr. Major: At the end of 1987, the United Kingdom net stock of overseas assets was worth £89½ billion, about one fifth of GDP. These assets generated earnings of £5½ billion in 1987. The United Kingdom net stock of assets was the second highest in the world behind Japan. Figures for 1988 are not yet available.

National Debt

39. **Sir John Stokes:** To ask the Chancellor of the Exchequer what is his estimate of the additional revenue which will be available in 10 years as a result of the current level of national debt repayment.

Mr. Lilley: Were annual debt repayments for each of the next ten years to be at the current forecast level of £10 billion the stock of net debt will be virtually halved. However, the amount of debt interest saved will depend upon interest rates over the next ten years and the mix of debt repaid, and hence it could only be quantified with a large degree of uncertainty. There would clearly be a substantial saving on the current level of net interest payments of £11½ billion.

Pound Sterling

40. **Mr. Ron Brown:** To ask the Chancellor of the Exchequer what is the current value of the 1979 pound sterling after taking inflation into account; and if he will make a statement.

Mr. Lilley: The real effective sterling exchange rate (based on relative normalised unit labour cost, as published by the IMF on the United Kingdom country page of "International Financial Statistics") averaged 83·6 in 1979 and 106·1 in October 1988.

Income Tax

41. **Mr. Hardy:** To ask the Chancellor of the Exchequer what would be the cost to the Exchequer of a reduction in the rate of income tax of 1p.

Mr. Norman Lamont: The direct revenue cost, at 1989-90 income levels, of reducing the basic rate of income tax by one penny is estimated to be £1·4 billion in 1989-90 and £1·7 billion in 1990-91.

Budget Surplus

44. **Mr. McAllion:** To ask the Chancellor of the Exchequer what is his estimate of the budget surplus at present.

84. **Mr. Roger King:** To ask the Chancellor of the Exchequer what is his latest forecast for the level of public sector surplus in 1988-89.

Mr. Jack: To ask the Chancellor of the Exchequer what is his latest forecast for the level of public sector surplus in 1988-89.

Mr. Major: I refer the hon. Gentleman and my hon. Friends to the reply that my right hon. Friend the Chancellor of the Exchequer gave earlier today to my hon. Friend the Member for Bridlington (Mr. Townend).

Economy (North-West)

47. **Mr. Tony Lloyd:** To ask the Chancellor of the Exchequer what assessment he has made of the long-term future of the economy of north-west England.

54. **Mr. Parry:** To ask the Chancellor of the Exchequer what assessment he has made of the long-term future of the economy of the north-west.

Mr. Major: The Government do not publish long-term forecasts of the regional economies, but my assessment is that the prospects for north-west England are good, deriving from a more broadly based and flexible economy. For example, the region has one of the most rapidly falling unemployment rates in the United Kingdom.

96. **Mr. Sumberg:** To ask the Chancellor of the Exchequer what has been the economic growth rate in the north-west of England for the last two years for which figures are available.

Mr. Major: The growth of GDP at factor cost in current prices in the north-west region is estimated to have been 10·1 per cent. between 1985 and 1986, and 7·4 per cent. between 1986 and 1987. These estimates are subject to revision, particularly the provisional 1987 figure.

Cider

48. **Mr. Colin Shepherd:** To ask the Chancellor of the Exchequer what was the yield from excise duty on cider and allied products for each of the last three years for which figures are available.

Mr. Lilley: The information is as follows:

Cider and perry duty receipts

	£ million
1985-86	49·7
1986-87	53·2
1987-88	50·7

Trade Deficit

49. **Dr. Reid:** To ask the Chancellor of the Exchequer if he will give the latest forecast for the United Kingdom trade deficit.

Mr. Major: The latest forecast was published in the Autumn Statement.

Economic Growth

50. **Mr. Squire:** To ask the Chancellor of the Exchequer if he will make a statement about the current level of economic growth.

71. **Mr. Oppenheim:** To ask the Chancellor of the Exchequer if he will make a statement about the current level of economic growth.

102. **Mrs. Gorman:** To ask the Chancellor of the Exchequer if he will make a statement about the current level of economic growth.

118. **Mr. Hunter:** To ask the Chancellor of the Exchequer if he will make a statement about the current level of economic growth.

Mr. Major: Gross domestic product is likely to have grown by around 4½ per cent. in 1988. This would be the fourth consecutive year of growth in excess of 3 per cent. —a performance unmatched since the war.

90. **Mr. Knapman:** To ask the Chancellor of the Exchequer if he will make a statement on the composition of growth in the United Kingdom as between consumer expenditure, exports and investment over the period 1981 to the latest available date.

100. **Mr. Quentin Davies:** To ask the Chancellor of the Exchequer if he will make a statement on the composition of growth in the United Kingdom as between consumer expenditure, exports and investment over the period 1981 to the latest available date.

112. **Mr. Kirkhope:** To ask the Chancellor of the Exchequer if he will make a statement on the composition of growth in the United Kingdom as between consumer expenditure, exports and investment over the period 1981 to the latest available date.

116. **Mr. Arbuthnot:** To ask the Chancellor of the Exchequer if he will make a statement on the composition of growth in the United Kingdom as between consumer expenditure, exports and investment over the period 1981 to the latest available date.

Mr. Major: Since 1981 consumers expenditure in real terms has grown on average by 3½ per cent. per year, compared with 5 per cent. for investment and 4 per cent. for exports.

Grants

53. **Mr. Gill:** To ask the Chancellor of the Exchequer what has been the total cost to the Exchequer of all grants in aid to trade, industry and commerce in the financial year 1987-88.

Mr. Major: The table below shows the 1987-88 estimated outturn for grants and subsidies included under the trade and industry part of the trade, industry, energy and employment section of table 2.7 (Functional analysis of United Kingdom public expenditure) of volume I of "The Government's Expenditure Plans 1988-89 to 1990-91" (Cm 288). The figures cover grants and subsidies to both public corporations and the private sector. Revised outturn data for public expenditure in 1987-88 will be given in the 1989 public expenditure White Paper which is due to be published in the next few days. I shall write to my hon. Friend to update the figures given below shortly.

Expenditure[1] on certain grants and subsidies to trade, industry and commerce[2] £ million

	Grants	*Subsidies*	*Total*
Regional and general industrial support	455·0	242·2	697·1
Scientific and technological assistance	3·2	0·4	3·6
Support for aerospace, shipbuilding, coal, steel and vehicle manufacture	316·2	46·9	363·1
Trade	9·0	151·2	160·2
	783·3	440·7	1,223·9

[1] Estimated outturn figures.
[2] Covers the trade and industry part of the trade, industry, energy and employment section of Table 2.7 of Volume I of Cm 288.

European Monetary System

59. **Mr. Teddy Taylor:** To ask the Chancellor of the Exchequer what assessment he has made of whether the circumstances are appropriate for the pound sterling to join the exhange rate mechanism of the European monetary system.

Mr. Peter Lilley: I refer my hon. Friend to the reply that I gave to the Member for Holland with Boston (Sir Richard Body) on 20 January at column *358*.

Employment

62. **Mr. David Porter:** To ask the Chancellor of the Exchequer what has been the growth of *(a)* self-employment and *(b)* part-time employment in the United Kingdom since 1979.

68. **Mr. Couchman:** To ask the Chancellor of the Exchequer what has been the growth of *(a)* self-employment and *(b)* part-time employment in the United Kingdom since 1979.

Mr. Major: Between June 1979 and September 1988 the number of self-employed people in Great Britain rose by 60 per cent. to nearly 3 million. Over the same period, the part-time work force in employment rose by 30 per cent. to over 6 million.

Small Businesses

64. **Mr. Amos:** To ask the Chancellor of the Exchequer if he will make a statement on the current level of taxation on small businesses.

Mr. Norman Lamont: Companies with profits below £100,000 are subject to corporation tax at 25 per cent. Those with profits of between £100,000 and £500,000 are taxed at the main rate of 35 per cent. but receive a marginal relief. The total corporation tax liability arising for small companies in 1986-87, the latest year for which revenue figures are available and when the rates were 29 per cent. and 35 per cent. (with relief) respectively, is estimated at £1¼ billion, of which about £¾ billion arose in each band. Businesses are not required to register for VAT purposes until turnover reaches £22,100, the highest threshold allowed by European Community law.

77. **Mr. Ron Davies:** To ask the Chancellor of the Exchequer what representations he has received about the effect of interest rates on small businesses.

113. **Mr. Rogers:** To ask the Chancellor of the Exchequer what representations he has received about the effect of interest rates on small businesses.

140. **Mr. Henderson:** To ask the Chancellor of the Exchequer what representations he has received about the effect of interest rates on small businesses.

Mr. Lilley: My right hon. Friend has received a number of such representations.

Manufacturing Investment

78. **Mr. Brazier:** To ask the Chancellor of the Exchequer what is his latest information on the investment intentions of manufacturing industry.

87. **Mr. Brandon-Bravo:** To ask the Chancellor of the Exchequer what is his latest information on the investment intentions of manufacturing industry.

Mr. Major: I refer my hon. Friends to the reply that I gave earlier today to my hon. Friend the Member for Salisbury (Mr. Key).

Disabled Staff

65. **Mr. Ashley:** To ask the Chancellor of the Exchequer if he intends to take any steps to increase the number of registered disabled people in his Department.

Mr. Lawson: My Department is not planning any specific measures to increase the number of disabled staff it employs. It will continue to seek to attract potential recruits under equal opportunity guidelines.

New Businesses

72. **Mr. Cash:** To ask the the Chancellor of the Exchequer what has been the average weekly rate of business start-ups in net terms in 1988.

109. **Mr. Stevens:** To ask the Chancellor of the Exchequer what has been the average weekly rate of business start-ups in net terms in 1988.

125. **Mr. Nicholas Baker:** To ask the Chancellor of the Exchequer what has been the average weekly rate of business start-ups in net terms in 1988.

Mr. Major: In 1987, the latest year for which figures have been published by the Department of Employment, the net increase in the number of businesses registered for VAT was 45,000, an average of approaching 900 a week. Indications are that the rate of increase in 1988 is even faster. The number of VAT registrations and de-registrations processed by Customs and Excise during 1988 indicate a net increase of over 1,200 a week. Department of Employment figures for 1988 will be available in the summer.

Economic Prospects

75. **Mr. Leigh:** To ask the Chancellor of the Exchequer if he will make a statement on the economic prospects for the United Kingdom for 1989.

Mr. Major: A revised economic forecast for 1989 will be published at Budget time.

House Purchase (Stamp Duty)

80. **Mr. Shersby:** To ask the Chancellor of the Exchequer what was the total revenue from stamp duty on house purchase conveyances for the most recent 12-month period for which figures are available.

Mr. Norman Lamont: The yield from stamp duty on residential property in 1988 is estimated at £1,140 million.

Shareholders

81. **Mr. Evennett:** To ask the Chancellor of the Exchequer what is his latest estimate of the number of private shareholders in the United Kingdom.

86. **Mr. Allan Stewart:** To ask the Chancellor of the Exchequer what is his latest estimate of the number of private shareholders in the United Kingdom.

135. **Mr. Gwilym Jones:** To ask the Chancellor of the Exchequer what is his latest estimate of the number of private shareholders in the United Kingdom.

Mr. Norman Lamont: The joint Treasury and stock exchange survey carried out in January and February 1988 estimated that approximately 9 million people own shares —20 per cent. of the adult population. This represents a threefold increase since 1979.

Mortgage Interest

82. **Mr. Turner:** To ask the Chancellor of the Exchequer what information he has as to how many households have their mortgage interest payments adjusted annually.

136. **Mr. George Howarth:** To ask the Chancellor of the Exchequer what information he has as to how many households have their mortgage interest payments adjusted annually.

Mr. Lilley: I refer the hon. Members to the reply that I gave to the hon. Member for The Wrekin (Mr. Grocott) on 19 January at column *259*.

Budget Objectives

92. **Mr. Grocott:** To ask the Chancellor of the Exchequer what assessment he has made of the extent to which the 1988 Budget is achieving its objectives.

Mr. Norman Lamont: The effects of particular Budgets should not be looked at in isolation but as part of a general process of tax reform and other measures which have, inter alia, improved the performance of the economy by boosting incentives and enterprise. The 1988 Budget was a further major step in that process. We examine the extent to which specific measures have achieved their objectives as part of the annual Budget process.

Personal Savings

104. **Mr. Boswell:** To ask the Chancellor of the Exchequer what action he is taking to stimulate personal savings.

Mr. Lilley: The increases in interest rates which have already taken place make savings more attractive. The

National Savings capital bond launched earlier this month provides a new and attractive option for personal long-term saving.

Gross Domestic Product

121. **Mr. Moss:** To ask the Chancellor of the Exchequer what has been the increase in the output measure of gross domestic product for the latest 12-month period.

124. **Mr. Bright:** To ask the Chancellor of the Exchequer what has been the increase in the output measure of gross domestic product for the latest 12-month period.

Mr. Major: The output measure of gross domestic product is estimated to have grown by 4½ per cent. in the year to the third quarter of 1988.

Taxes

122. **Mr. Hoyle:** To ask the Chancellor of the Exchequer if he will publish the figures showing the total taxes paid by average earners in each financial year from 1978-79 to the present day.

Mr. Norman Lamont: I refer the hon. Member to the reply that I gave to the hon. Member for Hornchurch (Mr. Squire) on 10 January at columns *633-56*.

130. **Mr. Cummings:** To ask the Chancellor of the Exchequer how much a person on half average earnings pays as a proportion of his total income in all direct and indirect taxes including value added tax and national insurance.

132. **Mr. Steinberg:** To ask the Chancellor of the Exchequer how much a person on half average earnings pays as a proportion of his total income in all direct and indirect taxes including value added tax and national insurance.

139. **Mr. Ted Garrett:** To ask the Chancellor of the Chancellor how much a person on half average earnings pays as a proportion of his total income in all direct and indirect taxes including value added tax and national insurance.

Mr. Norman Lamont: Reliable estimates of indirect tax payments are not available for this level of income.

133. **Mr. Jack Thompson:** To ask the Chancellor of the Exchequer how much a person on average earnings pays as a proportion of his total income in all direct and indirect taxes including value added tax and national insurance.

134. **Mr. Martlew:** To ask the Chancellor of the Exchequer how much a person on average earnings pays as a proportion of his total income in all direct and indirect taxes including value added tax and national insurance.

Mr. Norman Lamont: I refer the hon. Members to the reply that I gave to the hon. Member for Nottingham, North (Mr. Allen) on 20 January at column *357*.

Mr. Riddick: To ask the Chancellor of the Exchequer how much revenue from composite rate tax on investment income the Treasury received in the last financial year *(a)* in total, *(b)* from people with tax liabilities and *(c)* from people without tax liabilities.

Mr. Norman Lamont: Total receipts of composite rate tax from savings institutions in 1987-88 were £3·1 billion after the set-off of about £0·4 billion of tax already paid on income received by them under deduction of income tax. Of the £3·5 billion composite rate tax accounted for by the savings institutions, about £450 million was due in respect of interest that would not have been liable to tax in the hands of its recipients in the absence of a composite rate system.

Mr. Riddick: To ask the Chancellor of the Exchequer how much revenue the Treasury would receive if composite rate tax was levied on national savings, taking the last financial year as an example *(a)* in total and *(b)* as a proportion of total composite rate tax revenue.

Mr. Norman Lamont: National Savings are excluded from the composite rate scheme in order to provide a convenient means for non-taxpayers to receive interest without deduction of non-reclaimable tax. The rate would tend to reduce if there was an extension of its scope to investments favoured by non-taxpayers, but the size of the reduction following such an extension is uncertain. However, net interest paid in 1987-88 on which savings institutions accounted for tax at composite rate totalled about £10·7 billion; interest on National Savings was about £1·4 billion payable gross and subject to tax if the recipient is a taxpayer, and about £1·7 billion not subject to tax.

Mr. Riddick: To ask the Chancellor of the Exchequer what proportion of total tax revenue to the Treasury is accounted for by composite rate tax.

Mr. Norman Lamont: About 2·8 per cent. in 1987-88.

Mr. David Shaw: To ask the Chancellor of the Exchequer what estimate he has of the revenue cost of reducing capital gains tax to a flat rate of 25 per cent. and of raising the capital gains tax exemptions limit from £5,000 to £10,000 in 1989-90 and 1990-91.

Mr. Norman Lamont *[holding answer 23 January 1989]:* The reduction in liability to capital gains tax arising from gains realised by individuals and trusts in 1989-90 is estimated to be about £450 million. The estimate allows for an increase in disposals in response to the reduction in effective rate of tax but does not allow for any short term effects such as might arise between the announcement of the proposed change and its coming into effect.

Northern Ireland (Revenue Contribution)

126. **Rev. Martin Smyth:** To ask the Chancellor of the Exchequer what information he has as to the contribution from Northern Ireland to United Kingdom exchequer revenue; and if he will make a statement.

Mr. Major: I assume that the hon. Member is referring to Northern Ireland's attributed share of taxation. The attributed share in 1985-86 (the last year for which there are full figures) was £1,873 million.

Customs and Excise (Confiscations)

131. **Mr. Vaz:** To ask the Chancellor of the Exchequer how many people had goods confiscated by Her Majesty's Customs and Excise when returning to the United Kingdom from abroad during 1988; and if he will make a statement.

Mr. Lilley: Customs seized about 50,000 items in the year ended 25 December 1988. It is not possible to identify from the records of seizures the number of persons concerned.

Business Start-ups

Mr. Andrew Mitchell: To ask the Chancellor of the Exchequer what has been the average weekly rate of business start-ups in net terms in 1988.

Mr. Major: In 1987, the latest year for which figures have been published by the Department of Employment, the net increase in the number of businesses registered for VAT was 45,000—an average of approaching 900 a week. Indications are that the rate of increase in 1988 is even faster. The number of VAT registrations and de-registrations processed by Customs and Excise during 1988 indicate a net increase of more than 1,200 a week. Department of Employment figures for 1988 will be available in the summer.

Credit

Mr. Atkinson: To ask the Chancellor of the Exchequer if he will meet representatives of the banking industry to discuss the establishment of a code of practice for the marketing of credit to the young.

Mr. Lilley: The establishment of any code of practice in this field is a matter for the banks.

Mr. Tony Banks: To ask the Chancellor of the Exchequer if he will now introduce controls over inducements offered by credit card companies to encourage credit purchase.

Mr. Lilley: No.

Energy Conservation

Mr. Tony Banks: To ask the Chancellor of the Exchequer if he will make it his policy to impose special taxes on carbon dioxide emissions in order to encourage energy conservation; and if he will make a statement.

Mr. Norman Lamont: I cannot anticipate my right hon. Friend's Budget statement, but I note the suggestion.

Financial Accounting and Reporting

Mr. Jack: To ask the Chancellor of the Exchequer what progress has been made in producing a statement of the Government's financial accounting and reporting framework following the recommendation made by the Comptroller and Auditor General in paragraphs 4·22 to 4·25 of his report on financial reporting to Parliament in 1986.

Mr. Brooke: A draft consultative document was produced by the Treasury and issued to accountancy institutes and other interested parties for comment in July 1987. A number of useful suggestions were received and many of these have been incorporated into a revised document which is being published today and of which copies will be placed in the Libraries of both Houses.

Inland Revenue

Mr. John Greenway: To ask the Chancellor of the Exchequer if there are any proposals to change the 1988-89 cash limit and running costs limit for the Inland Revenue.

Mr. Norman Lamont: Both the cash limit and the running costs limit for the Inland Revenue (class XIX, vote 7) have been reduced by £147,000. There are two components to this change. The first is a transfer of £143,000 to the Department of Social Security as payment for work they will be undertaking for Inland Revenue; the second is a transfer of £4,000 to the Cabinet Office to reflect the transfer of costs for recruitment under the direct entry grade 7 competition 1988.

There is no overall increase in either cash limits or running costs limits as a result of these changes, which will not therefore add to the planned total of public expenditure.

Mr. Tim Smith: To ask the Chancellor of the Exchequer what is the cost of running the Inland Revenue share valuation division.

Mr. Norman Lamont *[holding answer 24 January 1989]:* The estimated running cost of the Inland Revenue shares valuation division is currently under £3 million per year.

Treasury Running Costs

Mr. Tom Arnold: To ask the Chancellor of the Exchequer whether there will be any changes to the Treasury's running costs limit for 1988-89.

Mr. Brooke: Subject to parliamentary approval of the necessary Supplementary Estimate, the Treasury's running costs limit will be increased by a net £33,000 from £71,154,000 to £71,187,000.

This net increase reflects a transfer of costs for recruitment under the direct entry grade 7 competition 1988 (£5,000); and increased provision of setting up costs at Chessington computer centre, prior to the take on of payroll work in respect of the Department of the Environment/Department of Transport from 1 April 1989 (£38,000).

These changes will be offset by a corresponding increase in the running costs limit of the Office of the Minister for the Civil Service Vote (class XX, vote 1), and by a corresponding decrease in the running costs limit on the administration and transport services vote (class VIII, vote 2) respectively and will not therefore add to the planned total of public expenditure.

As a further consequence of the transfer of costs for recruitment the cash limit for Her Majesty's Treasury administration vote (class XIC, vote 11) will be decreased by £5,000 to £54,041,000.

ENERGY

Coal Imports

Mr. Skinner: To ask the Secretary of State for Energy (1) from which countries Britain has imported coal in the last 12 months; how many tonnes have been imported from each respective country; and what information he has on the price per tonne from each country listed at the latest available date;

(2) if he will list information available to him on the price per tonne of coal for each country from which Britain has imported coal in 1985, 1986, 1987, and at the latest available date.

Mr. Michael Spicer: Information is available for the period January to November 1988 as shown in the table.

For the data on price per tonne of coal in 1985, 1986 and 1987 I refer the hon. Member to my answer of 29 June 1988 at column *251*.

January to November 1988

Country (of origin)	*Quantity (thousand tonnes)*	*Average value per tonne (£)*
United States of America	3,881	35·30
Australia	3,242	31·03
Poland	1,224	34·56
Colombia	434	35·07
Canada	426	30·29
USSR	325	26·61
China	281	50·41
Netherlands	249	39·33
South Africa	241	42·42
Federal Republic of Germany	157	97·59
Belgium	111	47·28
Venezuela	69	30·49
Others	114	52·06
TOTAL	[1]10,755	35·29

[1] Rounded total.

Note: Average value of imports are on a cost, insurance and freight basis.

Source: Her Majesty's Customs and Excise.

Energy Saving Targets

Mr. Wray: To ask the Secretary of State for Energy what are Her Majesty's Government's national energy saving targets for the years 1990 and 1995.

Mr. Peter Morrison: The Government support the European Community objective of achieving a 20 per cent. improvement in the efficiency of final energy demand by 1995.

Surplus Electricity

Mr. Barry Field: To ask the Secretary of State for Energy what representations he has received calling for greater publicity to be given to the green policy of allowing electricity producers to sell surplus capacity via the national grid.

Mr. Michael Spicer: The Electricity Bill places a statutory duty on the National Grid Company to facilitate competition in the supply and generation of electricity. Under the draft licence to be issued to the National Grid Company, authorised generators will be able to use the grid to convey their electricity. My Department is not aware of any representations of the kind described by my hon. Friend.

Severn Barrage

Mr. Stern: To ask the Secretary of State for Energy when he expects to announce the results of the current studies into the proposed Severn barrage.

Mr. Michael Spicer: The current and third phase of the Severn barrage studies are nearing completion and I hope to make a report available to Parliament in a few months' time.

Wind Energy

Mr. Wallace: To ask the Secretary of State for Energy what measures he intends to take in 1989 to promote the use of wind energy.

Mr. Michael Spicer: It is our intention that the electricity privatisation legislation currently before the House will place an obligation on the electricity supply companies to contract for a specified minimum amount of non-fossil-fuelled generating capacity and this will help to encourage the full exploitation of wind energy.

In addition, we will continue our substantial programme of research into wind energy which encompasses work on all the important technical questions and includes the construction and testing of a number of large wind turbines. During 1989 it is expected that construction of the 1 MW wind turbine at Richborough will be completed and that wind measurements will commence on the site of the first of three proposed experimental wind farms to be built by ourselves and the CEGB in collaboration.

Parliamentary Questions

Mr. French: To ask the Secretary of State for Energy how many oral parliamentary questions he has answered by written reply because the question was not reached at Question Time, for the most recent year for which figures are available.

Mr. Parkinson: Of 432 oral questions tabled in 1988, a total of 293 were answered with a written reply. These figures do not include oral questions which were withdrawn, unstarred or transferred to other Departments prior to Question Time.

Conservation

Mr. Kirkwood: To ask the Secretary of State for Energy what recent assessment his Department has made of the environmental benefits of conserving energy.

Mr. Peter Morrison: I refer the hon. Member to the answer given to the hon. Member for Rother Valley (Mr. Barron) on 28 November, at columns *125-26*, which referred to a study to assess the impact of energy efficiency on emission of CO_2 and other pollutants. The study is now under way.

Plutonium

Dr. Thomas: To ask the Secretary of State for Energy if, pursuant to his reply to the hon. Member for Liverpool, Mossley Hill (Mr. Alton) on plutonium, 9 December 1988, *Official Report*, column *373*, by whom the plutonium content is calculated, to what accuracy, and under what safeguards requirements.

Mr. Michael Spicer: The operators make the calculations. The accuracy of the estimates depends on the accuracy of estimating the heat output of the reactors and the accuracy of the isotopic data used. The calculated plutonium content of all fuel despatched from the stations is reported to the safeguards authorities.

Dr. Thomas: To ask the Secretary of State for Energy, pursuant to his reply to the hon. Member for Newport, West (Mr. Flynn) on 8 December 1988, *Official Report*, column *329*, on the physical verification of plutonium by the European Atomic Energy Authority at Sellafield, if he will make a statement on the number of occasions when the European Atomic Energy Authority has carried out the inspections to which he refers in the reply of 4 June 1988, *Official Report*, columns *594-95* in 1986, 1987 and 1988.

Mr. Michael Spicer: Civil nuclear material is under the continuous inspection regime of Euratom.

Magnox

Dr. Thomas: To ask the Secretary of State for Energy (1) whether the British Nuclear Fuels plc Magnox reprocessing facility has been used for the concurrent processing of safeguardable and non-safeguarded Magnox spent fuel to yield fissile plutonium for the atomic weapons programme.

(2) what proportion of Magnox spent nuclear fuel from Hunterston was co-processed with spent fuel from the military reactors at Calder hall and Chapelcross prior to 31 December 1986.

Mr. Michael Spicer: I refer the hon. Member to the reply given by my right hon. Friend the Member for Worcester (Mr. Walker) to my hon. Friend the Member for Penrith and The Border (Mr. Maclean) on 4 June 1986 at columns *594-95*.

Lascar Safeguards Review Group

Dr. Thomas: To ask the Secretary of State for Energy how many departmental staff have been allocated to the (large-scale commercial reprocessing plant) safeguards review group meetings; what was the cost of departmental representations at the Lascar review meeting in Tokyo on 17-21 October 1988; what issues were discussed at the Tokyo meeting; and if he will place in the Library copies of all documentation presented to the meeting by his departmental delegation.

Mr. Michael Spicer: It is expected that two members of the safeguards office will devote time to Lascar-related work. One of these attended the Tokyo meeting at an approximate cost of £2,900.

The aims of Lascar are to exchange safeguards related information and techniques on future large plutonium handling facilities. This exchange of information took place on the understanding that it would remain confidential to the parties involved.

Public Bodies

Dr. Thomas: To ask the Secretary of State for Energy if he will list those non-departmental public bodies responsible to his Department for which funding and staffing *(a)* have been reduced in 1988 and *(b)* are planned for reductions in 1989; and, for each case, if he will list the change in funding and staffing levels.

Mr. Parkinson: The reductions are as follows:

	Reduction in staff numbers		*Financing (£ million)*	
	1987-88	*1988-89*[1]	*1987-88*	*1988-89*[1]
Oil and Pipelines Agency	2	20	—	1·3
United Kingdom Atomic Energy Authority	263	1,100	12·0	—

[1] Estimated.

Notes:

1. Figures are available for financial years only.
2. Staff reductions are based on staff employed at April 1987, April 1988 and an estimate of staff levels at April 1989.

Electricity Privatisation

Dr. Thomas: To ask the Secretary of State for Energy if he will seek permission from the BBC for a transcript of the interviews on the privatisation of the electricity supply industry by the Under-Secretary of State, the hon. Member for Worcestershire, South (Mr. Spicer) and the hon. Member for Sedgefield (Mr. Blair) on the "Today" programme on Radio Four, broadcast on 17 January; and if he will place copies in the departmental and House of Commons Libraries.

Mr. Parkinson: No. I understand that the Library of the House does obtain transcripts from the broadcasters on behalf of hon. Members.

Mr. Thurnham: To ask the Secretary of State for Energy if he will make a statement about arrangements for allocation of shares in the electrical industry on privatisation.

Mr. Michael Spicer: Decisions on the arrangements for the allocation of shares will be taken much nearer the time of the offers for sale.

Alternative Energy Sources

Mr. Tony Banks: To ask the Secretary of State for Energy what amount has been spent by his Department in each of the last five years on research on alternative energy sources.

Mr. Michael Spicer: The table gives my Department's programme expenditure on alternative energy sources for the financial years 1983-84 to 1987-88.

	Current prices (£ million)	*Constant prices (1988; £ million)*
1983-84	11·7	14·9
1984-85	14·9	18·1
1985-86	13·2	15·1
1986-87	12·0	13·4
1987-88	15·1	16·0

Provision for 1988-89 is £16·2 million.

Energy Saving Schemes

Mr. Tony Banks: To ask the Secretary of State for Energy how much has been spent by his Department in each of the last five years on the development and encouragement of energy saving schemes in the public and private sector.

Mr. Peter Morrison: I refer the hon. Member to the answer given to the hon. Member for Wakefield (Mr. Hinchliffe) on 8 December 1988 at column *327*.

HOUSE OF COMMONS

Privy Council Office (Finance)

Mr. Hanley: To ask the Lord President of the Council if he proposes to make any changes to the Privy Council Office's cash limit and running costs limit in the current year.

Mr. Wakeham: Subject to parliamentary approval of the necessary Supplementary Estimate, the cash limit on

class XX, vote 11 is being increased by £30,000 from £1,187,000 to £1,217,000 to meet the higher costs of parliamentary publications.

The increase will be charged to the Reserve and will not add to the planned total of public expenditure.

In addition, the running costs limit is being increased by £30,000 from £1,207,000 to £1,237,000.

AGRICULTURE, FISHERIES AND FOOD

Packet Butter Market

Mr. Nicholas Bennett: To ask the Minister of Agriculture, Fisheries and Food if he will list, for each year since 1973, the percentage of the United Kingdom packet butter market accounted for by the following countries *(a)* the United Kingdom, *(b)* the Republic of Ireland, *(c)* France, *(d)* New Zealand, *(e)* Denmark, *(f)* Netherlands and *(g)* Belgium.

Mr. Donald Thompson: The available information is set out in the following table, which shows the percentage share of total new butter supplies in the United Kingdom by country of origin since 1973. The United Kingdom line is based on total production less intervention purchases, and those of other countries represent total imports into the United Kingdom.

	United Kingdom	*Ireland*	*France*	*New Zealand*	*Denmark*	*Netherlands*	*Belgium and Luxembourg*
1973	18·9	9·3	0·9	31·6	17·8	14·8	1·0
1974	10·5	7·1	6·3	25·7	18·4	19·9	2·6
1975	8·9	10·1	7·1	23·0	15·5	20·9	2·2
1976	16·6	10·3	4·2	25·7	14·9	18·0	1·0
1977	27·7	7·0	3·2	27·6	14·0	13·0	0·9
1978	29·9	11·9	1·4	29·0	14·2	9·3	1·0
1979	31·8	8·6	0·5	28·3	11·2	3·7	0·7
1980	43·0	8·7	0·5	28·6	11·3	3·7	0·7
1981	44·8	8·1	0·3	26·6	11·3	5·7	0·5
1982	53·0	7·5	0·3	23·8	10·1	2·9	0·7
1983	43·2	6·5	0·3	28·5	12·3	7·8	1·0
1984	46·3	7·6	0·4	29·3	11·6	4·2	0·3
1985	44·4	5·5	0·5	30·8	12·6	5·4	0·4
1986	47·9	7·5	0·4	28·6	11·0	3·3	1·2
1987	46·2	5·6	0·5	32·3	12·2	1·9	1·2
1988[1]	52·7	5·0	0·4	27·5	11·3	2·0	1·0

[1] January to October.

Parliamentary Questions

Mr. French: To ask the Minister of Agriculture, Fisheries and Food how many oral parliamentary questions he has answered by written reply because the question was not reached at Question Time, for the most recent year for which figures are available.

Mr. Donald Thompson: In 1988, 515 oral questions were answered by written reply.

Farms (Nottingham)

Mr. Graham Allen: To ask the Minister of Agriculture, Fisheries and Food in which parliamentary constituency *(a)* Chilwell Dam farm, Nottingham and *(b)* the farm at the junction of Apollo drive and Nottingham road, Nottingham are located.

Mr. Donald Thompson: The areas referred to have some land falling within the Nottingham, north constituency but form a small part of holdings which are registered in other constituencies.

Sheepmeat

Sir Richard Body: To ask the Minister of Agriculture, Fisheries and Food why he did not consult organisations representing consumers about EEC proposals for altering the trade arrangements between the EEC and New Zealand for sheepmeat; and if he will do so before approving future EEC proposals which affect the interests of United Kingdom consumers.

Mr. Donald Thompson: I take account of the interests of consumers, along with those of others, including producers and taxpayers, when considering EC proposals. My officials have had a number of consultations with representatives of consumers' interests on the Commission's proposals for sheepmeat, detailed consideration of which has yet to get under way in the Council.

Departmental Staff (Child Care)

Ms. Richardson: To ask the Minister of Agriculture, Fisheries and Food what child care provision his Department provides for pre-school age children of his Department's employees; what child care provision, for school holiday or after school care, is provided for employees' children aged five years and over; and what plans there are for increasing provision in the next five years; and how these are to be funded.

Mr. Donald Thompson: A successful holiday play scheme was held at one location last summer and is planned to be repeated for a longer period this summer. The success of the play scheme was notified to all staff in the Department and locations interested in arranging similar or other types of child care arrangements were offered help, advice and encouragement to do so. The Department is also participating in a holiday play scheme in the Westminster area of London which is intended to operate during half-term and end of term holidays throughout 1989. Pump-priming funds have been made available and continue to be available for child care schemes.

Contaminated Meat

Mr. Ron Davies: To ask the Minister of Agriculture, Fisheries and Food which import agents were responsible for the import of meat of Irish origin which in September and October of 1988 were cancelled as unfit for human consumption by Carrick district council.

Mr. Donald Thompson: Information supplied to the Ministry by Carrick district council does not include the names of import agents.

Mr. Ron Davies: To ask the Minister of Agriculture, Fisheries and Food (1) if he will list the occasions during the current year when his Department issued warnings to port health authorities of the possible danger of contaminated meat supplies originating in the Republic of Ireland;

(2) if he will list the occasions during the current year when his Department issued guidelines on warnings relating to the import of contaminated meat supplies to *(a)* local authorities, *(b)* port health authorities, *(c)* the Institution of Environmental Health Authorities and *(d)* the Association of Sea and Air Port Health Authorities; and on how many occasions during each of the last three years such warnings were issued;

(3) whether any notification was given to port health authorities warning of the possibility of contaminated imports of beef supplies following the identification of such imports by Carrick district council;

(4) if he will list the dates during 1988 when his Department notified the Association of Sea and Air Port Health Authorities of the possible import of contaminated meat supplies from the Republic of Ireland, in the light of the condemnation of such supplies by Carrick district council.

Mr. Donald Thompson: On 21 December 1988 and 13 January 1989, the Ministry passed information received from Carrick district council to the Association of Port Health Authorities, requesting the association to advise port health authorities to pay special attention to consignments of meat from the Republic of Ireland. These were the only occassions during the past three years when such action has been necessary. The association and the Institution of Environmental Health Officers have their own very effective arrangements for disseminating information about any problems which are found by their members. These arrangements were also used to inform their members in the case of the unfit Irish meat found by Carrick district council.

Mr. Ron Davies: To ask the Minister of Agriculture, Fisheries and Food on how many occasions during each of the last three years his Department has been notified by Carrick district council of the condemnation of *(a)* beef and *(b)* other meat imports originating in the Republic of Ireland.

Mr. Donald Thompson: My Department received two reports from Carrick district council in 1986 and two in 1988. All related to beef originating in the Republic of Ireland.

Mr. Ron Davies: To ask the Minister of Agriculture, Fisheries and Food on how many occasions during the last three years his Department has been officially notified of contaminated meat originating from each of the EEC countries by environmental health departments in the United Kingdom.

Mr. Donald Thompson: In the past three years my Department has received from environmental health officers 14 reports on contaminated fresh meat originating in the Republic of Ireland, two on meat from the Netherlands, one on meat from France and one on meat from Spain.

Mr. Ron Davies: To ask the Minister of Agriculture, Fisheries and Food (1) what was the total volume of meat condemned by the environmental health service in Carrick district council for each of the last three years;

(2) what volume of imported meat supplies was condemned as unfit for human consumption for each of the last four years, stating in all cases the country of origin.

Mr. Donald Thompson: No records are collected of the quantities of meat condemned by enforcement authorities in the exercise of their responsibilities for ensuring that meat intended for sale for human consumption is fit for that purpose.

Mr. Ron Davies: To ask the Minister of Agriculture, Fisheries and Food if he will seek to impose a legal requirement upon local authorities to inspect all imported meat arriving in their area which has not been inspected by area health authorities at the port of arrival.

Mr. Donald Thompson: No.

Irish Meat

Mr. Ron Davies: To ask the Minister of Agriculture, Fisheries and Food whether he has any estimate of the volume of meat imports landed in Great Britain having been shipped from Northern Ireland; and what percentage of such imports originated in the Republic of Ireland.

Mr. Donald Thompson: Figures are not available since customs data is not collected on movement of goods within the United Kingdom.

Mr. Ron Davies: To ask the Minister of Agriculture, Fisheries and Food what is his estimate of the volume of beef landed at Stranraer which orginated in the Republic of Ireland.

Mr. Donald Thompson: Stranraer is an internal port receiving only consignments from Northern Ireland and customs data is not collected on movement of goods within the United Kingdom. Goods imported from the Republic of Ireland via the Larne-Stranraer route would have been recorded as imports into the United Kingdom when they entered Northern Ireland.

Salmonella

Mr. Ron Davies: To ask the Minister of Agriculture, Fisheries and Food how many successful applicants for compensation from the recent poultry compensation scheme have been identified as having salmonella enteritidis infected flocks; and what were *(a)* the total number of eggs produced from flocks, *(b)* the total number of hens slaughtered from such flocks and *(c)* the total compensation paid.

Mr. Donald Thompson: It was not a condition of the slaughter of hens scheme that culled birds should be tested for evidence of salmonella enteriditis. With the agreement of some flock owners, examinations have been carried out on some slaughtered birds and none of the flocks examined to date has shown evidence of infection.

Mr. Ron Davies: To ask the Minister of Agriculture, Fisheries and Food (1) what arrangements were made for the disposal of hens believed to be contaminated with salmonella enteritidis, slaughtered under the recent compensation scheme;

(2) what arrangements were made for the disposal of hens slaughtered under the recent compensation scheme.

Mr. Donald Thompson: The agriculture departments are arranging for the disposal of all carcases of birds slaughtered under the scheme by burial or incineration.

Mr. Ron Davies: To ask the Minister of Agriculture, Fisheries and Food what arrangements his Department made for the supervision of hens believed to be salmonella-infected slaughtered during the last three months outwith his recent compensation scheme.

Mr. Donald Thompson: None. The slaughter and disposal of hens outside the scheme is the responsibility of the owner and is subject to the relevant statutory provisions such as those governing welfare and hygiene.

Mr. Ron Davies: To ask the Minister of Agriculture, Fisheries and Food whether any inspection by his staff during 1988 revealed the presence of salmonella in poultry farms.

Mr. Donald Thompson *[holding answer 23 January 1989]:* Poultry farms are not routinely inspected for the presence of salmonella. Under the Zoonoses Order 1975, which requires the reporting of isolations of salmonella, 870 reports (provisional) of salmonella of all serotypes in poultry in 1988 were received.

EDUCATION AND SCIENCE

Teachers (Training)

Mr. Allason: To ask the Secretary of State for Education and Science if he will issue guidance to local education authorities on the practice of allowing teachers to take their training days at home.

Mrs. Rumbold: Under the terms of the school teachers' pay and conditions document 1988 a teacher is required to be available for work for 195 days in any year, of which 190 days are to be days on which he or she may be required to teach pupils. The intention is that the remaining five days should be used primarily for in-service training. The form that such training should take is at the discretion of local education authorities.

National Curriculum (Northumberland)

Mr. Amos: To ask the Secretary of State for Education and Science what proportion in *(a)* cash terms and *(b)* as a percentage of the extra resources being made available for the implementation of the national curriculum will be provided to Northumberland.

Mrs. Rumbold: Targeted support for expenditure by local education authorities on activities relating to the introduction of the national curriculum is channelled through education support grants and LEA training grants. My right hon. Friend has approved expenditure on such activities by Northumberland in 1989-90 of £437,700 under the education support grants programme and £328,000 under the LEA training grants scheme. These figures represent respectively 0·8 per cent. and 0·7 per cent. of the total amounts being made available for such activities in that year. It is for LEAs to determine what additional support to devote to the implementation of the education reforms from block grant or from their own resources.

PRIME MINISTER

Israel

Q32. **Mr. Latham:** To ask the Prime Minister whether she will pay an official visit to Israel.

The Prime Minister: I have at present no plans to do so.

Libya (Chemical Weapons Plant)

Q80. **Mr. Teddy Taylor:** To ask the Prime Minister if she will raise at the next meeting of the European Council the participation of European firms in the manufacture of the chemical weapons plant in Libya; and if she will make a statement.

The Prime Minister: The European Council will next meet on 26-27 June and it is too early to speculate on what will be discussed. The issue is, however, a matter of great concern to us, particularly given Libyan links with terrorism, and we are already co-ordinating closely with EC partners and others about it. All EC states are members of the informal "Australia group" of Western countries which holds consultations on export controls on chemical weapon precursors and other related measures.

North-west Kent

Q87. **Mr. Dunn:** To ask the Prime Minister if she has any plans to visit north-west Kent.

The Prime Minister: I have at present no plans to do so.

Cabotage

Q122. **Sir David Price:** To ask the Prime Minister what progress she has made in the Council of Ministers of the European Community in persuading other member Governments to accord equal rights of cabotage to each others coastal shipping, and if she will name the non-complying Governments.

The Prime Minister: My right hon. Friend the Secretary of State for Transport is continuing to press hard for agreement on cabotage liberalisation in the Transport Council.

The six member states who have laws restricting cabotage trades to ships of their national flag are the Federal Republic of Germany, France, Greece, Italy, Portugal and Spain. We have an agreement with the Federal Republic which ensures that British operators offering a competitive service have no bureaucratic difficulties in participating in German cabotage trades.

Sir Leon Brittan

Q143. **Mr. Tam Dalyell:** To ask the Prime Minister why she will not make a statement on her communications with Sir Leon Brittan, KBE, since his appointment as a Vice-President of the European Commission on 1 January.

The Prime Minister: I have nothing to add to the reply that I gave to the hon. Member on 10 January 1989 at column *493*.

Child Abuse

Mr. Allen: To ask the Prime Minister (1) which Government Departments have been involved in the Broxtowe child sex abuse case; and if she will make a statement;

(2) further to her reply to the hon. Member for Nottingham, North of 19 January about the Broxtowe estate, whether she has any progress to report.

The Prime Minister: The offences were investigated by the Nottinghamshire constabulary and the successful prosecutions were conducted by the Crown Prosecution Service.

The Nottinghamshire social services department received appropriate support and guidance from the regional office of the Department of Health's social services inspectorate. Otherwise no Government Departments were directly involved in the case.

The Department has in hand an active programme of research into child care, including child abuse and child sexual abuse.

Departmental Staff (Child Care)

Ms. Richardson: To ask the Prime Minister what child care provision is provided by the Cabinet Office for the pre-school-age children of employees; what child care provision, for school holiday or after-school care, is provided for employees' children aged five and over; what plans there are for increasing provision in the next five years; and how these are to be funded.

The Prime Minister: At present the Cabinet Office does not provide child care facilities. It is considering the need to do so.

Engagements

Dr. Goodson-Wickes: To ask the Prime Minister if she will list her official engagements for Thursday 26 January.

Mr. David Evans: To ask the Prime Minister if she will list her official engagements for Thursday 26 January.

Mr. Riddick: To ask the Prime Minister if she will list her official engagements for Thursday 26 January.

Mr. Rooker: To ask the Prime Minister if she will list her official engagements for Thursday 26 January.

Mr. Amess: To ask the Prime Minister if she will list her official engagements for Thursday 26 January.

Mr. Barry Field: To ask the Prime Minister if she will list her official engagements for Thursday 26 January.

Mr. Harry Greenway: To ask the Prime Minister if she will list her official engagements for Thursday 26 January.

Mr. Stern: To ask the Prime Minister if she will list her official engagements for Thursday 26 January.

Mr. Ian Taylor: To ask the Prime Minister if she will list her official engagements for Thursday 26 January.

Mr. Cran: To ask the Prime Minister if she will list her official engagements for Thursday 26 January.

Mr. Sumberg: To ask the Prime Minister if she will list her official engagements for Thursday 26 January.

The Prime Minister: This morning I presided at a meeting of the Cabinet and had meetings with ministerial colleagues and others. In addition to my duties in the House I shall be having further meetings later today.

Soviet Union

Dr. Thomas: To ask the Prime Minister on how many occasions permission for emigration to or travel within the Soviet Union or other Comecon Eastern bloc countries has been denied to applicants formerly employed at (i) Ministry of Defence, (ii) atomic weapons research establishments, (iii) MI5 and (iv) Government Communications Headquarters at Cheltenham, since May 1979.

The Prime Minister: The information requested is not held centrally and could be obtained only at disproportionate cost.

SOCIAL SECURITY

Retirement Age

142. **Mr. Holt:** To ask the Secretary of State for Social Security what would be the financial implications for the Government of implementing a universal retirement age of 63 years.

Mr. Peter Lloyd: I refer my hon. Friend to my reply to my hon. Friend the Member for Pembroke (Mr. Bennett) on 24 January at column *522*.

National Insurance

143. **Mr. Alton:** To ask the Secretary of State for Social Security what is the annual yield from employers' national insurance surcharge contributions.

Mr. Peter Lloyd: There has been no national insurance surcharge since the end of the 1984-85 financial year.

Social Fund

Mr. Cohen: To ask the Secretary of State for Social Security if he will summarise to what each social fund configuration for computerisation purposes relates.

Mr. Peter Lloyd: Each local office has been allocated one of three microcomputer configurations depending on its predicted workload. The three types of configuration provide different levels of microcomputer capacity but perform identical functions.

Administrative Costs

Mr. Sean Hughes: To ask the Secretary of State for Social Security what was the cost of administering the social security system in 1978-79 and 1987-88, in 1978-79 prices.

Mr. Peter Lloyd: The administration costs are as follows:

	£ million
1978-79	761
1987-88	[1]996

[1] At 1978-79 prices.

The main reasons for the additional costs in 1987-88 were the salary and other costs of extra staff in the local offices of both the Department of Social Security and the Department of Employment, together with the greater use of computers and consultants.

Mentally Ill People (Sheltered Homes)

Mr. Atkinson: To ask the Secretary of State for Social Security under which category sheltered homes for the mentally ill will be defined in his forthcoming changes in board-and-lodgings allowance.

Mr. Peter Lloyd: Sheltered accommodation can take a variety of forms ranging from registered homes to warden-controlled flats. Some types of sheltered accommodation, usually shared housing where meals may be supplied by the landlord, are classed as lodgings or hostels for benefit purposes. From April 1989 people in lodgings will no longer rely on special payments of income support to meet their accommodation costs. Instead they will be able to receive normal income support payments and housing benefit in the same way as the majority of other claimants.

We have consulted widely on proposals to make similar changes to payments for people in hostels. We have deferred any change until after April 1989 to allow us time to examine more fully the effects on hostels' finances. An announcement will be made once final decisions have been reached.

Young People (Entitlement)

Mr. Atkinson: To ask the Secretary of State for Social Security if he will make a statement on the entitlement to social security including housing benefit for young people on leaving local authority care.

Mr. Peter Lloyd: Young people aged 16 or 17 who leave care and register for a job or a YTS course are entitled to income support for a period after they leave school if they are not living with their parents nor any person acting in place of their parents. During this period they are guaranteed an offer of a YTS place. Some 16 and 17-year-olds may receive income support both during and after that period because, for example, they are incapable of work or a YTS course by reason of disablement, or they are responsible for a child.

Young people living in board and lodgings or hostels, including those on YTS, may receive help with their accommodation costs from income support as well as their other needs. Other young people who are responsible for paying housing costs are entitled to claim housing benefit; those on income support or with net incomes at or below that level get a maximum 100 per cent. of rent and 80 per cent. of rates. From April, young people in lodgings will also be entitled to housing benefit in the same way as other tenants. We are reviewing the arrangements for people in hostels.

Further help may be sought from the social fund. In particular those who qualify for income support may be eligible for community care grants to help them set up home.

Pensions

Mr. Andrew Bowden: To ask the Secretary of State for Social Security (1) what was the average growth in incomes in each of the last 10 years of *(a)* households in the second decile group and *(b)* pensioner households in the second decile group of pensioner households;

(2) what was the average growth in incomes in each of the last 10 years of *(a)* households in the second decile group and *(b)* pensioner households in the third decile group of pensioner households.

Mr. Peter Lloyd: I refer my hon. Friend to my reply to him on 23 January at column *414*.

Benefits (Disqualification)

Ms. Short: To ask the Secretary of State for Social Security what guidance he has issued to his local offices to ensure that when claimants have their benefit stopped, for reasons such as non-availability for work, the decision is explained clearly and their right to appeal is pointed out; and if he will make a statement on how current arrangements are operating.

Mr. Scott: Local office staff have been given guidance to the effect that once a decision to withdraw benefit has been confirmed they should issue a letter or explanatory notice. This notification sets out the reason for the withdrawal, the means whereby the claimant can obtain a full explanation, their right of appeal and how to exercise it, and a reference to the citizens advice bureau or local law centre from which they can obtain free advice.

We are satisfied with the way these arrangements are operating. As always, they are under constant review.

Appeals

Mr. Martyn Jones: To ask the Secretary of State for Social Security how many *(a)* social security, and *(b)* medical appeals there were in each of the last three years in (i) Wales (ii) England, and (iii) Scotland.

Mr. Peter Lloyd: The latest national administrative statistics available in the form required are for the year ending 31 December 1987. The information provided in the attached table is for the years ending 31 December 1985, 1986 and 1987.

I regret that equivalent information is not available for medical appeal tribunals.

Estimated number of appeals lodged

	1985	*1986*	*1987*
Wales	12,640	16,032	18,248
England	194,806	224,190	250,114
Scotland	39,948	54,519	60,646
Total	247,394	294,741	329,008

The information given is considered an estimate because the figures include a small proportion of referrals to social security appeal tribunals by adjudication officers.

Departmental Offices

Dr. Godman: To ask the Secretary of State for Social Security (1) what load of current cases the Greenock and Port Glasgow offices of his Department have carried in the past nine months;

(2) what was the average number of new claims and cases since 11 April 1988 awaiting review at the local offices of his Department of Greenock and Port Glasgow

which were recorded as outstanding each month; and how many were concerned with: *(a)* supplementary benefit claims and *(b)* single payment claims.

Mr. Peter Lloyd: The information available is set out in the tables.

The source of the live load figures is the 100 per cent. count of cases in action and is available only on a quarterly basis. The figures given include a small number of cases not actually in receipt of benefit.

Month ending	*30 April 1988*	*31 May 1988*	*30 June 1988*	*31 July 1988*	*31 August 1988*	*30 September 1988*	*31 October 1988*	*30 November 1988*	*31 December 1988*
GREENOCK									
Income Support									
Live Load	—	11,344	—	—	11,577	—	—	11,423	—
Claims outstanding	28	31	56	44	36	85	45	78	128
Assessment Reviews outstanding	250	122	69	83	58	112	119	147	237
Supplementary Benefit Work outstanding									
Claims	7	0	0	0	0	0	0	0	0
Single payments	2,930	1,057	270	17	0	0	0	0	0
PORT GLASGOW									
Income Support									
Live Load	—	4,847	—	—	4,783	—	—	4,659	—
Claims outstanding	26	23	37	23	40	55	31	60	50
Assessment Reviews outstanding	448	262	104	196	208	137	134	70	141
Supplementary Benefit Work outstanding									
Claims	3	0	0	0	0	0	0	0	0
Single payments	2,552	971	24	0	0	0	0	1	2

Dr. Godman: To ask the Secretary of State for Social Security if he will give for the Greenock and Port Glasgow offices of his Department, the current staffing complement, broken down by staffing grades of *(a)* how many permanent staff are currently in post, *(b)* how many temporary staff are currently in post, *(c)* how many members of staff are currently being trained and *(d)* the annual turnover of permanent staff.

Mr. Peter Lloyd: The information requested is as follows:

	Greenock integrated local office	*Port Glasgow integrated local office*
Permanent staff		
Grade 7	1·0	0·0
SEO	1·0	1·0
HEO	6·0	3·5
LO1	33·5	20·5
LO2	76·0	34·0
AA	22·0	7·5
Typing manager	0·0	0·0
Typist	3·0	1·0
Security guard	0·0	0·0
Messenger	2·0	1·0
Telephonist	0·0	0·0
	144·5	68·5
Temporary staff	[1]2·0	[2]14·0
	[2]19·0	
Total staff	165·5	82·5
	per cent.	*per cent.*
Annual turnover	[3]11·90	[3]9·09
	[4]6·85	[4]15·71
	[2]15·79	[2]11·11

[1] AO grade.
[2] AA grade.
[3] LO1 grade.
[4] LO11 grade.

There are no staff under tutelage in either office.

Dr. Godman: To ask the Secretary of State for Social Security how many social fund applications were made each month since 11 April 1988 at the Greenock and Port Glasgow offices of his Department for *(a)* budget loans, *(b)* crisis loans and *(c)* community care grants; and how many of these applications in each of these categories were successful each month.

Mr. Peter Lloyd: Such information is available in the Library.

Dr. Godman: To ask the Secretary of State for Social Security (1) how many new claims for income support were made each month since 11 April 1988 at the local offices of his Department in *(a)* Greenock and Port Glasgow, *(b)* Strathclyde and *(c)* Scotland as a whole; and how many of these claims were determined each month;

(2) how many people are in receipt of income support in *(a)* Greenock and Port Glasgow, *(b)* Strathclyde and *(c)* Scotland as a whole; and what are the corresponding figures for those in receipt of supplementary benefit for each year since 1979.

Mr. Peter Lloyd: Strathclyde region is served by the following local offices of the Department, although their boundaries are not coterminous:

Airdrie
Clydebank
East Kilbride
Hamilton
Motherwell
Ayr
Coatbridge
Glasgow (13 offices)
Irvine
Oban
Bellshill
Cumbernauld
Johnstone
Paisley

Campbeltown
Dumbarton
Greenock
Kilmarnock
Port Glasgow

The information available is set out in the tables.

Income support claims made (a) and determined (b):

	Greenock		Port Glasgow		Strathclyde		Scotland	
	(a)	*(b)*	*(a)*	*(b)*	*(a)*	*(b)*	*(a)*	*(b)*
April 1988	354	326	208	182	10,543	7,764	21,182	14,946
May 1988	663	660	291	294	16,960	17,037	34,182	34,484
June 1988	1,010	985	434	420	25,383	23,975	47,862	45,779
July 1988	865	877	361	375	23,739	24,494	48,169	48,734
August 1988	805	813	370	353	21,669	22,117	42,222	43,653
September 1988	1,070	1,021	518	503	22,080	21,220	42,835	41,643
October 1988	700	740	239	263	20,114	21,032	39,229	40,234
November 1988	804	771	312	283	18,421	18,608	36,997	37,358
December 1988	664	614	283	293	14,525	14,090	29,592	28,620

(Where the numbers processed exceed the intake, this indicates clearance of claims from earlier periods.)

Income support/supplementary benefit live load:

	Greenock	Port Glasgow	Strathclyde	Scotland
1979	6,317	2,814	166,426	294,116
1980	6,794	3,069	183,629	320,260
1981	7,999	3,704	221,403	385,238
1982	9,812	4,156	252,679	439,419
1983	9,720	4,128	265,180	461,461
1984	10,381	4,541	283,600	492,775
1985	10,705	4,990	295,392	508,970
1986	12,195	5,285	309,578	543,025
1987	12,338	5,369	315,735	548,272
1988	11,423	4,659	284,381	499,890

All information has been collated from internal management statistics and that for Aprl 1988 and later is provisional and subject to amendment.

Single Payments

Mr. Tony Banks: To ask the Secretary of State for Social Security what was *(a)* the total of all single payments paid by local offices in London, *(b)* the equivalent figure for only those single payments encompassing items now covered by the social fund, for 1986-87 and 1987-88, *(c)* the total number of budgeting loans, crisis loans, community care grants paid out in the same catchment area so far for the year 1988-89 and *(d)* the expenditure represented by *(a)* to *(c)*.

Mr. Peter Lloyd: Details of the total number and amount of all single payments paid by local offices in the London postal area for the periods 1986-87 and 1987-88 by office are in the Library.

All items for which a single payment could be made are available under the social fund, subject to budgetary constraints.

Information on the numbers of applications for social fund loans and grants processed and awarded, listed by local office, including information on budget allocations and expenditure, is also in the Library.

Social Security Programme

Mr. Gregory: To ask the Secretary of State for Social Security if he will provide an analysis of the growth of the social security programme between 1978-79 and 1988-89.

Mr. Scott: Since 1978-79, social security expenditure has increased by 33 per cent. in real terms, from £35·8 billion to £47·6 billion in 1988-89 prices. Just over half of this real growth can be explained by increases in the numbers of beneficiaries for which the social security system now provides and one third by increases in the average amounts of benefit paid. The Government's commitment to meeting genuine needs has seen social security spending rise from 25·6 per cent. of public spending in 1978-79 to 31 per cent. in 1988-89.

The main groups benefiting from the growth of the programme have been:

—*pensioners:* expenditure on the elderly has increased by about £4·1 billion in real terms. This substantial rise in social security spending has taken place at the same time as the rapid growth of occupational and personal pensions and the higher income from savings which many pensioners now enjoy. The result is that pensioners' incomes from all sources have increased by 23 per cent. in real terms between 1979 and 1986.

—*long term sick and disabled:* expenditure has grown by 90 per cent. (almost £3·5 billion) in real terms. About half a million more people now receive invalidity benefit than in 1978-79 and there has been a similar increase in the numbers receiving attendance allowance. The numbers receiving mobility allowance have increased fivefold from less than one hundred thousand to more than half a million over the period.

—*the family:* total benefit support for the family has increased by 25 per cent. in real terms over the period. Spending on family credit in 1988-89 is expected to be on target at over £400 million. This is more than double the spending on family income supplement which it replaced.

National Insurance

Mr. Battle: To ask the Secretary of State for Social Security if he will publish a table showing the main changes to national insurance benefits and the savings or expenditure which accrued from each change since 1979 in *(a)* cash prices and *(b)* 1988 prices.

Mr. Scott *[holding answer 22 December 1988]:* Since 1978-79, expenditure on national insurance benefits has grown by almost £15 billion in cash terms and by over £2 billion in real terms. For a fuller analysis of the growth in

expenditure across the whole of the social security programme, I refer the hon. Member to my reply to my hon. Friend the Member for York (Mr. Gregory) today. The costs and savings which have accrued from the main policy changes to national insurance benefits since 1979 are set out in the table.

Changes to national insurance benefits: estimated expenditure effects

Great Britain, £ million

	Financial year	*Cash effect*[1]	*Cash effect in 1988 prices*
Uprating of long-term benefits by prices	1981-82	−280	−400
5 per cent. abatement in uprating of invalidity benefit, unemployment benefit, sickness benefit and maternity allowance	1981-82	−160	−230
Abolition of earnings-related supplements to short-term benefits	1982-83	−390	−520
	1983-84	−10	−10
Introduction of statutory sick pay[2]	1984-85	80	100
Restoration of 5 per cent. abatement of UB	1986-87	−140	−160
Offsetting of invalidity benefit age addition by additional pension	1986-87	120	130
Restoration of 5 per cent. abatement of IVB	1986-87	−80	−90
Extension of statutory sick pay[2]	1987-88	40	40
Introduction of statutory maternity pay[2]			

[1] The figures shown represent the initial estimates of the effect of the changes on national insurance benefit expenditure only in the first year following implementation in which the cost/savings of the change exceeded £50 million. No account is taken of the impact of the changes on administration costs, income tax and national insurance contribution revenues and expenditure on income related benefits, other than shown in footnote 2.

[2] The amounts shown represent the net effect on NI benefit expenditure after employers' recoveries from contributions to the NI Fund in respect of payments of statutory sick pay and statutory maternity pay to their employees.

HEALTH

Salmonella

Mr. Dalyell: To ask the Secretary of State for Health if he will make a statement on the most recent research in relation to salmonella.

Mr. Kenneth Clarke: A considerable amount of research is taking place into many aspects of salmonellosis including methods by which the disease is produced in humans and animals and also the manner in which it is spread among food-producing animals and humans.

Pre-cooked Chilled Food

Ms. Walley: To ask the Secretary of State for Health what advice has been given to local councils and environmental health officers concerning the regular inspection of pre-cooked chilled foods with regard to outbreaks of food poisoning.

Mr. Kenneth Clarke: The regular inspection of food is a matter for local authorities. We have advised chief environmental health officers that end product testing is not an effective means of ensuring the microbiological safety of batches of food. The microbiological control of pre-cooked chilled food is best achieved by good manufacturing and retail practice and the inspection of foods should concentrate on those aspects rather than undertaking extra routine final product testing.

Human Organs (Sale)

Mr. Hayes: To ask the Secretary of State for Health what plans he has to regulate the sale of human organs, including from live donors.

Mr. Freeman: We are totally opposed to the commercialisation of human organs. Recent allegations are being investigated urgently. A report is expected shortly. The Registered Homes Act 1984 provides powers to cancel the registration of private hospitals where conduct is in any way improper or undesirable. We are currently consulting Health Service management and the medical profession with a view to implementing a register of organ transplant operations in England. Such a register would help in the investigation of any future allegations.

Crèche Facilities

Mrs. Wise: To ask the Secretary of State for Health how many district health authorities have crèche facilities for their staff; and if he will list them.

Mr. Mellor: We do not collect this information centrally.

Medicines (EC)

Mr. Sayeed: To ask the Secretary of State for Health when, pursuant to his answer, 10 January, *Official Report*, column 614, the data bank containing the prices of medicines in each of the member states of the European Community will be completed; and if he will use it to obtain more competitive prices for drugs supplied to the National Health Service.

Mr. Mellor: The timing of the work on the data bank will be for the European Commission to decide. I understand that the Commission is considering to what extent they can make use of existing information held by Governments and other bodies, but it will inevitably take some years to cover all medicines available in the Community. Some comparative information may be available earlier. The extent to which any information can be used to influence negotiations on prices of medicines supplied to the NHS will be for consideration at the time.

Emergencies (Private Hospitals)

Mrs. Dunwoody: To ask the Secretary of State for Health (1) if he will institute a code of conduct for private hospitals to ensure that particularly in the case of emergencies they have adequate equipment and supplies available to treat their patients;

(2) what provision his Department makes for the monitoring of private hospitals and their provision of emergency treatment in the case of patients, particularly in regard to the minimum provision of blood supplies.

Mr. Mellor: District health authorities are required to inspect each private hospital at least twice a year. Private hospitals have a statutory duty to provide and maintain adequate medical, surgical and nursing equipment and adequate treatment facilities. Blood is supplied to them as necessary by the national blood transfusion service on payment of a handling charge. In 1985, model guidelines were issued to all health authorities under the auspices of the National Association of Health Authorities. These were endorsed by the Department.

Radiation

Dr. Thomas: To ask the Secretary of State for Health if, following the release of new information on 1 January on an accident involving the release of substantial quantities of radioactive strontium 90 from the Windscale reprocessing plant at Sellafield in the spring of 1957, he will make it his policy to request the chairperson of the Committee on the Medical Aspects of Radiation into the Environment (COMARE) to re-open his study of the population of west Cumbria and the possible radiation effects.

Mr. Freeman: No. COMARE's report in 1986 already took into account evidence concerning estimated radiation doses to the public over the period 1951 to 1982 including the effects of 1957 releases from Windscale.

Grading

Mr. Allen: To ask the Secretary of State for Health what analysis his Department has undertaken of the 1988 grading review; and when he will institute a further review to implement those findings.

Mr. Mellor: The Department has carefully examined the grading returns from regions and districts. We have no plans for a further review of the nurses' grading structure.

Mr. Allen: To ask the Secretary of State for Health how many appeals against regrading are outstanding *(a)* in the Nottingham district health authority and *(b)* in the Trent region; and when all appeals are expected to have been dealt with.

Mr. Mellor: We do not hold the information requested centrally.

Mr. Allen: To ask the Secretary of State for Health if he will list those types of nursing staff categorised by their qualifications who have appealed against their regrading levels, and which have not appealed *(a)* in the Nottingham district health authority *(b)* in the Trent region.

Mr. Mellor: We do not hold the information requested centrally.

Mr. Allen: To ask the Secretary of State for Health what is the current status of the regrading exercise being undertaken *(a)* in the Nottingham district health authority and *(b)* the Trent region; and if he will make a statement.

Mr. Mellor: All nurses and midwives have been told their new grades and have received arrears of pay at the new salary scales from 1 April 1988. Appeals from staff who remain dissatisfied with their grading are being dealt with under a general Whitley council agreement, agreed between management and the trades unions.

Listeria

Mr. Hinchliffe: To ask the Secretary of State for Health what information he has on the number of listeria monocytogenes bacteria which need to be consumed to cause illness in vulnerable people.

Mr. Kenneth Clarke: According to a recent WHO working group, virtually nothing is known about the infectious dose of listeria monocytogenes in man. It is likely that the infectious dose may be related to host susceptibility. The detailed follow-up by the public health laboratory service of cases of listeriosis in the United Kingdom may shed some light on this.

Appointments Panels

Mr. Hinchliffe: To ask the Secretary of State for Health pursuant to his answer to the hon. Member for Wakefield, *Official Report*, 23 January, if he will specify who is responsible for the nomination of the second independent professional assessor; and what criteria are used when deciding who will sit on a particular appointments panel.

Mr. Mellor: The district health authority itself normally nominates one of the two independent assessors; the other, as I indicated in my reply of 23 January at column *411* is nominated by the regional health authority. Apart from the requirement for assessors, the constitution of appointments panels is a matter for district health authorities to decide for themselves. The Department does not lay down criteria, and I would expect practice (for example with regard to the size of panels) to vary between authorities.

Mr. Hinchliffe: To ask the Secretary of State for Health who were the two independent professional assessors on the most recent appointment board for the post of district general manager in the Wakefield health authority.

Mr. Mellor: This is a local matter. The hon. Member may wish to contact the chairman of the health authority for the information he is seeking.

AIDS

Mr. Alfred Morris: To ask the Secretary of State for Health what information is available to him on the effectiveness of anti-viral drugs in preventing or delaying the development of AIDS in people who are HIV positive; and if he will make a statement.

Mr. Mellor *[holding answer 25 January 1989]:* No anti-viral drug to prevent or delay the development of AIDS in people who are HIV positive has yet reached a stage at which it is licensed for general use. The most advanced is Zidovudine which is currently undergoing clinical trials to assess its efficacy for this purpose.

Aplastic Anaemia

Mr. Lofthouse: To ask the Secretary of State for Health what research is taking place into the cause of aplastic anaemia.

Mr. Freeman *[holding answer 16 January 1989]*: The Department of Health is not funding research into the causes of aplastic anaemia.

The main agency through which the Government supports medical and related biological research is the Medical Research Council (MRC), which receives its grant-in-aid from the Department of Education and Science. I understand that the MRC is always willing to consider soundly-based research proposals for funding, in competition with other applications.

SCOTLAND

Infants (Temperature Monitor)

Mr. Gareth Wardell: To ask the Secretary of State for Scotland if his Department is providing financial or other forms of assistance to any private company in the research or development of an early-warning temperature monitor for human infants.

Mr. Michael Forsyth: The Scottish Home and Health Department has given no assistance, financial or otherwise, to private companies involved in such research.

Jackton Bridge

Mr. Foulkes: To ask the Secretary of State for Scotland on what date the contract for the improvement of the Jackton bridge was approved; when work commenced on site; when he expects the work to be completed; what is the latest estimate of the cost of the work and what was the original estimate; what are the reasons for any delay or cost increase; and if he will make a statement.

Lord James Douglas-Hamilton: As this improvement concerns a local road, the hon. Member should consult Strathclyde regional council, the local roads authority, about it.

Eaglesham Moor Road

Mr. Foulkes: To ask the Secretary of State for Scotland who is responsible for removing rubble and rubbish following road improvement work; who is responsible for ensuring such removal is undertaken; what is the position on the work undertaken on the Eaglesham Moor road over the past year; what contractors were involved; what action he proposes to take to ensure the rubble is removed; and if he will make a statement.

Lord James Douglas-Hamilton: So far as trunk roads are concerned, it would normally be a condition of the contract that the contractor reinstates the site to its former state. However, the road in question is a local road and I would suggest that the hon. Member consults Strathclyde regional council about the contract for the works.

Rating Reform

Mr. Cohen: To ask the Secretary of State for Scotland whether he will introduce legislation to seek to amend the Abolition of Domestic Rates Etc. (Scotland) Act to specify that the date of birth need only to be collected when there are two or more people living at the same address with the same name and initials.

Mr. Lang: My right hon. and learned Friend has no plans to do so.

Nuclear Power Stations (Safety)

Mr. Cohen: To ask the Secretary of State for Scotland whether any debris from the Pan Am disaster fell on or near to Chapelcross or Calder Hall nuclear power stations; what safety arrangements there are to protect those power stations from airborne material; and if he will make a statement.

Mr. Lang: I am advised by the Dumfries and Galloway constabulary that the nearest debris was found about three miles from Chapelcross and 45 miles from Calder Hall power stations. The debris was located on the perimeter of the wreckage trail and was of a light and wind-borne nature.

For all licensed nuclear sites the operator is required to show that the probability of a damaging impact from airborne debris resulting from aircraft crashes or mid-air disintegration is sufficiently low to support the judgment that no further specific features need to be incorporated into the design of the station to take account of such impacts.

Nuclear power stations are of robust construction. The concrete and steel structures and built-in reactor protection systems give an inherent strength against a number of hazards.

As a further measure the Air Navigation Order Regulations restrict aircraft movement within specified distances of nuclear installations and the Ministry of Defence operates a similar prohibition in the case of military aircraft.

Eggs

Mr. Kirkwood: To ask the Secretary of State for Scotland when he expects to complete consideration being given to enhancing the status of the two voluntary codes of practice and the set of guidelines issued to the egg production industry in relation to the risk of salmonella infection in eggs; and if he will make a statement.

Mr. Michael Forsyth: I refer the hon. Member to the reply given by my right hon. Friend the Minister of Agriculture, Fisheries and Food to my hon. Friend the Member for Suffolk, Central (Mr. Lord) on 18 January at columns *214-15*. The measures proposed coupled with the voluntary codes of practice underline the Government's commitment to tackling the problem of salmonella.

Health Board Chairmen

Mr. Galbraith: To ask the Secretary of State for Scotland if he will give any elected local government positions held at any time in the past by persons who will be health board chairmen as from 1 April, including their political affiliations.

Mr. Michael Forsyth: The information is as follows:—

Chairmen of health boards and elected local government positions held

Mr. J. D. Ryan CBE—Argyll and Clyde. Member of Renfrew County Council 1968-70; Greenock Corporation 1972-75; and Inverclyde District Council 1974-77 (Labour).

Mr. W. S. Fyfe OBE—Ayrshire and Arran. Member of Prestwick Town Council 1967-73; and Ayr County County 1970-72 (Conservative).

Dr. D. H. Pringle CBE—Borders. None.

Mr. J. A. McIntyre JP—Dumfries and Galloway. None.

Mrs. A. H. Ferguson—Fife. None.

Mrs. J. I. D. Isbister—Forth Valley. Member of Stirling District Council 1980-84 (Conservative).
Mr. J. Kyle—Grampian. None.
Dr. T. J. Thomson CBE—Greater Glasgow. None.
Mr. J. McWilliam OBE—Highland. None.
Mrs. B. M. Gunn OBE JP—Lanarkshire. Member of Lanark County Council 1970-74; and Strathclyde Regional Council 1974-82 (Conservative).
Mr. R. B. Weatherstone TD—Lothian. None.
Mr. J. D. M. Robertson OBE—Orkney. None.
Mrs. F. B. Grains JP—Shetland. Member of Shetland Islands Council 1978-82 and 1986 to present (Independent).
Mr. D. B. Grant TD—Tayside. None.
Mrs. M. A. Macmillan—Western Isles. Member of Stornoway Town Council; Ross and Cromarty County Council; and Western Isles Islands Council 1978-86 (Independent Conservative).

Poultry

Mr. Kirkwood: To ask the Secretary of State for Scotland whether he will now make compliance with the code of practice for poultry breeders and hatcheries a condition of the State Veterinary Service's poultry health scheme; and if he will make a statement on the enforcement costs and other resource implications for the industry of any such changes.

Mr. Michael Forsyth: As from 1 April 1988, membership of the poultry health scheme will be conditional upon compliance with the code of practice for poultry breeders and hatcheries issued in December 1988. Compliance costs will vary according to the extent to which the current practices of companies on such aspects as hygiene and bacteriological monitoring are compatible with those laid down in the code.

Greater Glasgow Health Board

Mr. Sillars: To ask the Secretary of State for Scotland how many staff are employed by Greater Glasgow health board to monitor the performance of private contractors; what is their salary range; and what is their cost in a full financial year.

Mr. Michael Forsyth: This information is not available centrally.

Southern General Hospital

Mr. Sillars: To ask the Secretary of State for Scotland what services at the Southern general hospital have been privatised; what services are currently under consideration for privatisation; and how many staff would be affected.

Mr. Michael Forsyth: None.

NHS (Property and Land)

Dr. Godman: To ask the Secretary of State for Scotland what are the total proceeds from the disposal of National Health Service property and land in *(a)* Strathclyde region and *(b)* Scotland as a whole since 1979.

Mr. Michael Forsyth: £10·704 million and £29·231 million respectively.

Hampden Park, Glasgow

Mr. Wareing: To ask the Secretary of State for Scotland what is *(a)* the number of association football matches played at Hampden park, Glasgow, during the 1987-88 season, *(b)* the total attendance during the season, *(c)* the total arrests in association with these matches, *(d)* the average attendance per match, *(e)* the average number of arrests per match and *(f)* the arrests as a proportion of the attendance.

Mr. Michael Forsyth: Queens Park football club and Strathclyde police have provided the information on which the table is based:

Association football matches at Hampden Park, Glasgow during season 1987-88

	Number
a. Matches played	29
b. Total attendance	314,202
c. Total associated arrests	152
d. Average attendance per match	10,834
e. Average number of arrests per match	5
f. Arrests as proportion of attendance	1:2,067

Football Matches

Mr. Salmond: To ask the Secretary of State for Scotland if he will list the football matches the Scottish Office Minister with responsibility for sport has attended in an official capacity since June 1987.

Mr. Michael Forsyth: I have attended the following:
Hampden Park—Celtic FC v Dundee United FC on 14 May 1988
Hampden Park—Scotland v Yugoslavia on 19 October 1988

Nuvan 500 EC

Dr. Godman: To ask the Secretary of State for Scotland (1) if he has any plans to standardise the use of Nuvan 500 EC on marine fish farms; and if he will make a statement;

(2) if he has any proposals to assess and review the use of Nuvan 500 EC on marine fish farms; and if he will make a statement.

Mr. Michael Forsyth: An application for a product licence for Nuvan 500 EC is currently being considered by the veterinary products committee. As with any other medicine, the proposed conditions of use will be scrutinised as part of the assessment.

Dr. Godman: To ask the Secretary of State for Scotland if he has any proposals to commission research programmes into the evaluation of alternative pesticides to Nuvan 500 EC for use on marine fish farms; and if he will make a statement.

Mr. Michael Forsyth: The Scottish Salmon Growers Association has commissioned the Institute of Aquaculture at the university of Stirling to investigate alternative methods to control sea lice infestation of farmed salmon. Scientists from the Department of Agriculture and Fisheries for Scotland's marine laboratory are co-operating in this work and will be undertaking other studies of the problem of sea lice infestation.

Salmonella (Poultry Farms)

Dr. Godman: To ask the Secretary of State for Scotland whether any inspections by his staff during 1987 and 1988 revealed the presence of salmonella on poultry farms; and if he will make a statement.

Mr. Michael Forsyth: Twelve cases of salmonella in poultry units in Scotland were reported under the

Zoonoses Order 1975 in 1987 and 21 in 1988. In each of these cases officers from the state veterinary service carried out a follow-up inspection.

Egg Producers (Compensation)

Dr. Godman: To ask the Secretary of State for Scotland what representations he has received on the recent statement on compensation for egg producers; and if he will make a statement.

Mr. Michael Forsyth: I have received three representations on this subject. The schemes which were announced on 19 December, together with the Government's advertising campaign, have, I believe, made a significant contribution to the restoration of stability in the egg market in Scotland.

Hospitals

Mr. Galbraith: To ask the Secretary of State for Scotland if he will list the hospitals in Scotland with 250 beds or more.

Mr. Michael Forsyth: The latest available information is for the year ending 31 March 1988 and is as follows:

Ayrshire and Arran Health Board:
Ayrshire Central and Maternity Hospital
Crosshouse Hospital
Ailsa Hospital
Ballochmyle Hospital

Borders Health Board:
Dingleton Hospital

Argyll and Clyde Health Board:
Argyll and Bute Hospital
Vale of Leven DGH
Ravenscraig Hospital
Inverclyde Royal Hospital
Dykebar Hospital
Merchiston Hospital
Royal Alexandra Hospital

Fife Health Board:
Cameron Hospital
Victoria Hospital
Stratheden Hospital
Lynebank Hospital

Greater Glasgow Health Board:
Belvidere Hospital
Canniesburn Hospital
Gartloch Hospital
Glasgow Royal Infirmary
Lennox Castle Hospital
Stobhill Hospital
Woodilee Hospital
Leverndale Hospital
Mearnskirk General Hospital
Victoria Infirmary
Southern General Hospital
Gartnavel General Hospital
Gartnavel Royal Hospital
Glasgow RHSC
Glasgow Western Infirmary

Highland Health Board:
Raigmore Hospital
Craig Dunain Hospital

Lanarkshire Health Board:
Monklands DGH
Birkwood Hospital
Hartwood Hospital
Law Hospital
Hairmyres Hospital
Stonehouse Hospital

Grampian Health Board:
Aberdeen Royal Infirmary
Woodend General Hospital
Kingseat Hospital
Royal Cornhill Hospital
Ladysbridge Hospital

Lothian Health Board:
Eastern General Hospital
Royal Victoria Hospital
Western General Hospital
Astley Ainslie Hospital
City Hospital
Gogarburn Hospital
PMRO Hospital
Rosslynlee Hospital
Royal Infirmary of Edinburgh
Royal Edinburgh Hospital
Bangour General Hospital
Bangour Village Hospital

Tayside Health Board:
Ninewells Hospital
Dundee Royal Infirmary
Royal Dundee Liff Hospital
Strathmartine Hospital
Perth Royal Infirmary
Murray Royal Hospital
Sunnyside Royal Hospital
Stracathro Hospital

Forth Valley Health Board:
Royal Scottish National Hospital
Falkirk and District Royal Infirmary
Bellsdyke Hospital
Stirling Royal Infirmary

Dumfries and Galloway Health Board:
Crichton Royal Infirmary
Dumfries and Galloway Royal Infirmary

Rent Arrears

Mrs. Ray Michie: To ask the Secretary of State for Scotland if he will publish a table showing levels of rent arrears for public sector housing in Scotland as a whole and in each district and islands area on 30 September 1988, expressed as an average figure for each house in each district.

Lord James Douglas-Hamilton: The information available is shown in the table.

Information on the rent arrears for 10 local authorities has yet to be received centrally. Information on the rent arrears for the Scottish Special Housing Association by distruct and islands area is not held centrally. The average rent arrears per dwelling has been calculated as the rent arrears divided by the total number of dwellings owned by the authority concerned.

Public sector rent arrears as at 30 September 1988

	Total arrears £	*Arrears per dwelling* £
SCOTLAND[1]	20,018,624	28·05
Local authority[1]	17,021,809	28·65
Berwickshire	[2]54,638	22·26
Ettrick and Lauderdale	40,664	10·14
Roxburgh[1]		
Tweeddale[1]		
Clackmannan	800,903	93·48
Falkirk	667,830	22·71
Stirling	635,700	53·76
Annandale and Eskdale	121,708	25·25
Nithsdale	322,710	43·85
Stewartry	31,137	13·49
Wigtown[1]		
Dunfermline	669,523	34·98
Kirkcaldy[1]		
North East Fife	117,675	18·17
Aberdeen	1,144,379	31·04

	Total arrears £	Arrears per dwelling £
Banff and Buchan	277,064	24·21
Gordon	76,225	14·00
Kincardine and Deeside	48,878	13·83
Moray	105,555	10·52
Badenoch and Strathspey	17,900	17·11
Caithness[1]		
Inverness	[3]	—
Lochaber[1]		
Nairn	[3]	—
Ross and Cromarty	268,364	44·15
Skye and Lochalsh[1]		
Sutherland	29,279	17·20
East Lothian	416,583	29·93
Edinburgh	1,709,041	34·71
Midlothian	279,632	25·73
West Lothian	239,049	11·96
Argyll and Bute	167,810	21·37
Bearsden and Milngavie	126,374	73·69
Clydebank[1]		
Clydesdale	191,031	20·73
Cumbernauld and Kilsyth	446,934	110·76
Cumnock and Doon Valley	391,219	41·42
Cunninghame	304,415	14·27
Dumbarton	[2]445,232	37·68
East Kilbride	40,059	31·25
Eastwood	38,237	22·09
Glasgow[1]		
Hamilton	487,120	22·59
Inverclyde	318,000	17·72
Kilmarnock and Loudoun	214,026	13·22
Kyle and Carrick	333,026	20·80
Monklands	958,767	35·18
Motherwell	1,063,807	28·66
Renfrew	1,226,984	33·78
Strathkelvin	459,718	48·77
Angus	117,843	9·32
Dundee	1,019,368	26·94
Perth and Kinross	188,615	13·14
Orkney Islands[1]		
Shetland Islands	111,934	43·42
Western Isles	296,853	123·12
New Towns	1,202,975	29·28
Cumbernauld	201,464	27·45
East Kilbride	230,889	17·49
Glenrothes	[2]422,405	60·45
Irvine	115,910	26·57
Livingston	232,307	25·25
SSHA	1,793,840	22·86

[1] Return outstanding.
[2] Includes rate arrears.
[3] Information not available.

Mrs. Ray Michie: To ask the Secretary of State for Scotland if he will publish a table showing levels of rent arrears for public sector housing in Scotland as a whole and in each district and islands area on 30 September for each year since 1979.

Lord James Douglas-Hamilton: The information is shown in the table. Information on the rent arrears at 30 September 1988 for 10 local authorities has yet to be received centrally. Information on the rent arrears for the Scottish Speicial Housing Association by district and islands area is not held centrally. Because of changes in the way in which rent arrears are measured, the information for 1984 to the present is not strictly comparable with that for the years before 1984.

Public sector rent arrears as at 30 September each year

	1979 £	1980 £	1981 £	1982 £	1983 £	1984 £	1985 £	1986 £	1987 £	1988 £
Scotland	4,943,914	5,619,382	8,488,067	12,896,778	17,999,570	18,858,844	19,943,204	24,292,244	26,658,649	20,018,624
Local authority	4,375,020	4,682,104	7,017,812	9,919,681	15,971,913	16,686,273	17,698,066	21,966,354	24,441,926	17,021,809
Berwickshire	24,293	22,961	[2]34,247	[2]55,879	[2]44,605	[2]45,155	[2]43,397	[2]43,122	[2]40,908	[2]54,638
Ettrick and Lauderdale	12,890	10,906	13,523	14,014	21,459	19,995	28,780	29,262	29,501	40,664
Roxburgh	38,598	49,821	67,614	..	..	174,046	162,267	173,475	158,920	[1]—
Tweeddale	2,717	2,101	3,248	8,473	12,110	14,402	19,568	12,658	9,950	[1]—
Clackmannan	62,920	60,264	92,383	157,867	147,174	173,128	169,583	368,792	501,064	800,903
Falkirk	281,022	338,343	421,078	640,725	421,024	674,110	604,830	491,071	477,299	667,830
Stirling	89,824	96,658	153,093	402,377	443,475	227,983	362,592	418,550	466,600	635,700
Annandale and Eskdale	17,103	19,995	..	69,716	52,249	61,142	89,947	101,650	99,888	121,708
Nithsdale	28,553	33,280	61,379	89,040	96,713	152,370	138,123	129,156	126,891	322,710
Stewartry	5,818	8,706	18,809	24,723	16,567	16,835	16,908	17,985	27,523	31,137
Wigtown	5,369	7,279	8,557	15,511	23,990	34,417	67,272	65,421	99,446	[1]—
Dunfermline	106,133	126,795	281,336	389,444	433,504	500,260	466,974	456,911	460,340	669,523
Kirkcaldy	70,689	102,946	192,646	388,602	444,831	345,345	381,896	419,969	462,442	[1]—
North East Fife	13,243	21,035	36,143	43,036	41,662	40,806	63,600	92,419	67,633	117,675
Aberdeen	174,718	232,148	329,117	424,941	402,889	349,788	568,992	646,109	802,565	1,144,379
Banff and Buchan	52,340	48,153	81,875	199,277	184,417	249,430	194,557	224,032	253,788	277,064
Gordon	20,789	26,467	36,242	41,405	39,293	37,882	38,498	47,485	64,638	76,225
Kincardine and Deeside	13,136	10,457	18,671	23,819	18,934	23,939	25,599	31,892	38,669	48,878
Moray	21,409	34,408	52,675	54,649	22,872	66,867	41,825	49,232	48,770	105,555
Badenoch and Strathspey	5,107	4,142	9,343	11,543	6,726	13,380	11,981	6,300	12,838	17,900
Caithness	4,497	8,637	24,352	27,121	23,402	38,013	26,307	36,932	37,836	[1]—
Inverness	73,339	105,008	141,133	122,953	187,956	118,166	137,154	115,401	143,103	[3]—
Lochaber	20,315	22,133	63,095	61,733	95,406	80,679	87,700	63,778	43,327	[1]—
Nairn	704	644	988	5,499	6,873	8,152	5,170	6,090	7,385	[3]—
Ross and Cromarty	43,818	6,196	43,618	47,452	160,649	172,515	214,453	150,633	170,923	268,364
Skye and Lochalsh	4,600	6,433	13,613	6,020	9,764	26,771	24,687	36,315	38,418	[1]—
Sutherland	11,157	7,565	15,055	22,482	16,173	20,052	14,254	17,155	17,429	29,279
East Lothian	57,358	62,040	96,900	141,596	159,527	222,861	213,935	206,100	231,065	416,583
Edinburgh	544,806	591,718	731,832	1,003,598	708,035	870,160	993,270	1,039,067	1,147,598	1,709,041
Midlothian	85,050	122,307	166,607	218,276	159,700	240,090	244,054	246,430	247,049	279,632
West Lothian	59,414	79,167	194,169	182,969	225,515	142,937	150,568	158,751	163,544	239,049
Argyll and Bute	48,953	50,983	141,173	140,237	107,823	67,632	65,299	109,379	73,676	167,810
Bearsden and Milngavie	13,300	7,946	14,295	22,131	25,830	26,507	30,484	36,884	42,126	126,374

	1979 £	1980 £	1981 £	1982 £	1983 £	1984 £	1985 £	1986 £	1987 £	1988 £
Clydebank	72,610	112,739	214,211	296,105	536,768	493,906	516,541	482,332	455,683	[1]—
Clydesdale	30,000	38,000	60,000	78,864	81,720	82,432	73,984	95,067	117,243	191,031
Cumbernauld and Kilsyth	28,501	39,778	76,965	126,902	155,271	184,060	394,358	468,279	537,420	446,934
Cumnock and Doon Valley	21,576	34,000	72,871	182,418	120,354	179,872	269,013	256,228	311,903	391,219
Cunninghame	121,445	150,000	220,000	300,000	250,000	[illegible]0,000	170,000	190,000	256,818	304,415
Dumbarton	126,004	135,056	282,197	441,016	373,45[illegible]	[illegible]4,636	[2]486,617	[2]541,136	[2]421,723	[2]445,232
East Kilbride	15,540	11,758	19,605	28,996	35,152	36,219	35,536	34,093	32,312	40,059
Eastwood	4,839	11,850	20,785	22,580	19,827	12,269	25,392	29,737	35,173	38,237
Glasgow	[3]—	[3]—	[3]—	[3]—	5,676,000	[illegible]588,000	5,814,000	8,486,000	9,550,000	[1]—
Hamilton	96,155	165,412	129,112	228,830	263,416	259,883	537,661	362,352	428,508	487,120
Inverclyde	127,265	102,812	194,371	264,180	220,455	189,380	254,159	349,931	264,764	318,000
Kilmarnock and Loudoun	58,942	64,971	84,675	115,900	99,776	89,120	113,144	270,924	190,345	214,026
Kyle and Carrick	62,170	69,122	101,086	116,376	157,530	160,209	189,839	186,576	220,143	333,026
Monklands	514,410	282,545	350,990	580,595	483,120	700,399	594,509	732,748	671,501	958,767
Motherwell	417,852	325,683	533,719	600,000	600,000	958,178	743,287	589,200	935,361	1,063,807
Renfrew	199,671	243,608	422,132	533,010	403,755	377,534	463,214	606,478	766,543	1,226,984
Strathkelvin	97,534	187,293	110,981	317,678	321,649	306,909	468,721	369,178	723,992	459,718
Angus	30,964	33,616	65,569	87,396	78,758	83,988	94,055	110,693	99,175	117,843
Dundee	299,663	194,693	254,179	348,166	673,877	687,826	488,398	920,579	1,113,017	1,019,368
Perth and Kinross	[3]—	48,153	99,542	104,896	160,431	124,072	132,890	107,807	111,454	188,615
Orkney Islands	20,805	18,742	27,099	36,269	26,020	26,859	34,091	39,833	50,878	[1]—
Shetland Islands	15,092	19,250	28,397	52,396	82,436	89,496	94,614	121,296	92,685	111,934
Western Isles	[3]—	65,381	90,517	[3]—	391,000	285,221	[4]—	[5]517,000	441,133	296,853
New Towns	287,599	349,572	558,046	829,057	789,014	874,722	874,153	832,412	922,372	1,202,975
Cumbernauld	75,973	78,611	88,717	108,535	127,152	138,861	108,053	131,246	143,184	201,464
East Kilbride	[4]114,157	[4]132,525	[4]240,853	[4]383,331	292,270	316,631	174,644	161,093	167,179	230,889
Glenrothes	42,117	51,777	117,877	175,822	220,045	260,786	271,953	266,367	313,304	[2]422,405
Irvine	20,944	39,996	22,555	57,877	55,293	37,924	56,595	78,196	101,116	115,910
Livingston	34,408	46,663	88,044	103,492	94,254	120,520	262,908	195,510	197,589	232,307
SSHA	281,295	587,706	912,209	2,148,040	1,238,643	1,297,839	1,370,985	1,493,478	1,294,351	1,793,840

[1] Return outstanding.
[2] Includes Rate Arrears.
[3] Information not available.
[4] Figures for 1979-82 include Stonehouse New Town.
[5] Includes unprocessed housing benefit awards.

Local Enterprise Boards

Mr. Home Robertson: To ask the Secretary of State for Scotland if he intends to make any provision for the representation of rural interests in the proposed new local enterprise boards.

Mr. Lang: Our proposals for Scottish Enterprise, which are currently the subject of consultation, envisage that those bidding to form the board of management for the local agency in each area will decide on their own membership. One of the criteria for assessing the bids received will of course be the extent to which the fullest possible range of local interests are involved.

Cash Limits

Sir Hector Monro: To ask the Secretary of State for Scotland if he proposes to make any further changes to the cash limits for 1988-89 within his responsibility.

Mr. Rifkind: Yes. I intend to make changes to seven of the cash limits within my responsibility.

As a result of expected savings on a number of services, the cash limit for Class XVI vote 2, has been decreased by £1,500,000 from £78,042,000 to £76,542,000. This reduction will partly offset an increase to Class XVI vote 7, local transport, water sewerage and environmental services, Scotland which is non-cash limited, and which will be used to meet the costs arising from the Lockerbie air disaster. In addition the cash limit for Class XVI vote 3, regional and general industrial support, Scotland will be decreased by £1 million from £134,954,000 to £133,954,000, also partly to offset the increase to Class XVI vote 7. The cash limit for Class XVI vote 10 will also be reduced by £1 million from £4 million to £3 million to offset the increase to Class XVI vote 7.

The cash limit for Class XVI vote 11 will be reduced by £150,000 from £27,775,000 to £27,625,000. This is due to later than anticipated occupation of two courthouses following completion of new building and restoration work and will partially offset increased expenditure of £1,675,000 on Class XVI, vote 13 which is non-cash limited.

Subject to parliamentary approval of the necessary Supplementary Estimate, there will be an increase of £90,000 in the cash limit for Class XVI Vote 14, prisons, hospitals and community health services etc, Scotland from £1,889,706,000 to £1,889,796,000 to fund the Scottish Health Education Group's winter warmth campaign. This increase will be offset by a reduction of £90,000 in the cash limit for Class XVI Vote 15, education, arts, libraries and social work, Scotland from £198,589,000 to £198,499,000.

The cash limit for the Scottish Office administration Vote, Class XVI Vote 21 is being reduced by £4,000 from £120,198,000 to £120,194,000 as a result of a transfer of costs for recruitment under the direct entry grade 7 competition 1988 offset by a corresponding increase in the Office of the Minister of the Civil Service, Class XX Vote 1.

As a result of these changes there will be no addition to the planned total of public expenditure.

In addition, the running costs limits for the Scottish Office will be reduced by £96,000 from £195,044,000 to £194,948,000 and for the Scottish Courts Administration by £150,000 from £22,986,000 to £22,836,000.

Council House Sales

Mr. Andrew Welsh: To ask the Secretary of State for Scotland if he will publish a table listing those local authorities who have failed to serve offers on tenants, to sell houses to tenants within two months of the application to purchase, the number of houses affected in each area, and the average time taken by each local authority to submit offers to sell to tenants.

Lord James Douglas-Hamilton *[holding answer 19 January 1989]:* Such information as is kept centrally is set out for the latest available period in the table:

	Number of applications with formal offer overdue at 30 September 1988
Scotland	5,673
Berwickshire	6
Ettrick and Lauderdale	—
Roxburgh	4
Tweeddale	48
Clackmannan	166
Falkirk	—
Stirling	1
Annandale and Eskdale	99
Nithsdale	18
Stewartry	—
Wigtown	—
Dunfermline	223
Kirkcaldy	252
North East Fife[1]	18
Aberdeen	600
Banff and Buchan	154
Bordon	2
Kincardine and Deeside	1
Moray	10
Badenoch and Strathspey	—
Caithness[1]	18
Inverness	84
Lochaber	3
Nairn	—
Rossi and Cromarty	1
Skye and Lochalsh	—
Sutherland	—
East Lothian	—
Edinburgh	n.a.
Midlothian	239
West Lothian	298
Argyll and Bute	12
Bearsden and Milngavie	72
Clydebank	51
Clydesdale	—
Cumbernauld and Kilsyth	52
Cumnock and Doon Valley[1]	2
Cunninghame	95
Dumbarton	367
East Kilbride	1
Eastwood	1
Glasgow	1,010
Hamilton	150
Inverclyde	152
Kilmarnock and Loudoun	108
Kyle and Carrick	894
Monklands[1]	4
Motherwell[1]	—
Renfrew	102
Strathkelvin	58
Angus	—
Dundee	108
Perth and Kinross	167
Orkney Islands[1]	2
Shetland Islands	15
Western Isles	5

[1] Returns outstanding. Most recent available information is shown.
Source: SDD return 85.

ENVIRONMENT

Water

Mr. Cohen: To ask the Secretary of State for the Environment whether all water supplied by water authorities and water companies complies with annex I of European Community Council directive 80/778/EEC; what steps his Department has taken to ensure that it does so comply; and if he will make a statement.

Mr. Moynihan: Most water supplied by water authorities and water companies complies with the standards set in annex 1 of EC directive 80/778. The Department requires water undertakers to prepare action programmes for its approval where a supply does not comply and where a derogation under the terms of the directive is not available. Over the last few years a substantial number of supplies have been improved under these programmes and good progress continues to be made towards full compliance with the directive.

Mr. Cohen: To ask the Secretary of State for the Environment if, when new valuation work of water authority land and buildings is undertaken in connection with the preparation of prospectuses, he will make it his policy to ensure that such valuation takes account of the possibility of planning permission for development being granted; and if he will make a statement.

Mr. Chope: The valuation work will be carried out against the background of guidance notes issued by the Royal Institution of Chartered Surveyors on the valuation of assets, which provide that valuers should take account of the prospects for planning permission in relevant circumstances.

Mr. Cohen: To ask the Secretary of State for the Environment if, pursuant to his answer of 14 December, *Official Report*, column *626*, he will make it his policy to publish for each water authority figures of net asset value based on the net current replacement costs figures shown in their published accounts; whether the amounts of net current replacement cost for each water authority have been calculated on a consistent accounting basis with each other; and if he will make a statement.

Mr. Moynihan: I have no plans to publish additional information on the value of assets in the ownership of water authorities to that which is given in the published annual accounts. Water authorities' accounts are drawn up in accordance with standard guidelines for the industry which it is the responsibility of each authority to apply, subject to the scrutiny of its external auditors.

Mr. Matthew Taylor: To ask the Secretary of State for the Environment whether he plans to bring forward further proposals to guarantee effective competition within each water authority area; and if he will make a statement.

Mr. Moynihan: The water merger proposals announced by my right hon. Friend on 11 January at column 841 are designed to ensure that the Director General of Water Services can make performance comparison between independently owned water and sewerage undertakers throughout England and Wales.

PSA (Staff)

Mr. Sean Hughes: To ask the Secretary of State for the Environment what is the number of staff in the Property Services Agency, by grade, in receipt of local pay additions outside London and the south-east economic planning region; what are the different amounts paid to staff by grade; whether this figure varies due to location; what qualifying period of scale-related criteria is used; and whether this varies by location.

Mr. Ridley: Seventeen, all of whom are administrative assistants in Cambridge with a local pay addition of £300. There is no qualifying period or scale-related criterion.

Departmental Staff (Pay)

Mr. Sean Hughes: To ask the Secretary of State for the Environment what is the number of staff in his Department, by grade, in receipt of local pay additions outside London and the south-east economic planning region; what are the different amounts paid to staff by grade; whether this figure varies due to location; what qualifying period of scale-related criteria is used; and whether this varies by location.

Mr. Ridley: Apart from the Property Services Agency, my Department is not at present paying local pay additions to any staff outside London and the south-east economic planning region.

Chelsea Football Ground

Mr. Cox: To ask the Secretary of State for the Environment when he expects to publish his decision on the inspectors' report in the public inquiry on the proposed redevelopment of Chelsea football ground.

Mr. Chope: The inspector's report is being considered. The decision will be issued as soon as possible.

Fees Ofice (Floor Covering)

Mr. Cohen: To ask the Secretary of State for the Environment what proposals he has to provide carpet and decent floor covering in the Fees Office, Dean's yard; and if he will make a statement.

Mr. Chope: All the carpet and floor coverings in No. 3 Dean's yard will be replaced during the next summer recess.

London Docklands

Mr. Leighton: To ask the Secretary of State for the Environment what assistance the London docklands development corporation has given to the new training centre set up in the royal docks by Mowlems.

Mr. Trippier: The corporation was involved in the preparation of this scheme, and fully supports it. No financial assistance was required.

Ozone Layer (Conference)

Dr. Thomas: To ask the Secretary of State for the Environment which university research departments will be invited to the forthcoming United Kingdom sponsored conference in ozone layer depletion and CFC dangers.

Mrs. Virginia Bottomley: Participation in the "Saving the Ozone Layer" London conference is for Governments only, and we have invited over 150 countries to send a Ministerial delegation. A small number of leading scientists and industrialists from all over the world will speak on specialist subjects. The scientists will also be involved in informal panel sessions and an exhibition, where they will be supported by the stratospheric ozone review group, including the chairman, Dr. Pyle, of Cambridge university.

Public Bodies (Funding)

Dr. Thomas: To ask the Secretary of State for the Environment if he will list those non-departmental public bodies responsible to his Department for which funding and staffing *(a)* have been reduced in 1988 and *(b)* are planned for reductions in 1989; and, for each case, if he will list the change in funding and staffing levels.

Mr. Ridley: Tables *a* to *c* give information on my Department's NDPBs which *(a)* received less funding by way of grants and/or net borrowing from the Department in 1988-89 compared with 1987-88; *(b)* are planned to receive less funding by way of grants and/or net borrowing from the Department in 1989-90 compared with 1988-89; and *(c)* reduced their staffing levels between the start of 1987-88 and the start of 1988-89;

The reduction in funding for the National Heritage Memorial Fund between 1987-88 and 1988-89 largely reflects the payment of a £20 million endowment to the fund in 1987-88. The reduction in grant in aid for the Countryside Commission is partly due to the separate provision of core-funding for the groundwork foundation and trusts from 1 April 1988. 1987-88 figures are also inflated by the emergency provision for tree replanting following the 1987 great storm.

The higher level of funding for the London Docklands development corporation in 1988-89 compared with planned provision in 1989-90 reflects £38 million supplementary provision during 1988-89.

Reductions in staffing levels of the new town development corporations, which are funded mainly from revenue and by receipts from the disposal of their property, reflect the rundown of their programmes and some privatisation of functions. Aycliffe and Peterlee development corporation and Washington development corporation were wound up at the end of the 1987-88 financial year. Peterborough development corporation was wound up in September 1988.

The residuary body staffing is reducing because they are limited life bodies which are being wound up as soon as practicable. Tyne and Wear residuary body was wound up in October 1988. The residuary bodies are not funded by the Department.

During 1988-89, which is subsequent to the period covered by table c, the staff complement of the Historic Buildings and Monuments Commission has been reduced from 1562·5 to 1560·5. Reductions in the staffing of the new town development corporations and the residuary bodies have continued during 1988-89 and further reductions are expected during 1989-90. These apart there are no specific proposals for reducing staff numbers in 1989-90 in the bodies sponsored by the Department although it remains my Department's policy that NDPBs should be staffed at the minimum necessary to carry out their responsibilities efficiently and effectively.

Table A

		£ thousand
	1987-88 outturn	*1988-89 provision*
Countryside Commission	22,750	21,118
National Heritage Memorial Fund	21,546	1,500
New Towns Staff Commission	3	2

Table B

		£ thousand
	1988-89 provision	*1989-90 provision*
London Docklands Development Corporation	116,415	86,000

Table C

	Staffing March-April 1987	*Staffing March-April 1988*
Countryside Commission	125	115
Letchworth Garden City Corporation	108	93
New Town Development Corporations		
Aycliffe and Peterlee	29	0
Milton Keynes	816	540
Peterborough	339	249
Telford	702	469
Warrington and Runcorn	555	380
Washington	126	0
Commission for the New Towns	1,107	1,085
Residuary Bodies:		
Greater Manchester	267	112
London	3,094	2,148
Merseyside	334	213
South Yorkshire	109	17
Tyne and Wear	46	14
West Midlands	52	21
West Yorkshire	116	57

Fish

Mr. Fearn: To ask the Secretary of State for the Environment if coarse fish, and eels in particular, are able to meet the quality standards set out in European Community directives 82/176 and 84/156.

Mr. Moynihan: These directives set out a range of quality objectives from which member states are required to select those most appropriate to the intended use of the waters. For the purposes of implementing these directives in inland waters, water authorities have elected to apply the quality standard for mercury concentrations in water, rather than that for fish flesh. They have not therefore monitored compliance with the latter standard, which in any case applies to a representative sample of fish flesh, and not to any individual species. Concentrations of substances in fish flesh generally are a matter for my right hon. Friend the Minister of Agriculture, Fisheries and Food.

Nuclear Waste

Mrs. Mahon: To ask the Secretary of State for the Environment what plans Nuclear Industry Radioactive Waste Executive has for disposing of nuclear waste in Yorkshire; and if he will make a statement.

Mrs. Virginia Bottomley: My right hon. Friend the Secretary of State expects to receive Nirex's proposals for a radioactive waste disposal facility shortly. Until these have been received and a decision is made, no part of the country can be ruled out.

British Waterways Board

Mr. Barry Jones: To ask the Secretary of State for the Environment if he will appoint a member from Wales to the British Waterways Board; and if he will make a statement.

Mr. Moynihan: I have no plans at present to appoint a member for Wales. Future appointments will continue to be made in accordance with the statutory criteria in section 1(6) of the Transport Act 1962 and in the light of the board's particular needs at the time.

Football

Mr. Wareing: To ask the Secretary of State for the Environment, pursuant to his answer to the hon. Member for Derbyshire, North-East (Mr. Barnes) of 19 December 1988, *Official Report*, columns *55-60*, if he will break down the information for the number of matches played in the FA cup, the Littlewoods cup, the Simod cup, and the Sherpa Van trophy.

Mr. Moynihan: The information given in my answer to the hon. Member for Derbyshire, North-East (Mr. Barnes) on 19 December 1988 relates only to matches played in the Football League. Information on arrests made at matches played in the FA cup, Littlewoods cup, Simod cup and Sherpa Van trophy competitions is not held centrally.

Environmental Protection

Mr. Tony Banks: To ask the Secretary of State for the Environment how much has been spent by his Department in each of the last five years on the development and encouragement of environmentally sensitive processes in industry both public and private.

Mr. Ridley: In general, it is for industry to develop new processes to meet environmental requirements imposed by Government. My Department has, however, recently launched the environmental protection technology scheme to assist development to proof of concept stage of new technologies which would enable standards to be improved. A number of promising applications are being considered, but no grants have yet been made. In addition in 1988-89 my Department is providing support of £25,000 for the better environment awards for industry.

Tree Preservation

Mr. Brazier: To ask the Secretary of State for the Environment how he proposes to carry out the review of tree preservation.

Mr. Ridley: I have appointed James Batho, formerly director of the eastern region of my Department and the Department of Transport, to carry out this review. He has been asked to review the present policy and legislation on tree preservation and consider whether they remain appropriate in present conditions in both urban and rural areas. I have agreed with my right hon. Friends the Secretaries of State for Scotland and for Wales that this review will also cover the position in Scotland and Wales.

Unified Business Rate

Mr. Hannam: To ask the Secretary of State for the Environment if he will publish *(a)* the estimated increase in the level of rates that businesses in each of the district council areas of Devon will face when unified business rate is introduced and how that increase will be phased in and *(b)* the results of the recent rates revaluation on businesses in Exeter and Devon.

Mr. Gummer *[holding answer 25 January 1989]:* A business (national non-domestic) rate set at the 1988-89 average level would have been set at 239·5p in the pound. This compares with the present poundages in the district council areas of Devon as follows:

	Pence in the Pound	*Percentage difference*
East Devon	228·7	5
Exeter	225·7	6
North Devon	236·7	1
Plymouth	231·3	4
South Hams	235·3	2
Teignbridge	236·5	1
Mid-Devon	234·8	2
Torbay	244·3	−2
Torridge	237·0	1
West Devon	235·2	2

The revaluation of non-domestic properties will be carried out by the valuation office of the Inland Revenue by the end of this year. I hope to be able to announce shortly the Government's proposals for phasing in rate changes, based on sample information about the likely effects of the revaluation.

Rates

Mr. Blunkett: To ask the Secretary of State for the Environment if he will list the average rates payable per household for each year since 1978-79 for *(a)* the United Kingdom, *(b)* Great Britain, *(c)* Greater London and *(d)* the south-east excluding Greater London, showing in each case the annual and cumulative percentage increase.

Mrs. Virginia Bottomley *[holding answer 25 January 1989]:* The unrebated figures are as follows:

Average domestic rate bill (£)

	(£)	*Annual percentage increase*	*Cumulative percentage increase*
Greater London			
1978-79	169	—	—
1979-80	200	18·7	18·7
1980-81	264	32·0	56·8
1981-82	358	35·3	112·2
1982-83	400	11·9	137·7
1983-84	449	12·2	166·3
1984-85	478	6·5	183·7
1985-86	505	5·6	199·5
1986-87	485	−3·9	188·0
1987-88	517	6·5	206·9
1988-89	530	2·4	214·2
South East excluding London			
1978-79	157	—	—
1979-80	186	18·4	18·4
1980-81	230	24·9	46·8
1981-82	259	12·6	65·3
1982-83	298	14·9	90·0
1983-84	315	5·7	100·0
1984-85	334	5·9	112·6
1985-86	361	8·1	129·8
1986-87	426	18·3	171·8
1987-88	465	9·0	196·2
1988-89	526	13·1	234·9
Great Britain			
1978-79	127	—	—
1979-80	151	18·3	18·3
1980-81	194	28·7	52·3
1981-82	240	24·0	88·9
1982-83	277	15·2	117·6
1983-84	295	6·5	131·8
1984-85	315	6·8	147·5
1985-86	346	9·8	171·9
1986-87	392	13·2	207·7
1987-88	422	7·9	231·8
1988-89	460	8·8	261·0
United Kingdom			
1978-79	126	—	—
1979-80	n/a	—	—
1980-81	n/a	—	—
1981-82	n/a	—	—
1982-83	274	—	116·9
1983-84	290	6·5	131·1
1984-85	312	6·8	146·9
1985-86	342	9·8	171·1
1986-87	387	13·1	206·7
1987-88	418	7·8	230·7
1988-89	454	8·8	259·8

Note: Figures for the United Kingdom between 1979-80 and 1981-82 are not available. However the cumulative percentage increase runs from 1978-79.

TRANSPORT

Greater London (Traffic Flow)

Mr. William Powell: To ask the Secretary of State for Transport what improvements to traffic flow were achieved in Greater London during 1988 on *(a)* the A10, *(b)* the A11, *(c)* the A12 and *(d)* the A13;

(2) what improvements to traffic flow are expected to be achieved in the Greater London area on *(a)* the A10, *(b)* the A11, *(c)* the A12 and *(d)* the A13 during the current year.

Mr. Peter Bottomley: In 1988 three trunk road schemes were completed on A10 and A13 to improve traffic flow. These were:

A10—Bullsmoor lane junction improvement

A13—Roding bridge

A13—Becton flyover tidal flow scheme.

The tidal flow scheme was particularly successful in improving traffic flow.

The Department's national trunk road programme includes 12 major improvement schemes for the four routes. A further number of smaller improvement schemes are planned for 1989-90 These include:

A12/A127—Gallows corner roundabout: installation of traffic control signals: and other small-scale junction improvements on A12.

A13—Tollgate road junction; and eight other schemes to improve traffic flow on A13, some as interim measures in advance of major schemes.

Computerised control of traffic signals by the MOVA (Modernised optimised vehicle actuation) system will be introduced this year to aid traffic flow at four junctions:

A10—Great Cambridge road/Carterhatch lane.

A12—Eastern avenue/Whalebone lane.
A12—Colchester road/Goosehayes drive/Gubbins lane.
A14—junction with A117 under Becton flyover.

Railway Line Closures

Mr. Edward Leigh: To ask the Secretary of State for Transport if he will state which railway lines are proposed to be closed in the current year, giving the reasons for any such closures.

Mr. Portillo: British Rail's railway closure proposals currently outstanding are listed. In addition, British Rail has announced that it intends formally to propose the withdrawal of passenger services between Gainsborough and Barnetby. British Rail has taken the view that it can no longer justify maintaining these rail services. My right hon. Friend will decide each case on its merits.

Settle to Carlisle and Blackburn to Hellifield
Henley-in-Arden to Bearley junction
Ashburys West junction to Phillips Park No. 1 junction
Wortley curve (Leeds)
Melton Halt (Humberside)
Methley junction to Altofts junction
Vale of Rheidol railway
Mexborough East junction to Aldwarke junction
North Pole junction to Old Oak Common East junction

Mr. Leigh: To ask the Secretary of State for Transport if he will *(a)* list the railway lines closed in each year from 1984 to 1988 and *(b)* state the reasons for any such closures.

Mr. Portillo: The railway lines and stations closed during each year from 1984 to 1988 are listed. The particular reasons given by my right hon. Friend and his predecessors for consenting to these closures were set out in formal decision letters. But, generally speaking, consent is given where it is considered that hardship and other social and economic effects are not sufficient to outweigh the financial and operational advantages of closure.

1984 Upton by Chester station
South Bank station

1985 Eltham Park station
New Hadley station
Tottenham Hale to Stratford (including Lea Bridge station)
Birchenden junction to Grove (including Tunbridge Wells West and Groombridge stations)
Gogarth and Abertafol halts
Errol station

1986 Tiverton Junction station
Broad Street station to Dalston Junction station (inclusive)
Cefn-Onn station
Balloch Central to Balloch Pier (including Balloch Pier station)

1987 Royton station
Brindle Heath junction to Agecroft junction
Meadowbank station
Goose hill junction to Wath Road junction and Oakenshaw junction to Oakenshaw South junction Dryclough junction to Greetland junction; Milner Royd junction to Health Lodge junction; Bradley Wood junction to Bradley junction; Horbury Station junction to Crigglestone junction and Wakefield Kirkgate West junction to Hare Park junction.

1988 Burton Lane junction to Rowntree Halt (including Rowntree Halt) Rotherham Masborough station.

Kent Rail Link

Mr. David Shaw: To ask the Secretary of State for Transport when he last discussed railway services between London and Dover with the chairman of British Rail; and what plans have been proposed or approved by his Department to improve the service.

Mr. Portillo: My right hon. Friend and I frequently meet the chairman of British Rail, and we discuss a wide range of issues. I have no proposals currently before me which relate to the Dover service.

Mr. David Shaw: To ask the Secretary of State for Transport what financial effect the proposed new rail link in Kent will have on revenue and capital expenditures and the external financing limits of British Rail in each year between 1990 and 2000.

Mr. Portillo: It is too early to say. The likely cost and timing of any new rail link have still to be determined.

Mr. David Shaw: To ask the Secretary of State for Transport what arrangements are currently envisaged as the basis for British Rail to pay the operating company for using the new Kent rail link; and what amounts are expected to be paid in each of the 20 years following completion.

Mr. Portillo: British Rail has invited private sector companies to show that they are competent to bid to become involved in a new high-speed Channel tunnel rail link. The invitation does not expire until the end of this month. It is too soon to foretell what precise financial arrangements may emerge.

Mr. David Shaw: To ask the Secretary of State for Transport what studies were carried out by his Department and British Rail into the feasibility and financial viability of upgrading and extending to Ashford and Folkstone (Cheriton) the existing Dover—Canterbury—London rail link as an alternative to the proposed new Kent rail link; and if he will publish those studies.

Mr. Portillo: The precedure by which British Rail identified its possible route corridors for a new rail link to the Channel tunnel was explained in the report which it published in July 1988. Copies were sent to hon. Members and placed in the Library of the House. My Department has not carried out any studies of possible routes; that is British Rail's responsibility. On the face of it, improvements to the route via Canterbury and Dover would appear to be a rather circuitous way of improving access to Ashford and Folkestone.

Mr. Dunn: To ask the Secretary of State for Transport what statutory provision British Rail has to finance the whole or part of the cost of a high speed rail link to carry international passengers between London and the Channel tunnel.

Mr. Portillo: The financing of a high-speed rail link between London and the Channel tunnel would come within British Rail's general powers to provide railway services and to make appropriate financial arrangements in connection with the provision of railway services. British Rail will, however, require specific parliamentary authorisation for construction and operation of any new rail link.

Road Repairs

Mr. Allen: To ask the Secretary of State for Transport when he expects to implement the proposals of the Horne committee on road repairs; and if he will make a statement.

Mr. Peter Bottomley: I refer my hon. Friend to the answer that I gave to my hon. Friend the Member for Elmet (Mr. Batiste) on 19 January at column *292*.

Local Pay Additions

Mr. Sean Hughes: To ask the Secretary of State for Transport what is the number of staff in his Department, by grade, in receipt of local pay additions outside London and the south east economic planning region; what are the different amounts paid to staff by grade; whether this figure varies due to location; what qualifying period of scale-related criteria is used; and whether this varies by location.

Mr. Peter Bottomley: The Department is not at present paying local pay additions to any staff outside London and the south east economic planning region.

London Transport (Resignation Agreement)

Mr. Campbell-Savours: To ask the Secretary of State for Transport whether Dr. Ridley, former chairman of London Transport, has complied with the terms of the resignation agreement as placed in the Library.

Mr. Portillo: Dr. Ridley ceased to hold office as a member of London Regional Transport under his terms of appointment (as placed in the Library) on 10 November 1988, the date on which my right hon. Friend accepted his resignation.

Rail Electrification

Mr. Allen: To ask the Secretary of State for Transport if he has now received any proposals from British Rail to electrify the London-Midland railway line.

Mr. Portillo: I have not.

Hazardous Substances (Carriage by Air)

Dr. Thomas: To ask the Secretary of State for Transport in the light of the Pan Am jumbo jet crash in Scotland, he will initiate a full review of the present safety standards for the carriage of *(a)* commercial nuclear materials and *(b)* non radioactive hazardous substances by aircraft operating from United Kingdom airports.

Mr. Peter Bottomley: The regulations governing the transport of radioactive materials are kept under continuous review by the International Atomic Energy Agency (IAEA). The agency is currently reviewing the safety requirements for transporting plutonium by air.

The United Kingdom regulations for the movement by air of non-radioactive dangerous goods are kept under review by the Civil Aviation Authority.

Construction Work (VAT)

Mr. Heddle: To ask the Secretary of State for Transport what assessments he has made with the BAA, the British Railways Board and other bodies within his Department's responsibility about the effect of the imposition of value added tax on non-domestic construction work following the decision of the European Court on 21 June 1988, in particular on partnership schemes in the private sector involving urban regeneration where the schemes were commercially committed prior to the relevant date but not protected by the transitional arrangements proposed by Her Majesty's Customs and Excise.

Mr. Portillo: I refer my hon. Friend to the answer given to him on 25 January by my hon. Friend the Economic Secretary to the Treasury. I have no reason to believe that different considerations would apply to construction schemes involving transport bodies from the generality of such schemes.

Mr. Heddle: To ask the Secretary of State for Transport what representations he has received from the BAA, the British Railways Board and other bodies within his Department's responsibility about the effect of value added tax on non-domestic construction work following the decision of the European Court on 21 June 1988, in particular on partnership schemes with the private sector.

Mr. Portillo: The chairman of British Rail has written to my right hon. Friend the Secretary of State pointing out the possible effect on a number of British Rail development schemes of the imposition of value added tax in non-domestic construction work. My right hon. Friend has received no other representations from bodies sponsored by his Department.

Licence Applications (Manchester-United States)

Mr. Alfred Morris: To ask the Secretary of State for Transport if he will now make a further statement on the progress of the talks with the United States Government on the licence applications for new Manchester routes by United States airlines.

Mr. Peter Bottomley: I refer the hon. Member to the reply given to my hon. Friend the Member for Stockport (Mr. Favell) on 16 January at column *97*.

British Rail (Investment)

Mr. Barry Jones: To ask the Secretary of State for Transport if he has received any proposals from British Rail concerning investment in the London South Wales mainline and the Crewe-Holyhead line; and if he will make a statement.

Mr. Portillo: I have received no such proposals.

King's Cross Station (Fire Calls)

Mr. Tony Banks: To ask the Secretary of State for Transport on how many occasions the London fire brigade has been called out to King's Cross station since 18 November 1987.

Mr. Portillo: I understand from London Underground Ltd. that the London fire brigade has been called out to King's Cross station on 53 occasions since 18 November 1987. In eight cases the fire brigade dealt with a fire or smoke incident, 28 incidents were dealt with by London Underground staff before the fire brigade arrived and in the remainder the fire brigade found no trace of fire or smoke.

Capital Allocations (London)

Mr. Tony Banks: To ask the Secretary of State for Transport if he will list the capital allocations for transport and the accepted expenditure for TSG purposes in each case excluding any allowance for the traffic control systems unit, for each London borough for the years 1986-87, 1987-88, 1988-89 and 1989-90.

Mr. Peter Bottomley: The accepted expenditure figures for TSG purposes and the initial transport capital allocations excluding any allowance for the traffic control systems unit for each London borough for 1986-87, 1987-88, 1988-89 and 1989-90 are as follows:

TSG and capital allocation for the London boroughs (excluding allocations for TCSU)

(£000's)

Borough	*1986-87*		*1987-88*		*1988-89*		*1989-90*	
	TSG	*CAP*	*TSG*	*CAP*	*TSG*	*CAP*	*TSG*	*CAP*
Barking	109	1,111	1,505	2,459	5,590	5,991	4,480	4,441
Barnet	151	1,523	760	1,028	631	815	355	504
Bexley	3,292	4,870	763	1,328	2,076	2,587	2,373	2,573
Brent	861	1,749	460	895	730	102	710	950
Bromley	335	1,423	668	1,448	7,601	8,600	7,445	8,301
Camden	0	1,894	101	904	162	225	35	87
Croydon	0	1,010	201	899	291	594	350	809
Ealing	3,059	4,629	3,918	4,815	4,352	6,142	6,220	7,172
Enfield	7,120	7,744	14,659	14,868	22,363	22,654	23,718	23,960
Greenwich	1,435	2,971	280	1,214	2,111	3,229	1,434	2,386
Hackney	349	2,189	3,822	4,969	750	1,562	681	1,375
Hammersmith	231	711	140	227	46	169	172	269
Haringey	2,000	3,682	2,828	3,223	7,915	8,175	11,678	11,696
Harrow	2,365	2,881	3,590	3,953	7,344	9,441	7,600	8,791
Havering	3,524	4,658	2,415	3,299	507	1,204	237	737
Hillingdon	10,059	11,663	6,494	7,046	8,335	10,288	15,087	10,122
Hounslow	939	1,683	1,120	1,786	1,408	1,606	1,433	1,447
Islington	0	302	101	655	51	286	171	372
Kensington	700	1,118	434	589	712	1,018	1,464	1,441
Kingston	7,065	9,021	9,389	9,652	5,338	5,531	3,922	3,744
Lambeth	115	855	421	925	358	599	182	380
Lewisham	0	1,562	450	1,536	1,811	2,238	10,455	10,812
Merton	2,245	3,803	5,334	7,636	4,967	6,628	9,287	9,245
Newham	2,400	4,176	2,195	3,246	1,972	2,498	1,891	2,227
Redbridge	400	766	1,951	2,600	679	1,742	508	686
Richmond	353	1,105	308	778	282	580	205	457
Southwark	2,700	3,772	2,330	2,780	3,474	4,090	5,193	5,407
Sutton	900	1,900	1,578	2,030	1,462	2,455	1,788	2,171
Tower Hamlets	0	914	246	722	51	447	26	276
Waltham Forest	1,600	2,672	2,045	2,381	1,268	1,510	941	1,047
Wandsworth	4,465	6,047	5,220	6,605	1,165	2,230	1,624	2,448
Westminster	908	4,092	650	2,200	972	1,360	1,669	1,855
City	847	2,497	955	1,316	180	646	385	625

Note:

The 1986-87 settlement did not specify a separate capital allocation for TCSU apart for that which went with the TCSU element of the TSG minor works accepted expenditure.

I am sending the hon. Member a simple guide to TSG, copies of which are available in the Library.

Lockerbie Disaster

Ms. Gordon: To ask the Secretary of State for Transport if he will consider including in the inquiry into the Lockerbie disaster the question of the delay between the identification of the body of a victim and the passing of this information on to the next of kin.

Mr. Peter Bottomley: The purpose of the investigation being carried out by my air accidents investigation branch is to determine the circumstances and causes of the accident. The question raised by the hon. Member falls outside the scope of this investigation.

I understand from my right hon. and learned Friend the Secretary of State for Scotland that he has been assured by the chief constable of Dumfries and Galloway that, when a body was reliably identified, every effort was made to notify the next of kin, whether in this country or abroad, as soon as possible. If the hon. Member has a particular case in mind and will notifiy my right hon. and learned Friend, he will gladly make further inquiries.

London Regional Transport (Rate Precept)

Mr. Cohen: To ask the Secretary of State for Transport what information he has on the likely level of the rate precept for London Regional Transport for the forthcoming year; what percentage increase this represents over the current year; and if he will make a statement.

Mr. Portillo: I refer the hon. Member to the answer given by my right hon. Friend the Secretary of State to my hon. Friend the Member for Harrow, East (Mr. Dykes) on 19 December at column *12*. The proposed levy for 1989-90 would represent an increase of 50 per cent. over the 1988-89 levy.

Transport (London)

Mr. Wheeler: To ask the Secretary of State for Transport what steps he is taking to improve transport in London.

Mr. Channon: I am today publishing a booklet entitled "Transport in London" setting out the Government's policy aims for transport in London and the steps being taken to achieve them. This is supported by a fuller, more technical statement on transport in London which I am sending to the London local authorities and other interested bodies.

Much is already being done and planned to improve the quality of London's transport systems and to increase their capacity. Earlier this week I announced the east London rail study which is examining the best options for improving rail access from central London to docklands

and east Thames-side. Today I am publishing the report of the central London rail study jointly with the chairman of London Regional Transport and British Rail.

I welcome the central London rail study report as a major contribution to the debate on how best to improve services and provide for forecast demand on the rail networks serving central London.

The number of passengers using the rail networks serving central London is currently at record levels. The study concludes that peak demand may grow by up to a further 20 per cent. by the end of the century. To meet this demand and improve the quality of services a twofold strategy is proposed:

(i) A major upgrading programme costing some £1·5 billion to make the best use of the existing infrastructure. This programme would allow more and higher capacity trains to be run; increase the capacity of Underground stations; and include service restructuring and other measures to ease bottlenecks and secure better operating performance. It would provide an early response to some of the mst pressing problems but would not by itself be enough to cater for the forecast increases in demand and provide acceptable standards of, service. Provision has already been made for some of this programme in present plans.

(ii) A package of new line construction. The study proposes alternative packages each consisting of two new lines in tunnels under London.

Some work is required before decisions can be taken. This will be carried out in parallel with the east London rail study and will include work on how such investments might be financed. The Government believe that if there is to be new investment of benefit to passengers, it is they who should pay for it, rather than taxpayers from other parts of the country. Contributions should be forthcoming from property owners and developers where they also stand to benefit. Where these two sources of finance are not enough to make a project commercially viable, grants can be available provided that economic benefits, for example in the relief of road congestion, justify them.

I am now inviting interested parties to give their views on the proposals. In the light of these and the further work that remains to be done, I hope to be in a position to take decisions on the way ahead later this year.

I am placing copies of "Transport in London", the technical document supporting it, and the report of the central London rail study in the Library.

EMPLOYMENT

London Docklands

Mr. Leighton: To ask the Secretary of State for Employment if he will give an update of the activity and individual projects being carried out by the docklands liaison group set up by the employment service and the Training Agency.

Mr. Nicholls: Since its inception in June 1987 the docklands liaison group has continued to work towards improving the extent and co-ordination of the Department's programmes provided by the employment service and the Training Agency.

Specific projects which have been initiated or progressed include the development of construction training under Employment Training in each docklands borough; training projects to help English as a second language (ESL) students gain access to construction training; a new enterprise package which includes low-cost business rents, advice on business start-up, finance and training; the development of two office and commercial training centres; and the development of a mobile jobcentre service.

Training and Enterprise Councils

Mr. Leighton: To ask the Secretary of State for Employment which are the employer-led groups referred to in "Employment for the 1990s" invited to set up TECs in the London borough of Newham.

Mr. Cope: We will publish a prospectus shortly. This will invite employer-led groups thoughout England and Wales to offer to form TECs.

Departmental Staff (Child Care)

Ms. Richardson: To ask the Secretary of State for Employment what child care provision his Department provides for pre-school age children of employees; what child care provision, for school holiday or after-school care, is provided for employees' children aged five and over; what plans there are for increasing provision in the next five years; and how these are to be funded.

Mr. Cope: I refer to the hon. Member to the reply I gave her on 20 April 1988 at column *475*.

I addition to the child care provision mentioned in that reply, the Employment Department group now operates a further care parent scheme for staff with children under five years old in the employment service and Training Agency headquarters in Sheffield.

The group has also contributed to the initial funding of the Westminster holiday playscheme which is being co-ordinated by the Office of the Minister for the Civil Service for staff working in central London. We are considering other facilities both departmentally and jointly with the office of the Minister for the Civil Service.

Labour Statistics

Mr. Sillars: To ask the Secretary of State for Employment if he will show for Scotland, Wales, England and Great Britain as a whole *(a)* the number of employees employed in (i) manufacturing and (ii) service industries in (1) 1979 and (2) 1988 and *(b)* the changes in the numbers employed in percentage terms.

Mr. Lee: The information is as follows:

Employees in employment in Great Britain

	Employees in employment		*Net change between September 1979 and September 1988*
	September 1979	*September[1] 1988*	*Per cent.*
Scotland			
Manufacturing	602	387	−36
Service industries	1,228	1,287	5
Wales			
Manufacturing	317	218	−31
Service industries	572	566	−1
England			
Manufacturing	6,204	4,421	−29
Service industries	11,493	13,064	14

	Employees in employment		Net change between September 1979 and September 1988
	September 1979	September[1] 1988	Per cent.
Great Britain			
Manufacturing	7,123	5,025	−29
Service industries	13,293	14,918	12

[1] The latest date for which information is available.

Mr. Sillars: To ask the Secretary of State for Employment if he will indicate for each year since 1979 and for each country and region of the United Kingdom *(a)* the number of female employees in employment, *(b)* the number of females in full-time employment, *(c)* the number of females in part-time employment; and if he will express *(c)* as a percentage of *(a)*.

Mr. Lee: Table A shows all female employees in employment for each region and country of the United Kingdom. Tables B and C show female full-time and female part-time employees in employment for each region and country of the United Kingdom except Northern Ireland. Estimates of full and part-time employment are not collected for Northern Ireland. Table D shows female part-time employees in employment as a percentage of all female employees in employment.

Table A
All female employees in employment

Thousands

September:	1979	1980	1981	1982	1983	1984	1985	1986	1987	1988[1]
South East	3,187	3,192	3,122	3,075	3,108	3,187	3,269	3,329	3,436	3,529
East Anglia	289	288	281	285	289	302	314	325	341	356
South West	677	666	660	659	665	683	692	705	720	742
West Midlands	906	880	843	819	820	840	862	882	903	929
East Midlands	645	633	613	605	617	628	645	660	680	700
Yorkshire and Humberside	813	794	765	753	755	769	784	797	814	833
North West	1,137	1,111	1,072	1,038	1,030	1,040	1,051	1,060	1,073	1,084
North	506	490	466	456	457	464	471	482	492	507
England	8,160	8,053	7,823	7,691	7,741	7,914	8,088	8,239	8,458	8,679
Scotland	902	890	832	848	840	851	868	866	878	892
Wales	414	401	390	377	378	383	382	380	391	396
Northern Ireland	231	230	225	225	228	229	231	230	233	236

[1] The latest date for which figures are available.

Table B
Female employees in full-time employment

Thousands

September:	1979	1980	1981	1982	1983	1984	1985	1986	1987	1988[1]
South East	1,936	1,920	1,871	1,845	1,865	1,924	1,971	1,992	2,054	2,112
East Anglia	168	164	159	156	164	171	172	175	183	193
South West	385	370	354	350	354	370	375	387	398	412
West Midlands	537	516	492	481	476	491	494	496	504	517
East Midlands	379	369	356	350	353	359	366	367	382	386
Yorkshire and Humberside	457	441	418	404	403	408	411	410	420	433
North West	673	645	620	596	587	587	583	579	577	581
North	298	285	267	261	256	255	257	257	258	265
England	4,834	4,710	4,538	4,444	4,458	4,565	4,630	4,663	4,775	4,899
Scotland	572	559	534	508	504	505	505	500	494	503
Wales	250	241	231	222	219	219	213	204	210	208
Northern Ireland	[2]—	[2]—	[2]—	[2]—	[2]—	[2]—	[2]—	[2]—	[2]—	[2]—

[1] The latest date for which figures are available.
[2] Unavailable.

Table C
Female employees in part-time employment

Thousands

September:	1979	1980	1981	1982	1983	1984	1985	1986	1987	1988[1]
South East	1,251	1,272	1,251	1,229	1,244	1,264	1,298	1,337	1,383	1,416
East Anglia	121	124	122	129	125	131	142	150	158	163
South West	292	296	306	309	311	312	317	317	322	331
West Midlands	369	363	351	338	344	349	368	385	399	412
East Midlands	266	264	256	255	264	269	280	293	298	314
Yorkshire and Humberside	356	353	347	349	352	361	373	387	394	401
North West	464	466	452	442	444	453	467	481	496	503
North	207	205	200	195	200	209	214	225	233	241
England	3,326	3,343	3,285	3,247	3,283	3,349	3,458	3,576	3,682	3,780
Scotland	331	332	338	340	337	346	363	367	383	389
Wales	164	160	158	156	159	163	169	176	181	187
Northern Ireland	[2]—	[2]—	[2]—	[2]—	[2]—	[2]—	[2]—	[2]—	[2]—	[2]—

[1] The latest date for which figures are available.
[2] Unavailable.

Table D
Female employees in part-time employment as a percentage of all female employees in employment

Per cent.

September:	*1979*	*1980*	*1981*	*1982*	*1983*	*1984*	*1985*	*1986*	*1987*	*1988*[1]
South East	39·3	39·8	40·1	40·0	40·0	39·7	39·7	40·2	40·2	40·1
East Anglia	41·8	43·1	43·3	45·2	43·3	43·4	45·1	46·2	46·3	45·8
South West	43·1	44·4	46·3	46·8	46·7	45·8	45·9	45·0	44·7	44·5
West Midlands	40·7	41·3	41·6	41·3	41·9	41·6	42·6	43·7	44·2	44·3
East Midlands	41·3	41·7	41·8	42·2	42·7	42·8	43·3	44·4	43·9	44·8
Yorkshire and Humberside	43·8	44·5	45·4	46·4	46·6	47·0	47·6	48·5	48·4	48·1
North West	40·8	41·9	42·1	42·5	43·1	43·5	44·5	45·4	46·3	46·4
North	41·0	41·8	42·8	42·8	43·9	45·0	45·4	46·7	47·5	47·6
England	40·8	41·5	42·0	42·2	42·4	42·3	42·8	43·4	43·5	43·6
Scotland	36·7	37·2	38·7	40·1	40·1	40·7	41·8	42·3	43·7	43·6
Wales	39·6	39·9	40·7	41·2	42·1	42·6	44·3	46·3	46·2	47·3
Northern Ireland	[2]—	[2]—	[2]—	[2]—	[2]—	[2]—	[2]—	[2]—	[2]—	[2]—

[1] The latest date for which figures are available.
[2] Unavailable.

Mr. Sillars: To ask the Secretary of State for Employment if he will publish a table showing for each country and region of the United Kingdom the numbers of: *(a)* employees in employment and *(b)* self-employed people and *(c)* the change in the number of unemployed persons, for each year since 1979 and for each month in 1987 and 1988.

Mr. Lee: Table A shows estimates of the numbers of employees in employment by region and country; these figures are not adjusted for the effects of seasonal variations.

Table B shows estimates of the numbers of self-employed people by region and country.

Table C shows levels of seasonally adjusted unemployment consistent with the current coverage for each region and country of the United Kingdom at each December from 1979 and each quarter month in 1987 and 1988, together with the changes over the relevant period.

Table A
Employees in employment

thousands

	South East	*East Anglia*	*South West*	*West Midlands*	*East Midlands*	*Yorkshire and Humberside*	*North West*	*North*	*England*	*Scotland*	*Wales*	*Northern Ireland*
December 1979	7,549	708	1,589	2,257	1,564	2,010	2,677	1,244	19,597	2,094	1,033	537
December 1980	7,389	691	1,552	2,121	1,595	1,918	2,561	1,169	18,906	2,037	966	520
December 1981	7,204	676	1,516	2,015	1,460	1,829	2,424	1,107	18,231	1,958	919	508
December 1982	7,095	675	1,488	1,953	1,433	1,793	2,338	1,076	17,851	1,303	890	498
December 1983	7,172	688	1,514	1,970	1,444	1,785	2,310	1,063	17,946	1,891	884	500
December 1984	7,277	718	1,545	1,995	1,470	1,793	2,305	1,069	18,172	1,902	889	503
December 1985	7,365	750	1,548	2,025	1,502	1,795	2,297	1,080	18,361	1,897	872	502
December 1986	7,404	784	1,568	2,050	1,519	1,795	2,283	1,086	18,488	1,874	862	494
March 1987	7,377	780	1,555	2,040	1,505	1,778	2,259	1,077	18,371	1,862	852	491
June 1987	7,440	795	1,594	2,052	1,528	1,803	2,263	1,090	18,576	1,886	864	491
September 1987	7,496	810	1,593	2,065	1,540	1,810	2,269	1,093	18,677	1,879	873	493
December 1987	7,553	820	1,588	2,094	1,552	1,819	2,288	1,100	18,814	1,877	871	496
March 1988	7,547	820	1,573	2,084	1,530	1,813	2,265	1,097	18,727	1,868	866	495
June 1988	7,568	834	1,599	2,096	1,559	1,819	2,264	1,105	18,845	1,888	874	497
September 1988[1]	7,611	845	1,617	2,104	1,564	1,826	2,263	1,116	18,946	1,884	876	498

[1] The latest date for which figures are available.

Table B
Self Employed

thousands

	South East	*East Anglia*	*South West*	*West Midlands*	*East Midlands*	*Yorkshire and Humberside*	*North West*	*North*	*England*	*Scotland*	*Wales*	*Northern Ireland*
December 1979	663	81	166	148	123	142	215	79	1,617	157	122	64
December 1980	688	85	207	163	137	157	216	82	1,735	152	117	63
December 1981	708	89	224	172	147	165	219	86	1,810	157	118	61
December 1982	723	92	217	175	154	168	222	89	1,840	172	123	61
December 1983	794	102	223	182	162	186	241	92	1,982	182	135	61
December 1984	881	112	242	186	162	213	263	98	2,157	193	145	61
December 1985	904	110	254	186	162	219	267	105	2,207	203	150	60
December 1986	968	116	267	198	178	226	273	107	2,333	200	151	60
March 1987	1,080	122	273	204	184	231	276	107	2,397	197	150	60
June 1987	1,032	127	278	209	189	236	279	108	2,458	194	148	60
September 1987	1,046	129	280	211	191	239	282	109	2,487	196	149	60
December 1987	1,060	130	282	212	193	242	284	110	2,513	198	151	60
March 1988	1,074	132	284	214	195	245	287	111	2,542	200	152	60
June 1988	1,087	134	287	216	197	248	289	112	2,570	202	154	60
September 1988[1]	1,101	135	289	217	198	251	292	113	2,596	203	155	60

[1] The latest date for which figures are available.

Table C
Seasonally adjusted unemployment (000's)

December	South East Level	South East Change over year	East Anglia Level	East Anglia Change over year
1979	203·2	−28·6	24·3	−2·5
1980	365·4	162·2	43·7	19·4
1981	534·2	168·8	57·0	13·3
1982	616·1	81·9	68·3	11·3
1983	667·9	51·8	70·0	1·7
1984	715·5	47·6	72·6	2·6
1985	737·1	21·6	77·7	5·1
1986	731·7	−5·4	77·5	−0·2
1987	582·0	−149·7	60·0	−17·5
1988	421·7	−160·3	41·2	−18·8

	South East Level	South East Change over quarter	East Anglia Level	East Anglia Change over quarter
March 1987	701·9	−29·8	75·0	−2·5
June 1987	666·0	−35·9	70·8	−4·2
September 1987	627·4	−38·6	66·1	−4·7
December 1987	582·0	−45·4	60·0	−6·1
March 1988	547·0	−35·0	55·7	−4·3
June 1988	505·8	−41·2	51·4	−4·3
September 1988	461·9	−43·9	47·1	−4·3
December 1988	421·7	−40·2	41·2	−5·9

December	South West Level	South West Change over year	West Midlands Level	West Midlands Change over year
1979	69·5	−8·2	101·2	2·8
1980	110·5	32·9	282·8	84·6
1981	143·4	41·0	198·2	97·0
1982	161·5	18·1	313·1	30·3
1983	172·3	10·8	319·6	6·5
1984	186·0	13·7	326·3	6·7
1985	193·5	7·5	326·8	0·5
1986	190·8	−2·7	320·5	−6·3
1987	153·9	−36·9	263·9	−56·6
1988	113·1	−40·8	198·3	−65·6

	South West Level	South West Change over quarter	West Midlands Level	West Midlands Change over quarter
March 1987	183·8	−7·0	310·0	−10·5
June 1987	174·4	−9·4	296·2	−13·8
September 1987	164·0	−10·4	279·3	−16·9
December 1987	153·9	−10·1	263·9	−15·4
March 1988	145·3	−8·6	249·3	−14·6
June 1988	137·1	−8·2	233·7	−15·6
September 1988	126·1	−11·0	218·3	−15·4
December 1988	113·1	−13·0	198·3	−20·0

December	East Midlands Level	East Midlands Change over year	Yorks & Humberside Level	Yorks & Humberside Change over year
1979	57·6	−3·0	90·0	−4·2
1980	109·8	52·2	165·6	75·6
1981	143·8	34·0	220·3	54·7
1982	161·6	17·8	250·4	30·1
1983	173·3	11·7	259·6	9·2
1984	185·8	12·5	275·8	16·2
1985	190·0	4·2	288·8	13·0
1986	188·9	−1·1	290·8	1·8
1987	159·8	−29·1	248·1	−42·5
1988	126·6	−33·2	203·0	−45·1

	East Midlands Level	East Midlands Change over quarter	Yorks & Humberside Level	Yorks & Humberside Change over quarter
March 1987	185·6	−3·3	283·3	−7·3
June 1987	178·4	−7·2	274·7	−8·6
September 1987	169·5	−8·9	261·3	−13·4
December 1987	159·8	−9·7	248·1	−13·2
March 1988	152·7	−7·1	238·7	−9·4
June 1988	145·3	−7·4	229·5	−9·2
September 1988	137·1	−8·2	218·1	−11·4
December 1988	126·6	−10·5	203·0	−15·1

December	North West Level	North West Change over year	Northern Level	Northern Change over year
1979	161·5	1·2	90·0	0·6
1980	266·9	105·3	137·0	47·0
1981	349·4	82·5	172·0	35·0
1982	390·2	40·8	191·4	19·4
1983	412·7	22·5	201·0	9·6
1984	423·9	11·2	214·6	13·6
1985	428·3	4·4	217·3	2·7
1986	419·9	−8·4	211·6	−5·7
1987	358·4	−61·5	185·1	−26·5
1988	292·8	−65·6	160·1	−25·0

	North West Level	North West Change over quarter	Northern Level	Northern Change over quarter
March 1987	410·1	−9·8	207·0	−4·6
June 1987	394·8	−15·3	201·8	−5·2
September 1987	376·2	−18·6	194·0	−7·8
December 1987	358·4	−17·8	185·1	−8·9
March 1988	344·6	−13·8	179·4	−5·7
June 1988	328·0	−16·6	172·2	−7·2
September 1988	312·7	−15·3	165·9	−6·3
December 1988	292·8	−19·9	160·1	−5·8

December	England Level	England Change over year	Wales Level	Wales Change over year
1979	796·0	−41·9	64·0	−4·1
1980	1,397·1	601·1	109·6	45·6
1981	1,902·9	505·8	136·6	27·0
1982	2,152·6	249·7	151·9	15·3
1983	2,276·4	123·8	155·1	3·2
1984	2,400·5	124·1	166·7	11·6
1985	2,459·5	59·0	168·8	2·1

December	England Level	England Change over year	Wales Level	Wales Change over year
1986	2,431·5	−28·0	163·3	−5·5
1987	2,011·2	−420·3	137·9	−25·4
1988	1,556·8	−454·4	113·1	−24·8

	England Level	England Change over quarter	Wales Level	Wales Change over quarter
March 1987	2,357·2	−74·3	156·6	−6·7
June 1987	2,257·1	−100·1	150·8	−5·8
September 1987	2,137·8	−119·3	145·5	−5·3
December 1987	2,011·2	−126·6	137·9	−7·6
March 1988	1,912·7	−98·5	133·3	−4·6
June 1988	1,803·0	−109·7	127·7	−5·6
September 1988	1,687·2	−115·8	120·6	−7·1
December 1988	1,556·8	−130·4	113·1	−7·5

December	Scotland Level	Scotland Change over year	Northern Ireland Level	Northern Ireland Change over year
1979	141·7	4·2	53·6	1·6
1980	209·8	68·1	77·5	23·9
1981	265·6	55·8	90·1	12·6
1982	291·7	26·1	103·2	13·1
1983	302·6	10·9	109·1	5·9
1984	314·0	11·4	110·2	1·1
1985	325·7	11·7	116·1	5·9
1986	339·4	13·7	125·0	8·9
1987	302·3	−37·1	117·6	−7·4
1988	260·3	−42·0	108·9	−8·7

	Scotland Level	Scotland Change over quarter	Northern Ireland Level	Northern Ireland Change over quarter
March 1987	336·0	−3·4	123·3	−1·7
June 1987	326·6	−9·4	123·0	−0·3
September 1987	313·6	−13·0	121·2	−1·8
December 1987	302·3	−11·3	117·6	−3·6
March 1988	293·3	−9·0	114·7	−2·9
June 1988	279·7	−13·6	114·0	−0·7
September 1988	272·3	−7·4	111·6	−2·4
December 1988	260·3	−12·0	108·9	−2·7

Benefit Office (Closures)

Ms. Armstrong: To ask the Secretary of State for Employment (1) what are the estimated annual savings incurred by the closure of the employment benefit offices at *(a)* Lanchester, County Durham and *(b)* Willington, County Durham;

(2) what are the staffing implications arising from the decision to close the employment benefit offices at *(a)* Lanchester, County Durham and *(b)* Willington, County Durham.

Mr. Lee: The estimated annual savings incurred by the closure of Lanchester and Willington part-time unemployment benefit outhouses will be approximately £1,100 per annum and £900 per annum respectively. Closure of these offices will allow existing staff resources to be used more productively on linked work in the full-time unemployment benefit offices.

Ms. Armstrong: To ask the Secretary of State for Employment what arrangements will be made to cover the transport costs of claimants affected by the proposed closure of the employment benefit offices at *(a)* Lanchester, County Durham and *(b)* Willington, County Durham.

Mr. Lee: Claimants who live six miles or more from their nearest local office and disabled persons or those with significant travel difficulties will no longer be required to attend for their fortnightly claims but will be able to make these by post.

In most cases, claimants who currently attend the Lanchester and Willington part-time offices should be able to attend the nearest local offices at Stanley or Crook respectively. These offices have bus services from Lanchester and Willington and the fares are reasonable for claimants to meet from their own resources.

Unemployment Registration

Ms. Armstrong: To ask the Secretary of State for Employment how many people register as unemployed at the Willington, County Durham office *(a)* weekly and *(b)* monthly.

Mr. Lee: There are 300 people registered as unemployed at Willington unemployment benefit outhouse, all of whom attend fortnightly.

Ms. Armstrong: To ask the Secretary of State for Employment how many people register as unemployed at the Lanchester, County Durham office *(a)* weekly and *(b)* monthly.

Mr. Lee: There are 161 people registered as unemployed at Lanchester unemployment benefit outhouse, of whom 133 attend fortnightly and 28 attend quarterly.

Industrial Tribunals (Costs)

Mr. Batiste: To ask the Secretary of State for Employment on how many occasions in each of the last three years for which records are available warnings as to costs were issued by industrial tribunals; and in how many such cases costs ultimately were awarded.

Mr. Nicholls: The details are as follows:

	Costs warnings issued	Costs awarded following warning
12 months ended 31 March 1986	672	46
12 months ended 31 March 1987	517	30
12 months ended 31 March 1988	344	16

Mr. Batiste: To ask the Secretary of State for Employment on how many occasions in each of the last three years for which records are available costs were awarded by industrial tribunals in cases where no warning had previously been made.

Mr. Nicholls: The details are as follows:

	Number
12 months ended 31 March 1986	9
12 months ended 31 March 1987	1
12 months ended 31 March 1988	8

Tourism (South Africa)

Mr. Anderson: To ask the Secretary of State for Employment whether in the light of Her Majesty's Government's policy on the promotion of tourism to South Africa, he will seek to dissuade the Association of British Travel Agents from holding its convention in South Africa.

Mr. Lee: It is understood that the Association of British Travel Agents has no plans to hold its convention in South Africa.

Factories Act 1961

Mr. Anthony Coombs: To ask the Secretary of State for Employment what progress has been made in setting up a non-statutory scheme to replace section 119A of the Factories Act 1961.

Mr. Cope: A consultation paper containing proposals for a new scheme to ensure that young people with disabilities are not placed in unsuitable employment or training has been circulated for comment to a wide range of interested organisations. Copies of the paper are available in the Library. A final decision on the details of the scheme will be taken in the light of comments received, and the new arrangements will be implemented as soon as possible.

Benefits and Income Support

Mr. Tony Lloyd: To ask the Secretary of State for Employment if he will provide details of the numbers of those aged under 18 years in receipt of benefit/income support by standard economic region, by month, for the period June to December 1988, inclusive.

Mr. Lee *[holding answer 25 January 1989]:* The table shows the available analysis of under 18-year-olds claiming unemployment-related benefits, that is unemployment benefit, income support or national insurance credits.

The recent extension of the guaranteed offer of a YTS place to all those aged under 18 not in full-time education or employment means there is now no need for these young people to be unemployed. Consequently, only a few now remain entitled to unemployment-related benefits following the associated change from September 1988 in the benefit regulations for under 18-year-olds.

Numbers of under 18-year-olds claiming unemployment-related benefits by standard region—June to December 1988

1988	[1]*June*	*July*	[1]*August*	[1]*September*	*October*	*November*	*December*
South East	13,117	11,907	10,976	9,846	1,728	1,074	880
East Anglia	1,921	1,553	1,431	1,285	188	155	114
South West	4,207	3,579	3,299	2,955	508	348	291
West Midlands	7,718	8,820	7,974	7,010	708	483	387
East Midlands	5,587	5,033	4,617	4,004	540	431	341
Yorkshire and Humberside	11,045	9,808	8,866	7,878	858	645	575
North West	13,493	12,200	11,207	9,928	1,112	808	708
Northern	7,001	6,232	5,630	4,874	590	438	359
Wales	5,345	4,766	4,349	3,743	454	328	290
Scotland	15,598	14,485	13,137	11,225	1,061	836	747
Northern Ireland	3,382	3,154	2,963	2,410	398	280	236
United Kingdom	90,414	81,437	74,450	65,158	8,145	5,826	4,928

[1] Estimated.

YTS

Mr. Tony Lloyd: To ask the Secretary of State for Employment if he will publish the most recent details of the average weekly take-home pay for YTS leavers, by standard economic region.

Mr. Cope *[holding answer 25 January 1989]:* Estimates from the youth cohort study for England and Wales, covering those young people who reached minimum school leaving age in the academic year 1984-85 and were surveyed in spring 1988 show that the average weekly take-home pay for those in a job who said they had had YTS experience within the previous three years, is as follows:

Region	*Average weekly take home pay (£)*
North	76·97
Yorkshire and Humberside	71·27
North West	73·83
East Midlands	74·57
West Midlands	77·67
East Anglia	79·54
Greater London	99·20
South East	87·13
South West	73·06
Wales	73·61
National Average	78·21

DEFENCE

Scottish Regiments

Mr. Darling: To ask the Secretary of State for Defence what was the total cost of maintaining each Scottish regiment of the Army in 1987.

Mr. Archie Hamilton: The costs of maintaining individual regiments are not readily available and could be provided only at disproportionate cost. However, the majority of Scottish regiments are infantry and the average operating cost in 1987 of a infantry battalion based in the United Kingdom was some £11 million. This figure includes personnel costs, spares, fuel and administrative support services, but excludes capital equipment costs.

Minesweepers and Frigates (Costs)

Mr. Darling: To ask the Secretary of State for Defence what is the average cost of maintaining *(a)* a minesweeper and *(b)* a frigate, per annum.

Mr. Archie Hamilton: The average annual operating costs of a minesweeper and a frigate are some £2 million and £4·2 million respectively. These costs include personnel costs, fuel, spares and so on, and administrative support services, but excludes capital equipment costs and refit-repair expenditure.

Scottish RAF Bases

Mr. Darling: To ask the Secretary of State for Defence what was the total cost of maintaining the Royal Air Force forces based in Scotland in 1987.

Mr. Archie Hamilton: The defence budget is not accounted for on a regional basis in the United Kingdom and the information requested could be provided only at disproportionate cost.

Mutual Defence Agreement

Dr. Thomas: To ask the Secretary of State for Defence if he made any applications under the Public Records Act of 1958 in accordance with paragraphs 26 and 27 of the White Paper on modern public records, Cmnd. 8531, to withhold beyond 30 years papers concerning the background to the signing with the United States Government of the Anglo-American mutual defence agreement on atomic energy matters in July 1958.

Mr. Sainsbury: Atomic records are retained in the Department under section 3(4) of the Public Records Acts 1958 and 1967 with the approval of the Lord Chancellor.

Dr. Thomas: To ask the Secretary of State for Defence what agreement was made with the United States Department of Energy in November 1988 for the further enrichment of enriched uranium at Oakridge, Tennessee, under the 1958-59 United States-United Kingdom mutual defence agreement on atomic energy matters.

Mr. Sainsbury: Arrangements have been made for the further enrichment by the United States Department of Energy of a quantity of low enriched uranium produced in this country, in accordance with the statement by my right hon. Friend, the then Secretary of State for Defence, on 23 June 1982 at column *128*.

Dr. Thomas: To ask the Secretary of State for Defence (1) what forms of transport have been used for the export and import of nuclear materials bartered or bought by the United Kingdom under the 1958, as amended in 1959, Anglo-American mutual defence agreement;

(2) what form of transport was used for the carriage of highly enriched uranium from Oakridge, Tennessee, to the United Kingdom under the arrangement actuated in November 1988, under the provisions of the 1959 amendment to the 1958 Anglo-American mutual defence agreement on atomic energy matters.

Mr. Sainsbury: It is not the MOD practice to give such information on the transport of nuclear materials.

Inertial Confinement Fusion Technology

Dr. Thomas: To ask the Secretary of State for Defence if his Department *(a)* currently funds or *(b)* has any future plans to fund inertial confinement fusion technology.

Mr. Sainsbury: The reply to both questions is yes. To provide further details would be against the national interest.

Parliamentary Answers

Dr. Thomas: To ask the Secretary of State for Defence (1) what were the reasons for the delay in providing a substantive answer to the question from the hon. Member for Meirionnydd Nant Conwy, to which a holding answer was given on 22 February 1988, and a substantive answer on 21 June 1988, *Official Report*, column *497;*

(2) if he will state the reasons for the delay in providing a substantive answer to the question from the hon. Member for Meirionnydd Nant Conwy, tabled for answer on 4 December 1987, to which a substantive answer was given on 21 March 1988, *Official Report*, column 9.

Mr. Neubert: The delay resulted from the requirement to assemble the detailed data asked for by the hon. Member.

Dr. Thomas: To ask the Secretary of State for Defence why the questions from the hon. Member for Meirionnydd Nant Conwy on 4 December 1987, *Official Report*, column *736*, originally to be answered by a letter from the hon. Member for Kettering (Mr. Freeman) were subsequently answered by replies published in the *Official Report*, 31 March 1988, columns *623-26;* and what criteria he uses to decide whether a parliamentary question should be answered in the *Official Report* or by a ministerial letter.

Mr. Neubert: I aim, as did my predecessor in this Department my hon. Friend the Member for Kettering (Mr. Freeman), to provide information requested by right hon. and hon. Members as speedily and in as helpful and appropriate a manner as possible. In the particular case raised by the hon. Member, it was not possible to provide him with the detailed answers to the questions he had posed immediately. My hon. Friend the then Under-Secretary of State for the Armed Forces therefore, and in the light of the impending parliamentary recess, said that he would write to the hon. Member. In the event, the researches required took longer than had been expected and it was therefore most appropriate to answer the questions by means of written answers.

Low Flying

Dr. Thomas: To ask the Secretary of State for Defence why the special rules zone around Bristol airport has not been designated as a low-flying avoidance area.

Mr. Neubert: There is no need specifically to designate the area around Bristol airport as a low flying avoidance area as aircraft are not allowed to enter regulated airspace without approval from the controlling authority.

Dr. Thomas: To ask the Secretary of State for Defence (1) what is the approximate current land area covered by low-flying area 7(T); and if he will list any changes made to the boundaries of this area since 1979;

(2) if he will make a statement on progress in talks with the Government of Morocco on the use of facilities in Morocco for low-level training by the Royal Air Force;

(3) over what proportion of the United Kingdom land surface military low-flying is permitted;

(4) at what height military aircraft are permitted to fly over urban areas which are not located within one of the avoidance areas or transit areas marked on the Civil Aviation Authority chart of United Kingdom areas of intense aerial activity, aerial tactics areas and military low-flying system;

(5) if he will make a statement on the criteria and methods used by the Royal Air Force police when surveying potential new areas for low-flying.

Mr. Neubert: I refer the hon. Member to the answer I gave on 24 January 1989 at columns *555-56*.

Dr. Thomas: To ask the Secretary of State for Defence on how many occasions in *(a)* 1987 and *(b)* 1988 the military low-flying management group met to consider proposals for changes to the United Kingdom low-flying system.

Mr. Neubert: The military low-flying management group met on three occasions in 1987 and on four occasions in 1988 to consider and discuss a variety of matters concerning the United Kingdom low-flying system including proposals for minor changes to the system.

Dr. Thomas: To ask the Secretary of State for Defence (1) how many civilian personnel from the national air traffic services serve on the military low-flying management group;

(2) if he will list those aircraft types for which central records are kept of low-flying sorties over the United Kingdom;

(3) if he will make a statement on the roles, responsibilities and staffing levels of the tactical booking cell, Royal Air Force West Drayton.

Mr Neubert: I refer the hon. Member to the answer I gave on 25 January 1989.

Dr. Thomas: To ask the Secretary of State for Defence if he will list the total number of low-flying movements in low-flying area 1A in each year since 1979, differentiating between *(a)* movements by fixed-wing aircraft and *(b)* movements by helicopters.

Mr. Neubert: It is not our practice to publish detailed information relating to specific low-flying training areas.

Military Jets (Noise)

Dr. Thomas: To ask the Secretary of State for Defence what studies have been undertaken by his Department of the noise levels generated on the ground by military jet aircraft overflying at 100 ft and at up to 550 knots.

Mr. Neubert: Although there has been no recent research specifically into the noise from low-flying aircraft, it is possible for MOD scientists, using the noise database collected during an exercise known as Bedlam, to calculate the maximum noise levels on the ground which would be generated by a military aircraft flying at 100 ft and at speeds up to 550 knots. A copy of the report of the results from exercise Bedlam was placed in the Library of the House in November 1987.

Jet Aircraft (Low-level Sorties)

Dr. Thomas: To ask the Secretary of State for Defence (1) what is the basis of calculation of the figure for the average duration of a fast jet low-level sortie over the United Kingdom;

(2) what is the basis of calculation of the figure of 42 minutes for the average duration of a fast jet low-level sortie over the United Kingdom.

Mr. Neubert: The basis of the figure is statistical data compiled by headquarters military air traffic operations on the usage of the United Kingdom low-flying system.

Missiles

Dr. Thomas: To ask the Secretary of State for Defence if he will make a statement on the studies undertaken by research centres responsible to his Department on the feasibility of use of the Seawolf anti-air and anti-missile weapon and the Star Streak laser-guided missile for a limited anti-ballistic missile defence for British nuclear-capable bases.

Mr. Archie Hamilton: The Government have no plans to develop a ballistic missile defence system for deployment in the United Kingdom or more widely in Europe. Research carried out as part of the United States funded European architecture study has indicated that missile systems such as those referred to in the hon. Member's question would require substantial further development before they could be used in a ballistic missile defence system.

Nuclear Materials (Safety)

Dr. Thomas: To ask the Secretary of State for Defence if, in the light of the Pan Am 103 jumbo jet disaster in Scotland, he has any plans to review the safety standards for the airfreight of military nuclear materials.

Mr. Archie Hamilton: Our safety standards for the movement of nuclear materials are stringent and are kept continuously under review.

Dartmoor National Park

Mr. Steen: To ask the Secretary of State for Defence what percentage of the advertised live firing times were actually used by his Ministry in the Dartmoor national park in the calendar year 1988; and if he will make a statement.

Mr. Neubert: For the three live firing ranges on Dartmoor, the figures for 1988 are as follows:

Percentage of advertised live firing times actually used

Range	*per cent.*
Okehampton	65·4
Merrivale	68·4
Willsworthy	64·5

We have an agreement—made in recognition of the importance of the national park—to restrict live firing to a certain number of days each year on these ranges and we have been conscientious in our observance of these restrictions. Firing has to be planned well in advance, and, because we cannot plan to fire on a greater number of days

than those agreed, there is inevitably some degree of underutilisation. Firing programmes are affected by two main factors, weather and urgent changes in military commitments (such as short-notice deployments and military aid to the civil community tasks).

As my hon. Friend explained on 3 Feburary 1988 at columns 1138-42, Dartmoor continues to meet essential military requirements for live and dry training. Its importance has grown in recent years because of the increased training requirements of the larger numbers of regular and TA forces now based in this county and because of the increased demands of modern weapons.

While the Government will continue to be alert to any opportunities which may arise to reduce the demands of military training or to promote increased public access to the training areas, it remains the Government's policy to ensure that the facilities necessary for efficient and effective training are available to meet defence requirements. There is no foreseeable prospect of any significant reduction in those requirements but the Government remain fully committed meanwhile to seeking the best possible reconciliation between military and national park interests.

Mr. Steen: To ask the Secretary of State for Defence how much compensation he has paid to farmers with animals grazing in the Dartmoor national park which have been killed, maimed or injured in each of the last five years.

Mr. Neubert: A total of some £2,400 has been paid in compensation to farmers in the Dartmoor national park area for animals which have been killed as a result of Army training and manoeuvres. This figure can be broken down as follows:

	£
1984	20
1985	60
1986	130
1987	990
1988	1,200

There are a few claims still outstanding.

Mr. Steen: To ask the Secretary of State for Defence how many animals have been killed or injured by live firing in the Dartmoor national park in each of the past five years.

Mr. Neubert: The figures for the period 1984-88 are as follows:

Animals killed	*Year*
1 Sheep	1984
1 Pony	1985
3 Sheep	1986
1 Sheep, 2 Cattle	1987
3 Sheep, 2 Cattle[1]	1988

[1] One of the two cattle killed in 1988 was the result of a road traffic accident.

The available military statistics do not indicate the number of animals injured.

Expenditure (OECD)

Mr. Sillars: To ask the Secretary of State for Defence if he will publish a table of the information he has on defence expenditure in each Organisation for Economic Co-operation and development member state *(a)* as a percentage of gross domestic product and *(b)* on a per capita basis.

Mr. Archie Hamilton: The Department does not hold information on the defence expenditure of Organisation for Economic Co-operation and Development member states which are not members of NATO. For NATO nations, the information requested is given in figure 14 of volume one of the "Statement on the Defence Estimates 1988" (Cm. 344-I).

Private Horses

Mr. Marlow: To ask the Secretary of State for Defence if he will take action to ensure that private horses are not supervised, groomed, exercised or looked after in Army time by military personnel.

Mr. Neubert: The arrangements for the regular management audit of posts, supplemented by written instructions, are designed to ensure that the rules concerning the proper employment of Army personnel are followed.

Written Answers to Questions

Friday 27 January 1989

EDUCATION AND SCIENCE

Higher Education

Ms. Quin: To ask the Secretary of State for Education and Science how many 18-year-old students have progressed into higher education in each of the last three academic years, giving figures in numerical and percentage terms and for each standard planning region.

Mr. Jackson: The information is not readily available in the form requested. The figures in the tables relate to all school leavers who intended to proceed to first degree study or teacher training.

Table 1
Numbers of school leavers intending to proceed to first degree study or teacher training

Thousands

	Academic years		
	1984-85	*1985-86*	*1986-87*
North	3·6	3·4	3·5
Yorkshire and Humberside	6·1	5·9	5·8
North West	8·3	8·4	8·6
East Midlands	4·7	4·3	4·6
West Midlands	6·3	6·4	6·2
East Anglia	1·8	1·9	1·8
Greater London	6·8	6·9	5·8
Other South East	15·1	13·9	14·0
South West	5·2	5·3	5·1
England	57·7	56·3	55·4

Table 2
Numbers of school leavers intending to proceed to first degree study or teacher training as a percentage of all school leavers

Percentages

	Academic years		
	1984-85	*1985-86*	*1986-87*
North	7·1	7·1	7·2
Yorkshire and Humberside	7·6	7·3	7·3
North West	7·9	8·1	8·3
East Midlands	7·3	7·0	7·5
West Midlands	7·2	7·4	7·2
East Anglia	6·1	6·5	6·3
Greater London	7·5	7·9	7·0
Other South East	9·4	8·9	8·9
South West	7·5	8·0	7·5
England	7·8	7·8	7·7

Ms Quin: To ask the Secretary of State for Education and Science how many fifth-form pupils have moved into full-time further education, in each of the last three academic years giving the figures in numerical and percentage terms and for each standard planning region.

Mr. Jackson: The information is not available in the form requested. The figures in the tables relate to school leavers, irrespective of their year-group, who intended to proceed to a course of further or higher education.

Table 1
Numbers of school leavers intending to proceed to a course of further or higher education

Thousands

	Academic years		
	1984-85	*1985-86*	*1986-87*
North	10·9	10·3	11·2
Yorks and Humberside	18·8	18·9	18·5
North West	29·7	29·7	31·0
East Midlands	16·8	16·7	17·2
West Midlands	24·3	24·5	24·4
East Anglia	8·3	8·0	8·1
Greater London	25·8	26·6	25·6
Other South East	51·2	49·6	50·1
South West	22·9	23·3	23·0
England	208·7	207·5	209·1

Table 2
Numbers of school leavers intending to proceed to a course of further or higher education as a percentage of all school leavers

Percentages

	1984-85	*1985-86*	*1986-87*
North	21·7	21·4	23·1
Yorks and Humberside	23·4	23·7	23·3
North West	28·3	28·5	29·8
East Midlands	26·2	27·3	27·9
West Midlands	27·9	28·3	28·4
East Anglia	28·2	27·5	28·0
Greater London	28·4	30·6	30·7
Other South East	31·9	31·8	32·0
South West	33·4	35·0	34·1
England	28·3	28·9	29·2

Teachers

Mr. Steinberg: To ask the Secretary of State for Education and Science what has been done to rectify the shortcomings outlined by the interim advisory committee on teachers' pay and conditions of *(a)* statistical information on teachers numbers, *(b)* the numbers required in particular sectors, *(c)* areas of specialism and *(d)* teaching group sizes.

Mrs. Rumbold: On the provision of statistical information, the Department has commissioned the management consultants Logica to carry out a study of information requirements relating to teachers. My Department's evidence to the Education, Science and Arts Committee sets out tentative projections of future teacher demand by sector and specialism. It is for local education authorities and schools to decide on appropriate group sizes.

Mr. Steinberg: To ask the Secretary of State for Education and Science if the elements on which the desired numbers in service are calculated, which is quoted in annex E(V) of his Department's evidence presented to the Select Committee on Education, Science and Arts are the subject of any discussions with representatives of teaching unions.

Mrs. Rumbold: No.

Mr. Steinberg: To ask the Secretary of State for Education and Science what plans there are to provide guidance to local education authorities on class sizes and maximum class contact time for both primary and secondary teachers.

Mrs. Rumbold: None. These are matters for decision by schools and local education authorities themselves.

Departmental Staff (Child Care)

Ms. Richardson: To ask the Secretary of State for Education and Science what child care provision his Department provides for pre-school age children of his Department's employees; what child care provision, for school holiday or after school care, is provided for employees' children aged five years and over; and what plans there are for increasing provision in the next five years; and how these are to be funded.

Mrs. Rumbold: My Department has no child care provision for pre-school age children belonging to its employees or after school care provision for children aged five years and over. The Westminster holiday play scheme, supported by this and other Departments, is available during each of the school holiday periods to employees' children aged between five and 12.

The provision of creche facilities is currently under consideration in both the central London and Darlington offices. In London a questionnaire has been sent to all members of staff and the replies are being analysed. In Darlington similar demand investigations are taking place. If there is evidence that crèche facilities would be used, they would be established on the basis that after the initial setting-up costs they should be generally self-financing.

Inspectors' Annual Report

Mr. Straw: To ask the Secretary of State for Education and Science when he intends to publish the 1988 annual report by Her Majesty's inspectors on LEA provision for education and the quality of response in schools and colleges in England, 1987.

Mr. Kenneth Baker: The report is to be an annual report on the education service in England from the senior chief inspector to me, based on a full year's work by HMI. The extent to which it deals with LEA provision is for the SCI to determine, on the basis of HMI findings. I understand that the report is being prepared and that it is well on the way to completion. I should, therefore, receive it from the SCI in the very near future and, when I do so, I will publish it.

TRANSPORT

Ferries (Safety)

Mr. Nicholas Bennett: To ask the Secretary of State for Transport, pursuant to his answer to the hon. Member for Pembroke on 17 January, what action is taken by his Department to ensure that masters of ferries between Ireland and Great Britain do not permit the maximum number of passengers allowed for any voyage to be exceeded.

Mr. Portillo: For passenger ferries on routes between Great Britain and both Northern Ireland and the Irish Republic there is a statutory duty on owners to operate a boarding card system. The purpose of the cards is to ensure that the master has an accurate count of the total number of passengers on board for any voyage, and above all that the number does not exceed that on the passenger ship certificate. The operation of these arrangements is regularly checked on the spot by the Department's marine surveyors. It is an offence to breach the requirements of the boarding card regulations.

Severn Bridge

Mr. Barry Jones: To ask the Secretary of State for Transport if he will make a statement concerning the accidents on and near the Severn bridge on 9 January and 18 January.

Mr. Peter Bottomley: The prime reason for all the accidents on 18 January was that drivers were travelling too fast and too close to the vehicle in front, while paying scant regard to either the weather conditions (thick fog in the Severn valley with visibility down to 10 m) or the 30 mph advisory speed limit.

The accidents clearly demonstrate the need for better driver behaviour in such conditions.

On 19 January a car went through an emergency crossing point in the central reserve into the path of an oncoming heavy goods vehicle. The car driver was killed.

There was severe congestion on the M4 on both ways. The motorway was closed between Almondsbury and Newhouse for several hours on 18 January.

Malaysia and Singapore Air Carriers

Mr. Sheerman: To ask the Secretary of State for Transport (1) what steps he is taking to ensure that the Singapore and Malaysian Governments give fair treatment to British air carriers;

(2) what steps he has taken to ensure that British air carriers do not face unfair competition from Malaysian and Singapore national air carriers;

(3) when his Department last received a request from Singapore Airlines or Malaysian Airline System for greater access to British airports.

Mr. Peter Bottomley: Requests from Singapore Airlines to operate additional frequencies to the United Kingdom were last discussed between United Kingdom and Singapore civil aviation officials at air services consultations held in London earlier this month. These consultations are expected to resume in March. Similar requests have been received from Malaysian Airline System in recent months and these requests are the subject of discussions between the airlines.

In the current discussions with Singapore, and at such time as the Malaysian requests may be the subject of consultations at the Government level, I hope that it will be possible to agree on a broadly balanced expansion of the opportunities for the provision of air services by all the airlines concerned.

Seat Belts

Mr. Onslow: To ask the Secretary of State for Transport what steps he is taking to ensure that the European Community directives on seat belts and seat belt anchorages make provision for seat belts in minibuses; and if he will make a statement.

Mr. Peter Bottomley: We have already secured amendment of the relevant directives to require seat belt fitment on all front seats and those not directly behind another seat. Our regulations implementing this apply to all minibuses and coaches registered on or after 1 October 1988.

We are negotiating to extend the European Community directives to all other seats in minibuses and coaches with a view to this being adopted by 1992.

We strongly advise anyone buying a new minibus to specify fitment of good easy-to-use seat belts.

Dartford Tunnel

Mr. Roy Hughes: To ask the Secretary of State for Transport what is the total amount collected since the new method of coin collection was introduced for the Dartford tunnel.

Mr. Peter Bottomley: There has been no recent changes in the method of collecting tolls at the Dartford tunnel. Toll income for the financial year 1987-88 was £21·133 million.

Mr. Roy Hughes: To ask the Secretary of State for Transport what percentage of the amount collected at the Dartford tunnel is attributed to administrative costs; and what are the comparable figures for other collection arrangements.

Mr. Peter Bottomley: The annual accounts for the Dartford tunnel for the financial year 1987-88 show that toll collection costs were £1·073 million (5·1 per cent. of toll income). Comparable figures for other collection arrangements are not available.

Channel Tunnel (London Terminal)

Mr. Tony Banks: To ask the Secretary of State for Transport what assessment he has made of the implications for the central London rail study of a decision to locate the second London terminal for the Channel tunnel in *(a)* Stratford and *(b)* King's Cross.

Mr. Portillo *[holding answer 16 January 1989]:* The study team has taken account in its work of major developments in London, including those associated with the Channel tunnel. British Rail has also considered the possible effect of the east-west crossrail proposal on the choice between King's Cross and Stratford.

Further work will be done in the detailed studies of the options that my right hon. Friend announced on 26 January.

ATTORNEY-GENERAL

Judicial Appointments

Mr. Fraser: To ask the Attorney-General what steps are being taken by the Lord Chancellor to remedy the imbalance between the number of men and women appointed to judicial offices as disclosed in his answer to the hon. Member for Norwood, *Official Report* 22 December, columns *418-19*.

The Attorney-General: The Lord Chancellor would like to appoint more women to judicial office and intends to do so as the opportunity offers. However, since his overriding policy is to appoint the best candidate to all available posts, the proportion of women judges will reflect broadly the proportion of women in the legal profession in the relevant age groups. Many more women have joined the legal profession in recent years, and, as they progress, the proportion of women judges is likely to increase.

Women Barristers

Ms. Harman: To ask the Attorney-General if he will estimate what percentage of women who have qualified as barristers have remained in the profession for more than four years in each of the years between 1978 and 1984.

The Attorney-General: I understand from the general council of the Bar that this information is not available.

Ms. Harman: To ask the Attorney-General if he will estimate what percentage of those qualifying as barristers in each of the years 1978 to 1988 were women.

The Attorney-General: I understand from the general council of the Bar that the percentage of those qualifying as barristers in each of the years 1978 to 1988 who were women is as follows:

	per cent.
1977-78	24
1978-79	23
1979-80	28
1980-81	27
1981-82	31
1982-83	30
1983-84	32
1984-85	30
1985-86	32
1986-87	37
1987-88	37

Women Solicitors

Ms. Harman: To ask the Attorney-General if he will estimate what percentage of women who have qualified as solicitors have remained in the profession for more than four years in each of the years 1978 to 1984.

The Attorney-General: I regret that I am unable to provide the information that is requested. However, I understand from the Law Society that a career structure survey conducted in 1987 indicated that 56 per cent. of those women who qualified as solicitors in 1977 remained in the profession full-time; 75 per cent. of women who qualified as solicitors in 1982 remained in the profession full-time.

Ms. Harman: To ask the Attorney-General if he will estimate what percentage of those qualifying as solicitors in each of the years 1978 to 1988 were women.

The Attorney-General: I understand from the Law Society that the percentage of those qualifying as solicitors in each of the years 1978 to 1988 who were women is as follows:

	per cent.
1978	26
1979	27
1980	29
1981	31
1982	35
1983	37
1984	39
1985	41
1986	44
1987	45
1988	45

Crown Prosecution Service

Mr. Curry: To ask the Attorney-General whether any changes will be made to the Crown Prosecution Service's cash limit and running costs limit for the year 1988-89.

The Attorney-General: Yes. The cash limit on class XI vote 10 (The Crown Prosecution Service: administration)

will be reduced by £18,373,000 from £111,873,000 to £93,500,000 and the running costs limit by £16,982,000 from £107,873,000 to £90,891,000. This is mainly due to a shortfall in the recruitment of staff.

TRADE AND INDUSTRY

Export Promotion Levy

Mr. Steel: To ask the Chancellor of the Duchy of Lancaster if he will make a statement on the future of the export promotion levy, following representations from the woollen industry.

Mr. Alan Clark: I refer to the answer given to the hon. Member for Bradford, West (Mr. Madden) on 8 December 1988 at columns *262-63*. I am still receiving representations about the future of the wool textile industry (export promotion) levy under the consultation process which is due to end on 31 January. I shall ensure that all views received will be taken carefully into account before a decision is taken on the future of this statutory levy.

Remote Sensing Systems

Mr. Warren: To ask the Chancellor of the Duchy of Lancaster what steps he is taking to further the understanding of Her Majesty's Government of the value of space-based remote sensing systems.

Mr. Atkins: There is growing awareness within the United Kingdom (and within other European Governments) of the potential value, for a variety of public uses, of satellite-derived data. The Government are supporting the creation of the earth observation data centre at Farnborough which will play a significant role in processing such data for subsequent use in commercial and public sector applications.

Car Mileage Meters

Mr. Cox: To ask the Chancellor of the Duchy of Lancaster what has been the number of prosecutions in each of the last three years for selling cars on which the car mileage meter has been altered.

Mr. Forth: The number of prosecutions under the Trade Descriptions Act 1968 for offences involving the alteration of car odometers, as notified to the Office of Fair Trading, are as follows:

Year	*Number of prosecutions*
1986	369
1987	401
1988	431

Departmental Staff (Child Care)

Ms. Richardson: To ask the Chancellor of the Duchy of Lancaster what child care provision his Department provides for pre-school age children of the Department's employees: what child care provision, for school holiday or after-school care, is provided for employees' children aged five years and over; and what plans there are for increasing provision in the next five years; and how these are to be funded.

Mr. Forth: The Department of Trade and Industry is considering arrangements for workplace child care for pre-school age children.

With other Departments, DTI is contributing pump-priming funds to a pilot play scheme in London for employees' children aged five to 12 years. Future provision will depend on the outcome of the London pilot scheme and on the other discussions. The expectation is that play schemes for children aged over five should become self-financing; nursery schemes might need a continuing subsidy from departmental funds.

Renault

Mr. Leighton: To ask the Chancellor of the Duchy of Lancaster if he will make a statement on the French Government's overriding of the European Commission's objections to the subsidies being given to Renault.

Mr. Atkins: The Commission is examining the issue and we shall be watching developments closely.

National Engineering Laboratory (East Kilbride)

Mr. Ingram: To ask the Chancellor of the Duchy of Lancaster if he has received a bid from the institute of technology, Cranfield, for the national engineering laboratory at East Kilbride.

Mr. Forth: A bid for the laboratory was submitted by Cranfield institute of technology to the Department on 21 July 1988.

Security Interests

Mr. Mans: To ask the Chancellor of the Duchy of Lancaster if his Department has received the report on security interests in property other than land commissioned from Professor Al Diamond in December 1985.

Mr. Maude: Yes. The report is published today by Her Majesty's Stationery Office. I would like to record my Department's thanks for Professor Diamond's work.

The terms of reference given to Professor Diamond were:

(a) to examine the need to reform the law relating to mortgages and other interests in property other than land, including those arising from hire-purchase and sale with retention of title and in Scotland securities over moveables;

(b) to consider the case for a single scheme of registration for such interests and in particular to consider the position of the registration of charges created by companies in the context of such a scheme.

(c) to make recommendations as to the nature of any reforms required and as to how work in this area might best be carried forward.

The report covers two separate issues. In parts I and II, it proposes a radical revision of the current law affecting security interests. The recommendations are numerous and cover complex issues where change would have significant implications for the raising of business finance. They need careful consideration in the light of views from those in business whose interests would be affected. I am therefore inviting comments on the proposals detailed in part II of the report by 1 September 1989.

Part III of the report looks at the current system of registration of company charges and proposes a number of changes. Professor Diamond was able to make his

proposals in this area available to my Department on an interim basis. The proposal in the Companies Bill relating to the registration of company charges reflect a number of his recommendations.

Copies of the report have been made available in both Houses.

North Peckham Task Force

Ms. Harman: To ask the Chancellor of the Duchy of Lancaster if he will state the total Government expenditure required to secure the 4,000 jobs he specified in his answer to the hon. Member for Lancashire, West (Mr. Hind) 26 October, *Official Report*, column *289-90* and the basis upon which the figures given were calculated; and how many of the jobs were in the north Peckham task force area.

Mr. Forth *[holding answer 26 January 1989]:* The information referred to was produced by consultants from a survey aggregating all task force expenditure and outputs. The breakdown requested is not available except at disproportionate cost.

Ministerial Advisers

Mr. Cryer: To ask the Chancellor of the Duchy of Lancaster if he will list the ministerial advisers appointed in his Department for each year since 1979, the salary each person received, whether paid directly or to another employer, and the duties undertaken, whether solely in his Department or in conjunction with other Departments; and if he will make a statement.

Mr. Forth *[pursuant to his reply, 16 January 1989, c. 16]:* I am now able to reply to the hon. Member's question about the appointment of ministerial advisers to the Department of Trade and Industry since 1979.

	Period of appointment	*Type of employment*	*Duty undertaken*
D. I. Young (now Lord Young)	19 May 1980 to 14 April 1982	Part-time unpaid	Special Adviser
J. Sterling (now Sir Jeffrey Sterling)	7 April 1982 to date	Part-time unpaid	Special Adviser
S. Sherbourne	5 July 1982 to 15 May 1983	Full-time	Political Adviser
M. D. X. Portillo	1 July 1983 to 14 October 1983	Full-time	Political Adviser
M. J. Dobbs	28 October 1983 to 3 September 1985	Part-time secondee	Political Adviser
J. F. L. Whittingdale	15 October 1984 to 20 May 1987	Full-time	Political Adviser
H. James	15 June 1987 to 25 September 1987	Full-time secondee	Political Adviser
J. H. Hill	15 June 1987 to 26 July 1988	Full-time	Political Adviser
P. J. Luff	28 September 1987 to date	Full-time secondee	Political Adviser
C. Hendry	1 September 1988 to date	Full-time	Political Adviser

It is not appropriate to reveal the salaries of individual advisers as they are negotiated in relation to previous outside earnings and conditions and are therefore confidential. Duties are individually defined to provide support for DTI Ministers to carry out their policies.

Uruguay Round

Sir Richard Body: To ask the Chancellor of the Duchy of Lancaster if he will ask the EEC Council to discuss the Cairns group proposals for agriculture in the Uruguay round negotiations; and if he will list the main differences between these proposals and those put forward by the EEC.

Mr. Donald Thompson: I have been asked to reply.

In preparation for and during the mid-term meeting of the Uruguay round in December, the Council discussed agriculture at length, taking account of all negotiating proposals, including those of the Cairns group. Both the EC and Cairns group proposals include long and short-term measures. For the long term, the Cairns group has proposed the elimination of trade-distorting policies. For the short term, it has proposed a freeze on, followed by reductions in, overall agricultural support and protection, with specific action on administered support prices, export subsidies and import barriers. The EC has proposed for the long term a significant reduction in (but not elimination of) overall support and protection. For the short term it proposes a freeze and reductions, expressed in terms of an aggregate measure of support and protection, leaving Governments free to choose their own combination of policies to achieve an agreed reduction in aggregate support.

NORTHERN IRELAND

Cash Limits

Mr. Cran: To ask the Secretary of State for Northern Ireland if he will make a statement on the cash limits for Northern Ireland departmental services and for the Northern Ireland Office for 1988-89.

Mr. Ian Stewart: The cash limit for Northern Ireland departmental services (NIDI) is being increased by £19·6 million for £2,479·3 million to £2,498·9 million. This incorporates the increases to provision announced previously (totalling £29·1 million) in respect of the 1988 Health Service pay review body awards. The cash limit increase is partly offset by savings elsewhere of £9·5 million. This increase will be charged to the reserve and will not therefore add to the planned total of public expenditure.

Subject to parliamentary approval of the necessary Supplementary Estimate, the 1988-89, cash limit for the Northern Ireland office—class XVIII, vote I—will be increased by £2,969,000 from £579,199,000 to £582,168,000 to cover increased requirements for expenditure on law, order, protective and miscellaneous services. Major components of the net increase are an additional provision of £3 million for the RUC, and an increased requirement to cover criminal damage and criminal injury compensation claims. These increases are partly offset by the NIO and Northern Ireland departmental expenditures, and will not therefore add to the planned total of public expenditure.

The net effect of these changes on the NI public expenditure total (including NIDI, NIO and non cash limited NI departmental services) is an increase from the reserve of £29·1 million.

DEFENCE

Territorial Army

Mr. Cohen: To ask the Secretary of State for Defence what checks are made upon those who subsequently join fascist organisations after enlistment to the Territorial Army; and if he will make a statement.

Mr. Neubert: Whilst not wishing to generalise, any case of a volunteer admitting to membership (or being revealed as a member) of a fascist organisation would need to be investigated on its individual merits. I can assure the hon. Member that any such investigation would be carried out in the most thorough manner possible. Should it eventually be decided that the volunteer in question may continue in service, his, or her, performance will be subjected to the strictest scrutiny and supervision.

Mr. Cohen: To ask the Secretary of State for Defence how frequently medical examinations are carried out on all Territorial Army members with access to weapons; and if he will make a statement.

Mr. Neubert: In addition to undergoing pre-enlistment medical examinations, all members of the Territorial Army are subjected to further examinations within eight weeks of the following birthdays: 30, 35, 40, 43, 46, 48 and 50. Those volunteers continuing in service beyond age 50 must undergo annual checks.

Armed Forces (Liability Exemption)

Mr. Hunter: To ask the Secretary of State for Defence (1) what is his policy with regard to immunity exemption from liability in respect of any injury suffered by a member of the armed forces while on duty or on land or premises being used for the purposes of the Crown;

(2) when he last made use of powers given to him by section 10 of the Crown Proceedings Act 1947.

Mr. Neubert: Since the repeal of section 10 of the Crown Proceedings Act 1947 on 15 May 1987, it has been open to a member of the armed forces or his-her dependants to pursue a claim for damages in respect of injury, illness or death arising from incidents on or after 15 May 1987 which are believed to have been caused by the negligence of other members of the armed forces whilst on duty, or of the Ministry of Defence or the Crown. Claims in respect of death, injury or illness suffered before 15 May 1987 remain barred by section 10 and the Secretary of State has no discretion to waive these provisions. Exceptionally, however, valid claims arising in respect of incidents between the date of announcement on 8 December 1986 of the intention to repeal section 10 and the actual date of repeal, are considered on an ex-gratia basis.

Low Flying

Mr. Ingram: To ask the Secretary of State for Defence (1) if pilots of jet aircraft, other than Royal Air Force Jaguars, using the United Kingdom low flying system, are required to report to their commanding officers any use of reheat at heights below 1,000 ft;

(2) if he will list the number of reported occasions on which military jet aircraft have used reheat in the United Kingdom low flying system at heights less than recommended in the United Kingdom military low flying handbook;

(3) if pilots of Royal Air Force Jaguars using the United Kingdom low flying system are required to report to their commanding officers any use of reheat at heights below 500 ft.

Mr. Neubert *[holding answer 23 January 1989]:* It is standard procedure for aircrew to debrief, normally to their authorising officer, on all aspects of a training sortie in order to confirm that the requirements of a sortie have been met. The debrief provides the opportunity for the aircrew to report any difficulties encountered during the sortie. Central records of occasions on which military jet aircraft have used reheat in the United Kingdom low flying system are not held.

Low-flying Aircraft (Air Traffic Zones)

Dr. Thomas: To ask the Secretary of State for Defence what are the conditions under which low-flying military aircraft may penetrate military air traffic zones during low-level training sorties.

Mr. Neubert *[holding answer 16 December 1988]:* Low flying military aircraft are permitted to penetrate a military air traffic zone only with clearance from the controlling authority.

HOME DEPARTMENT

Firearms

Mr. William Ross: To ask the Secretary of State for the Home Department how many applications by *(a)* established registered firearms dealers and *(b)* the holders of section one firearms' certificates have been refunded since 1 August 1987 to 31 December 1988 or to the latest available date; and how many in each of the categories were granted.

Mr. Douglas Hogg: The latest information is published in tables 5 and 1 of Home Office statistical bulletin 33/88 "Statistics on the operation of the Firearms Act 1968, England and Wales 1987", a copy of which is in the Library.

Rule 43

Mr. Barry Field: To ask the Secretary of State for the Home Department how many prisoners were held under

rule 43 on the last date for which figures are available; and what change has there been in numbers since the introductions of fresh start.

Mr. Douglas Hogg: Fresh start was implemented at most prison service establishments during the second half of 1987. On 30 June 1988 (the latest date for which figures are readily available) 2,011 adult male prisoners were segregated under prison rule 43 for their own protection. The number so segregated on 31 December 1987 was 1,814.

Football Hooligans

Mr. Adley: To ask the Secretary of State for the Home Department what recent discussions he has had with chief constables about football hooligans; and if he will make a statement.

Mr. Douglas Hogg: The Home Office is in regular contact with the Association of Chief Police Officers about this matter. The association was represented on the Minister for Sport's working party and will continue to be involved in discussions on the implementation of the Football Spectators Bill.

Football Clubs (Membership Scheme)

Mr. John Evans: To ask the Secretary of State for the Home Department if his Department will maintain, or have access to, lists of football supporters after the introduction of the proposed identity card scheme.

Mr. Douglas Hogg: The details of the national football membership scheme will be drawn up by the proposed football membership authority, which will be responsible for holding membership records. I do not envisage any need for my Department to have access or to replicate these records.

Police Surgeons

Mr. Rooker: To ask the Secretary of State for the Home Department whether he will order an inquiry into delays in the attendance of general practitioners employed as part-time police surgeons attending to victims of rape and violent crime.

Mr. Douglas Hogg: No. Police surgeons are appointed by police authorities and it is for each police authority and chief constable to ensure that suitable arrangements are made to secure the necessary coverage by police surgeons within the force area. If the hon. Member has a particular problem in mind, he should in the first instance take it up with the chief constable.

Prison Kitchens

Mr. Ashley: To ask the Secretary of State for the Home Department, pursuant to the answer to the right hon. Member for Stoke-on-Trent, South, *Official Report*, 15 November 1988, column *551*, how his Department monitors the standard of prison kitchen inspections; whose advice is sought on whether or not they are at a standard equivalent to those carried out by local authority environmental health officers; who carries out the inspections of prison kitchens; what are their qualifications, experience and expertise in food hygiene; how frequent are inspections; in what circumstances the advice of local authority officers is sought; how often advice has been sought; and in how many cases it was to take preventive action rather than to cope with a food poisoning or other problem.

Mr. Douglas Hogg: Home Office health and safety officers and supply and transport branch headquarters catering managers carry out formal hygiene inspections of prison catering facilities. Each establishment receives at least an annual inspection by one of these officers. Some are inspected more regularly. All the inspecting officers have received appropriate training and hold the diploma in food hygiene of the Royal Institute of Public Health and Hygiene. All the inspecting catering managers have extensive knowledge and experience of the food hygiene problems associated with large-scale catering operations. The health and safety officers are specialist full-time personnel who have wide-ranging background training and experience in health and safety matters. Inspections are carried out to a predetermined format which ensures that all aspects of hygiene are checked and assessed.

A number of random validation inspections are carried out by an environmental health officer from the Department of Health. These inspections assist in monitoring the efficacy of the main inspection arrangements. Local authority environmental health officers are called in to provide assistance and expertise in tracing the source of an outbreak of food poisoning. This recognises the need for additional special skills and experience under these circumstances. Prison medical officers are also authorised to seek their advice when it is considered to be appropriate.

More generally, guidance has recently been issued to governors and medical officers encouraging them to establish a working relationship with local authority environmental health officers. This may include visits to prisons in an informal advisory capacity. Records of the number of visits by local authority officers to prisons, and the purposes of those visits, are not held centrally.

Mr. Ashley: To ask the Secretary of State for the Home Department, pursuant to the answer to the right hon. Member for Stoke-on-Trent, South, *Official Report*, 15 November 1988, column *551*, what progress has been made regarding an improvement in the standards of the 13 of the 21 prison kitchens inspected by the Institution of Environmental Health Officers which had standards of hygiene so low as to warrant prosecution were it not for Crown immunity.

Mr. Douglas Hogg: A further exchange of letters has taken place between the prison department and the Institution of Environmental Health Officers. Relevant background details of the institution's survey have not yet been released to the prison department. A considered response to the institution's survey will be made as soon as relevant background material is made available.

Mr. Ashley: To ask the Secretary of State for the Home Department whether food prepared in the normal prison kitchen is served in prison hospitals.

Mr. Douglas Hogg: Yes.

Mr. Ashley: To ask the Secretary of State for the Home Department what is the current budget for maintaining and improving hygiene in prison kitchens; and what has been the budget in each of the last five years.

Mr. Douglas Hogg: The cost of maintaining and improving hygiene in prison kitchens is subsumed within the total running costs of the prison service. It is not practicable to extract information on the level of funding dedicated specifically to hygiene in prison kitchens.

Mr. Raoul Wallenberg

Mr. Amess: To ask the Secretary of State for the Home Department if he will publish in the *Official Report* the letter and enclosure of 7 November 1988, sent by the hon. Member for Basildon to his Department regarding Mr. Raoul Wallenberg; and if he will make a statement.

Mr. Renton: I have placed a copy of the letter and enclosure by Professor Elie Wiesel in the Library, with a copy of my reply to which I have nothing to add.

Food Poisoning (Prisons)

Mr. Ashley: To ask the Secretary of State for the Home Department how many outbreaks of food poisoning in prisons have there been in each of the last five years for which figures are available.

Mr. Douglas Hogg: Six confirmed outbreaks of salmonella food poisoning have been reported and investigated since 1984. There have been no known cases of other outbreaks of food poisoning.

Prison Hospitals

Mr. Ashley: To ask the Secretary of State for the Home Department how many prisoners are currently in prison hospitals; what proportion this is of the prison population; and how many suffer from *(a)* AIDS, *(b)* tuberculosis and *(c)* other serious long-term illnesses.

Mr. Douglas Hogg: The number of prisoners in hospital is not known centrally. In the year ended 31 March 1988 the average daily number of patients in prison hospitals was 1,923 representing 3·9 per cent. of the average population for that year. The available information about the incidence of physical diseases of special interest in that yar is contained in appendix 5 to the report on the work of the prison service April 1987—March 1988 (Cm. 516). The only current figures available centrally relate to cases of HIV infection including AIDS. On 26 January 1989 the number of reported HIV antibody positive prisoners was 58. There was no reported case of AIDS.

Prisons (Safety and Hygiene)

Mr. Ashley: To ask the Secretary of State for the Home Department what information is required by his Department from prison governors regarding safety and hygiene in prisons.

Mr. Douglas Hogg: Prison governors must provide a health and safety policy statement covering the entire establishment. This statement will be reviewed annually. Governors are also required to report the completion of an annual safety audit.

In addition, action plans must be submitted in response to recommendations made following hygiene inspections of catering facilities and full health and safety inspections.

Medical officers are required to submit six-monthly reports on health and hygiene standards throughout their establishment.

Wormwood Scrubs

Mr. Soley: To ask the Secretary of State for the Home Department whether he will make it his policy to commend the relevant staff of Wormwood Scrubs prison on their decision to invite the environmental health officer to inspect the prison hospital and on the decision to close it pending improvement.

Mr. Douglas Hogg: The decision to close a temporary in-patient facility at the prison was taken by the principal medical officer on 12 January, following environmental deterioration caused by defective sanitary installations in adjacent areas of the building. An environmental health officer visited the prison later that day at the request of the principal medical officer to see and advise on conditions in the affected accommodation. Both the closure action and the subsequent decision to seek the environmental health officer's advice are fully supported by the director of prison medical services. I gladly endorse his commendation of the principal medical officer for her prompt response to a situation which in her professional judgment had become unacceptable.

Mr. Soley: To ask the Secretary of State for the Home Department whether he will make funds available to ensure Wormwood Scrubs prison hospital is brought up to the standard necessary to reopen it.

Mr. Douglas Hogg: Repairs have already been made to enable the hospital to reopen for out-patient use and contracts previously let for refurbishment at the prison incorporate upgrading of the hospital. The proposed longer-term redevelopment of Wormwood Scrubs includes the construction of a new hospital.

Health Officers (Prisons)

Mr. Soley: To ask the Secretary of State for the Home Department whether he will advise all prison governors to invite an environmental health officer to inspect their premises.

Mr. Douglas Hogg: Advice has recently been issued to all prison governors and medical officers encouraging them to liaise with local authority environmental health officers. The liaison may include informal visits to prisons by environmental health officers.

HIV

Mr. Sayeed: To ask the Secretary of State for the Home Department what consideration has been given to making it a criminal offence for a person who knows that they are HIV positive to act in such a way that makes it possible that they will infect another.

Mr. Douglas Hogg: I refer my hon. Friend to the answer given yesterday to my hon. Friend the Member for Warrington, South (Mr. Butler).

Terrorist Organisations

Mr. Hunter: To ask the Secretary of State for the Home Department (1) how many citizens of other countries have each year since 1979 been denied entry into the United Kingdom or deported from the United Kingdom because of their suspected connection with terrorist organisations of other countries;

(2) if he will name those citizens of other countries who have been denied entry into the United Kingdom or deported from the United Kingdom because of their suspected connection with terrorist organisations of other countries.

Mr. Renton: The available information refers to the total number of exclusions under section 13(5) of the Immigration Act 1971 and to deportations under section 15(3) of the Act.

	Exclusion	*Deportation*
1979-83	n/a	Nil
1984	27	21
1985	40	17
1986	47	25
1987	14	5
1988	27	1

It is not our practice to give names of persons against whom action is taken under the Immigration Act or in matters of a security nature, although we are ready to confirm details of decisions which are already in the public domain.

Mr. Hunter: To ask the Secretary of State for the Home Department what is his policy towards members of terrorists organisations or self-proclaimed liberation movements meeting and conspiring in the United Kingdom to further their objectives in their own countries.

Mr. Hurd: Any person legitimately in this country may engage in activities which are within the law. If there was clear evidence of a crime having been committed here by such a person either in the form of a substantive offence or a conspiracy to commit an offence elsewhere which gave rise to an offence under United Kingdom law, it would be a matter for the police to take action.

In addition and when appropriate I would not hesitate to use my powers under the Immigration Act to exclude or deport from this country such a person whose presence here was considered to be not conducive to the public good.

Terrorism

Mr. Hunter: To ask the Secretary of State for the Home Department (1) what definition of terrorism he uses in formulating his policy in response to terrorism;

(2) what definition of the term international terrorism he uses in formulating his policy in response to terrorism.

Mr. Hurd: There is no internationally agreed definition of terrorism. For practical purposes we rest on the definition in the Prevention of Terrorism (Temporary Provisions) Act 1984 and in the Prevention of Terrorism (Temporary Provisions) Bill currently before the House.

Mr. Hunter: To ask the Secretary of State for the Home Department (1) if he will list those countries with which the United Kingdom has signed a formal agreement with regard to combating terrorism;

(2) if he will list those countries with which the United Kingdom has come to an informal understanding with regard to combating terrorism;

(3) if he will make a statement on the measures taken by the Government since 1979 to combat international terrorism; and what assessment he has made of the success of these measures;

(4) what further measures he proposes to take to combat international terrorism.

Mr. Hurd: We are totally committed to the fight against terrorism and to the need for international co-operation to prevent and combat it. We have taken, and will continue to take, an active role in the relevant international bodies, such as Trevi, to secure a common, firm policy about international terrorism and practical measures to deter and defeat the terrorist.

The first aim of Governments must be to prevent acts of terrorism; if prevention fails, the aim must be to resolve incidents with the minimum loss of life and to bring terrorists to justice. Underlying this policy is the fundamental principle that there should be no substantive concessions to terrorists demands.

We will continue to pursue this policy vigorously in multilateral fora and in our bilateral links with our Community partners and with other like-minded third countries who share our resolve and commitment on this topic. In addition to multilateral agreements and co-operation, some countries like to have more formalised bilateral agreements to give additional political impetus to co-operation on the topic. I have signed such agreements with Morocco, Egypt and Italy.

Vigilantes (Underground)

Mr. Atkinson: To ask the Secretary of State for the Home Department if he has had any discussions with the Commissioner of Police of the Metropolis on the independent establishment of vigilante groups on the London Underground; and if he will make a statement.

Mr. Douglas Hogg: No. Policing the London Underground is the responsibility of the British Transport police. About 80 police officers from the Metropolitan and City of London police forces are to be loaned to the British Transport police L Division for the next 12 months. If the Guardian Angels or any other group act unlawfully or engage in conduct likely to provoke a breach of the peace, they cannot expect to be exempt from the ordinary processes of the law. But these would be operational issues for the police to consider.

Emergency 88 Conference

Mr. Gerald Bowden: To ask the Secretary of State for the Home Department if he will make a statement on the Institute of Civil Defence Emergency 88 conference held in London last November; and whether some financial support will be given towards the cost of this initiative.

Mr. John Patten: "Emergency 88" was a privately organised occasion, and it was made clear at the outset that support from official funds would not be available. That remains the position, but officials will continue to offer the organisers advice on how they might meet their costs.

Cash Limits

Mr. Sims: To ask the Secretary of State for the Home Department whether he intends to make any changes to the 1988-89 cash limits within his responsibilities and to his Department's running costs limit.

Mr. Hurd: Subject to parliamentary approval of the necessary Supplementary Estimate, the cash limit on class

XI, vote 2, prisons, England and Wales, will be increased by £109,100,000 from £801,578,000 to £910,678,000. This increase will be charged to the reserve and will not therefore add to the planned total of public expenditure.

The additional provision is necessary because of the rise in the prison population. The elements of the extra costs are the emergency package of measures which I announced in March last, the costs of additional prison staff recruited for extra accommodation coming into use in 1988-89, and the cost, in the meantime, of accommodating prisoners in police cells.

The Home Office running cost limit will be increased by £21,296,000 from £807,799,000 to £829,095,000. This takes account of changes in provision on both class I, votes 2 and 3. The running cost provision in class XI, vote 2 will be increased by £23,300,000 from £594,658,000 to £617,958,000 which takes account of the surrender of £433,000 as a consequence of the overspend of the running cost limit for 1987-88. The running cost provision on class XI vote 3, central administration, miscellaneous and community services and civil defence, England and Wales will be reduced by:

(a) £2,000,000 to offset partly the increase on class XI, vote 2.

(b) £4,000 to reflect the Home Office's share of the costs of the recruitment under the direct entry Grade 7 competition for 1988 which will result in a corresponding increase in the running cost limit for the office of the Minister of the Civil Service, class XX, vote 1,

from £213,141,000 to £211,137,000.

On class XI, vote 3 on which token provision of £1,000 is being sought, there will be an overall reduction of £4,000 in the cash limit from £410,168,000 to £410,164,000 to reflect the transfer of costs for the direct entry grade 7 competition.

SCOTLAND

Health Board Chairmen

Mr. Bill Walker: To ask the Secretary of State for Scotland how he proposes to respond to the representations by health board chairmen on making their remuneration more equitable compared with that of the chairmen of health authorities in England.

Mr. Michael Forsyth: My right hon. and learned Friend accepts that the remuneration of health board chairmen should be amended to reflect more adequately the extent of their responsibilities, particularly in comparison with the chairmen of health authorities in England. He has therefore decided on the following levels of remuneration for chairmen with effect from 1 April 1989.

Health Board	*Remuneration*
Greater Glasgow	17,709
Lothian	15,928
Grampian Tayside	14,148
Lanarkshire Argyll and Clyde	12,368
Ayrshire and Arran Fife Forth Valley Highland	10,310
Borders Dumfries and Galloway	8,243
Orkney Shetland Western Isles	5,047
Common Services Agency	9,810
State Hospital	9,494

WALES

Floods

Mr. Wigley: To ask the Secretary of State for Wales if he will publish a table indicating the total expenditure by his Department on *(a)* flood prevention and *(b)* compensation or ex-gratia payments to persons or corporate bodies in Wales who have suffered the effects of floods.

Mr. Grist: The Department's expenditure, which is in the form of grant aid, is given in the table:

Year	*Expenditure* £
1978-79	1,158,266
1979-80	1,017,848
1980-81	3,099,315
1981-82	2,198,016
1982-83	2,870,039
1983-84	2,988,827
1984-85	2,109,302
1985-86	1,457,807
1986-87	833,782
1987-88	951,811

With regard to compensation or ex-gratia payments for those affected by flooding, the answer is none.

Mr. Wigley: To ask the Secretary of State for Wales if he will publish in the *Official Report* a table showing the expenditure on flood prevention work for each district council area in Wales in each year since 1975.

Mr. Grist: The information requested is not held centrally.

Hospital and Community Health

Mr. Raffan: To ask the Secretary of State for Wales whether he has now reached decisions about the allocation of resources for hospital and community health services in Wales for 1989-90; and if he will make a statement.

Mr. Peter Walker: I announced on 21 December that, subject to parliamentary approval, I propose to provide £953 million in 1989-90 for the hospital and community health services in Wales. However, following a further review of other programme requirements, I am now pleased to amend the figure to £954·7 million. Excluding the costs of the artificial limb and appliance service (which is administered on my behalf by the Welsh health common services authority) £880·1 million will be provided for current purposes and £69·1 million for capital spending.

For current spending this represents a net cash increase of £44 million. With the estimated saving of £16.3 million from the reduction in the rate of employers' superannuation contribution from 7·5 to 4 per cent. and £10.5 million from new cost improvement programmes and increased receipts from income generation schemes, the total increase in resources over 1988-89 is 8·6 per cent. This is on top of the additional funding which has been provided for the recurrent effect of this year's review bodies awards.

A total of £49.9 million will be available to health authorities for their discretionary use which represents a cash increase of 6·1 per cent. over this year's enhanced provision. £10.4 million will be allocated to centrally funded developments. These developments, which are as follows will considerably assist authorities in meeting future service requirements.

	£million
Regional Services and Centrally Funded Developments	2.8
Psychiatric development, joint financing with local authorities and schemes to combat the misuse of drugs	1.6
Consultant Expansion Programme	0.3
Breast and Cervical Cancer Screening	0.6
AIDS	0.4
Revenue consequences of new capital development	1.0
Developments in information technology etc.	0.8
Waiting List Initiative	0.9
Project 2000	0.4
Other	1.6
	10.4

Of the capital provision, £39 million will be made available to health authorities for their discretionary use. This amounts to an increase of almost 32 per cent. over last year's capital allocations. The balance is required for the all-Wales capital programme, details of which will be announced in due course.

Authorities will be able to retain the cash released through their cost improvement programmes and from income-generation schemes, and they will be able to retain the income raised from charges for private treatment. Authorities will also benefit from the retention of receipts from the sale of surplus land and buildings and this is expected to generate a further £3·9 million in 1989-90. In total, I will expect Welsh authorities to achieve additional savings, income and receipts amounting to at least 1·3 per cent. of their recurrent revenue allocations.

The current and capital allocations to individual authorities will be as shown in the table. These allocations do not take into account further sums which will be made available following decisions to be made on centrally funded developments for the coming year. The capital allocations to health authorities are additional to the sums which I announced on 21 December as being available under my programme for the valleys initiative.

Allocation (£ million)

	Current element	*Capital element*
Clwyd	107·130	6·915
East Dyfed	67·871	1·967
Pembrokeshire	25·454	1·963
Gwent	127·392	7·308
Gwynedd	64·002	[1]1·741
Mid Glamorgan	149·704	7·168
Powys	30·527	1·589
South Glamorgan	172·722	3·572
West Glamorgan	110·212	6·732

[1] In addition Gwynedd health authority will receive a further sum of around £1 million (to be funded from the repayment of brokerage loans entered into by authorities in 1988-89) in recognition of the effect of the Ysbyty Gwynedd litigation settlement upon capital formula calculations. The precise amount will be determined in due course following discussions with the authority.

These current and capital allocations provide for real increase in spending by health authorities after taking account of the level of inflation forecast by the Chancellor of the Exchequer in his Autumn Statement. They more than fulfil the resource planning assumptions which were issued to authorities last year.

The current allocations, as in previous years, have been weighted in favour of those authorities which are shown by the latest revenue formula assessment to be furthest below their target shares of available revenue resources (which are based on the catchment populations for the services which they provide). As a result, eight of the nine district health authorities in Wales will be brought to within plus or minus 1 per cent. of their formula targets; and the range of difference between the best and least well provided authorities will be reduced to less than 4 per cent. by comparison with over 13 per cent. only three years ago. This demonstrates the progress which the Government have made in recent years in achieving greater equality of revenue provision between health authorities in Wales.

The capital allocations have been determined in accordance with the first revise of the original capital formula assessment which includes an allowance for the progressive equalisation of capital stock between authorities. Copies of the revenue and capital formula assessments which have been used in determining these allocations will be placed in the Library of the House. Both formulae are currently under review by the joint Welsh Office/NHS resources allocation working group; and I look forward to receiving the working group's report, together with health authorities' comments on the group's recommendation during the course of the next few months.

Welsh Language Teaching

Mr. Nicholas Bennett: To ask the Secretary of State for Wales (1) if he will list by local education authority and parliamentary constituency, the number and percentage of *(a)* primary and *(b)* secondary schools in Wales which currently provide Welsh tuition for some of their pupils;

(2) if he will list by local education authority and parliamentary constituency, the number and percentage of *(a)* primary and *(b)* secondary schools in Wales which currently provide Welsh tuition for all their pupils.

Mr. Wyn Roberts *[holding answer 20 January 1989]:* The information for each local education authority as at September 1987 is as follows:

The number and percentage of schools providing Welsh tuition

	Primary				Secondary			
	All pupils		Some pupils		All pupils[1]		Some pupils	
	Number	Percentage	Number	Percentage	Number	Percentage	Number	Percentage
Clwyd	181	71·8	70	27·8	4	12·1	29	87·9
Dyfed	262	81·1	31	9·6	10	30·3	21	63·6
Gwent	—	—	6	2·6	—	—	10	30·3
Gwynedd	197	99·5	—	—	21	87·5	3	12·5
Mid Glamorgan	194	62·2	104	33·3	3	7·1	37	88·1
Powys	72	63·2	39	34·2	1	7·7	12	92·3
South Glamorgan	34	21·9	64	41·3	1	3·6	26	92·9
West Glamorgan	77	45·8	80	47·6	3	11·1	24	88·9

[1] Based on forms i-v only.

The information by parliamentary constituency could be provided only at disproportionate cost.

Mr. Nicholas Bennett: To ask the Secretary of State for Wales what percentage of *(a)* primary and *(b)* secondary schools in each Welsh local education authority provided Welsh tuition for *(a)* all their pupils and *(b)* some of their pupils in 1965, 1970, 1974, 1979 and 1985, respectively.

Mr. Wyn Roberts *[holding answer 20 January 1989]:* Information in respect of 1965, 1970 and 1974 is not available centrally. The information in respect of 1979 and 1985 is as follows:

The percentage of schools providing Welsh tuition

Percentage

	1979				1985			
	Primary		Secondary[1]		Primary		Secondary[1]	
	All pupils	Some pupils	All pupils	Some pupils	All pupils	Some pupils	All pupils	Some pupils
Clwyd	87·5	12·5	14·7	82·4	88·8	10·4	6·1	87·9
Dyfed	82·3	7·3	20·0	77·1	83·9	6·1	29·4	64·7
Gwent	—	1·1	—	25·0	—	2·5	—	25·7
Gwynedd	99·0	1·0	57·1	42·9	99·0	1·0	87·5	12·5
Mid Glamorgan	61·6	28·1	4·9	90·2	72·1	19·2	7·1	88·1
Powys	46·6	35·9	—	91·7	65·0	29·1	—	92·3
South Glamorgan	30·9	36·5	3·3	86·7	21·3	40·0	3·4	86·2
West Glamorgan	40·9	31·8	3·8	92·3	46·5	33·7	11·1	88·9

[1] Based on forms i-v only.

Mr. Nicholas Bennett: To ask the Secretary of State for Wales, what estimates he has as to the number of teachers employed in each Welsh local education authority who are, *(a)* qualified to teach Welsh and *(b)* teach Welsh.

Mr. Wyn Roberts *[holding answer 20 January 1989]:* The information for each local education authority is as follows:

Qualifications in Welsh held by teachers[1]

	Primary Schools	[2]Secondary Schools[3]
Clwyd	484	220
Dyfed	605	258
Gwent	39	34
Gwynedd	626	331
Mid Glamorgan	N/A	246
Powys	104	60
South Glamorgan	138	113
West Glamorgan	342	170

[1] Any post A level qualification with Welsh as the main or subsidiary subject of study.
[2] As at Spring term, 1987.
[3] As at Spring term, 1984.

Secondary School teachers teaching Welsh[1]

	Numbers
Clwyd	180
Dyfed	232
Gwent	25
Gwynedd	289
Mid Glamorgan	167
Powys	71
South Glamorgan	81
West Glamorgan	117

[1] As at spring term, 1984.
Information on teachers teaching Welsh in primary schools is not available in the form requested.

National Museum of Wales

Mr. Faulds: To ask the Secretary of State for Wales whether he will publish in the *Official Report* the attendance figures for 1988 reported by the National Museum of Wales, including its outstations, with the percentage change on the attendance figures for 1987.

Mr. Wyn Roberts: *[pursuant to his reply, 21 December 1988, c. 294]:* A total of 838,820 people visited the National Museum of Wales during 1988—19 per cent. less than in 1987—but this reflected the immense success of the dinosaur exhibition in 1987. The 1988 figures show an 18 per cent. increase on 1986.

NATIONAL FINANCE

Mortgage Interest Tax Relief

Mr. Kirkwood: To ask the Chancellor of the Exchequer what is the estimated full-year revenue effect of applying mortgage interest tax relief to the residence rather than the individual; and what is the estimated effect on the mortgage interest tax relief ceiling if the change is revenue neutral in 1988-89 and 1989-90.

Mr. Norman Lamont: For loans taken out from 1 August 1988, mortgage interest tax relief is limited to the interest on £30,000 per residence regardless of the number

of borrowers. Estimates of the yield arising from this measure were given in table 4·1 of the 1988-89 Financial Statement and Budget Report. The direct revenue cost of an increase of £1,000 in the ceiling for mortgage interest relief would exceed the yield from this measure.

Mr. Kirkwood: To ask the Chancellor of the Exchequer if he will publish in the *Official Report* a table showing by range of income estimates for 1988-89 and 1989-90 the number of tax units receiving mortgage interest tax relief, the average value per mortgagor and the total cost of the relief.

Mr. Norman Lamont: Latest estimates for 1988-89 are given in the table. These are based on projections to 1988-89 of information in the 1986-87 survey of personal incomes and the 1986 family expenditure survey and are provisional. The estimates include mortgages formerly under the option mortgage sheme which are now subsumed within MIRAS. The estimate of the cost of mortgage interest relief in 1988-89 takes account of the recently announced increases in the mortgage interest rate. It would be premature to provide estimates for 1989-90, since the cost of the relief will depend on the amounts of mortgage lending, interest rates and the 1989-90 income tax rates and bands.

Tax units[1] receiving mortgage interest relief by range of total income 1988-89

Range of total income	*Numbers receiving mortgage interest relief (Thousands)*	*Average value of relief to mortgagor (£)*	*Total cost of relief (£ million)*
Under £5,000	690	400	270
£ 5,000 to £10,000	1,830	510	930
£10,000 to £15,000	2,530	560	1,410
£15,000 to £20,000	1,740	590	1,020
£20,000 to £25,000	1,040	650	670
£25,000 to £30,000	480	810	390
Over £30,000	790	1,020	810
Total	9,100	600	5,500

[1] Single persons and married couples.

Mr. Sean Hughes: To ask the Chancellor of the Exchequer how many cases of multiple mortgage interest relief at source claims have been detected in each year since the inception of the scheme; and what amounts of money were involved.

Mr. Norman Lamont: It is tentatively estimated that about 500,000 single people are involved in multiple borrower mortgages. Figures on the total size of these loans are not available.

Mr. Sean Hughes: To ask the Chancellor of the Exchequer what amounts of money on *(a)* a national and *(b)* a regional basis have been paid in mortgage interest relief at source in each of the last five years and in respect of what number of properties and persons.

Mr. Salmond: To ask the Chancellor of the Exchequer if he will estimate the annual cost to the Treasury of mortgage interest tax relief; and if he will publish a table breaking down this figure by county and by region.

Mr. Norman Lamont *[holding answer 23 January 1989]:* The table shows the latest estimates of the cost of mortgage interest relief in the United Kingdom—including relief given outside the MIRAS system—and the number of tax units benefiting from this relief in each of the years 1984-85 to 1988-89. It is tentatively estimated that about 500,000 single people are involved in multiple borrower mortgages in respect of around 250,000 properties.

	Cost of mortgage interest relief (£ million)	*Number of tax[1] units with mortgage interest relief (thousands)*
1984-85	3,580	7,800
1985-86	4,750	8,100
1986-87	4,670	8,450
1987-88	[2]4,800	[2]8,750
1988-89	[2]5,500	[2]9,100

[1] Singles and married couples.
[2] Provisional.

Following the introduction of MIRAS in April 1983, regional information on the cost of mortgage interest relief cannot be extracted from Inland Revenue records. The regional distribution can be estimated from the family expenditure survey (FES) but, as the sample size for the FES is relatively small, it is not possible to provide robust estimates of regional trends for the period after 1982-83. Accordingly the table provides an estimate of the regional distribution of mortgage interest relief based on FES data from 1984 to 1986. Information on the distribution of relief by county is not available.

Regional share of mortgage interest relief based on FES data for 1984 to 1986

	Percentage
Northern	3·8
Yorkshire and Humberside	7·2
North West	9·3
East Midlands	6·3
West Midlands	7·8
East Anglia	3·5
Greater London	14·1
Other South East	26·6
South West	8·5
Wales	4·2
Scotland	7·4
Northern Ireland	1·3
United Kingdom	100·0

Taxation

Mr. Allen: To ask the Chancellor of the Exchequer which categories of individuals and families are paying a higher real level of total taxation now than in 1979.

Mr. Norman Lamont: People with the same level of real income as in 1978-79 will pay a lower proportion of their income in tax than in 1978-79 at all levels of income and for all household types for which estimates can be made.

Tax Collection Costs

Mr. Sean Hughes: To ask the Chancellor of the Exchequer what was the cost of administering the tax collection system in 1978-79 and 1987-88, in 1978-79 prices.

Mr. Norman Lamont: The current expenditure costs incurred by Inland Revenue and Her Majesty's Customs and Excise on administering taxes were £524 million in 1978-79 and £566 million in 1987-88 (in 1978-79 prices, deflated by the GDP deflator).

The figure for 1978-79 includes a high degree of estimation because part of the comparable expenditure was at that time borne on the votes of the PSA and the HMSO. In addition, both figures have been adjusted to exclude the estimated costs of activities which had no direct impact on the taxes collected during the two years; for example, the costs of the Inland Revenue's valuation office, except in so far as it provides valuations for tax purposes, and non-revenue work undertaken by Customs and Excise such as prevention of drugs smuggling.

Composite Tax Rate

Mr. Riddick: To ask the Chancellor of the Exchequer what proportion of composite rate tax revenue comes from non-taxpayers who are *(a)* male, aged above 65 years and *(b)* female, aged above 60 years.

Mr. Norman Lamont: I regret that information is not available in the form requested. Provisional results of a survey carried out in respect of 1986-87 provide some information related to age. It is estimated that between 8 and 9 per cent. of the composite rate tax then accounted for by savings institutions was due in respect of interest credited to recipients of age allowance (available where claimant or spouse is over 65) who would not have been liable to tax in the absence of a composite rate system.

Tax Revenue

Mr. Ralph Howell: To ask the Chancellor of the Exchequer what has been the total revenue from all types of taxation in cash terms, nominal terms, and as a percentage of gross domestic product for each period of five years since 1959.

Mr. Major: The available information is as follows:

Inland Revenue receipts (current prices)

(£ billion)

Five year average	*Total revenue*	*Income tax*	*Corporation tax*	*Capital gains tax*	*Capital transfer tax (Inheritance tax)*	*Stamp duties*	*Petroleum revenue tax*	*Other receipts*
1963-64 to 1967-68	4·6	3·3	0·5	0·0	—	0·0	—	0·4
1968-69 to 1972-73	8·1	5·6	1·5	0·1	—	0·1	—	0·7
1973-74 to 1977-78	17·1	13·4	2·6	0·4	0·1	0·3	—	0·4
1978-79 to 1982-83	33·9	24·5	4·8	0·5	0·4	0·7	1·9	0·6
1983-84 to 1987-88	54·6	35·8	10·9	1·0	0·8	1·5	4·6	0·0

Customs and Excise receipts (current prices[1])

(£ billion)

Five year average	*Total revenue*	*VAT (Purchase tax)*	*Car tax*	*Hydro-carbon oil*	*Tobacco*	*Alcohol duties*	*Other receipts*
1963-64 to 1967-68	3·5	0·6	—	0·8	1·0	0·6	0·4
1968-69 to 1972-73	5·1	1·2	—	1·4	1·1	0·9	0·5
1973-74 to 1977-78	9·2	3·2	0·1	1·8	1·6	1·6	0·9
1978-79 to 1982-83	21·4	9·9	0·5	3·8	2·9	3·0	1·6
1983-84 to 1987-88	38·0	19·7	0·9	6·7	4·4	4·6	2·2

[1] Prices prevailing at the time.

Other tax receipts (current prices[1])

(£ billion)

Five year average	*Vehicle Excise duty*	*National Insurance contributions*
1963-64 to 1967-68	0·2	1·7
1968-69 to 1972-73	0·4	2·7
1973-74 to 1977-78	0·8	7·1
1978-79 to 1982-83	1·4	14·4
1983-84 to 1987-88	2·4	24·9

[1] Prices prevailing at the time.

Inland Revenue receipts as a percentage of gross domestic product

(Percentage of gross domestic product)

Five year average	*Total revenue*	*Income tax*	*Corporation tax*	*Capital gains tax*	*Capital transfer tax (Inheritance tax)*	*Stamp duties*	*Petroleum revenue tax*	*Other receipts*
1963-64 to 1967-68	12·7	10·6	1·2	0·0	—	0·0	—	1·2
1968-69 to 1972-73	15·0	10·2	2·8	0·0	—	0·0	—	1·2
1973-74 to 1977-78	15·4	12·1	2·4	0·0	0·0	0·0	—	0·4
1978-79 to 1982-83	14·6	10·6	2·1	0·0	0·0	0·0	0·1	0·2
1983-84 to 1987-88	15·1	9·9	3·0	0·0	0·0	0·0	1·3	0·0

Customs and Excise receipts as a percentage of gross domestic product

(Percentage of gross domestic product)

Five year average	Total revenue	VAT (Purchase tax)	Car tax	Hydro-carbon oil	Tobacco	Alcohol duties	Other receipts
1963-64 to 1967-68	9·7	1·8	—	2·1	2·7	1·7	1·0
1968-69 to 1972-73	9·3	2·3	—	2·5	2·1	1·7	0·9
1973-74 to 1977-78	8·3	2·8	0·1	1·7	1·4	1·4	0·8
1978-79 to 1983-84	9·2	4·3	0·2	1·6	1·3	1·3	0·7
1983-84 to 1987-88	10·5	5·4	0·2	1·8	1·2	1·3	0·6

Other tax receipts as a percentage of gross domestic product

(Percentage of gross domestic product)

Five year average	Vehicle Excise duty	National Insurance contributions
1963-64 to 1967-68	0·6	4·5
1968-69 to 1972-73	0·8	5·0
1973-74 to 1977-78	0·7	6·3
1978-79 to 1983-84	0·6	6·2
1983-84 to 1987-88	0·7	6·9

Inland Revenue receipts in real terms (1987-88 prices)

(£ billion 1987-88 prices)

Five year average	Total revenue	Income tax	Corporation tax	Capital gains tax	Capital transfer tax (Inheritance tax)	Stamp duties	Petroleum revenue tax	Other receipts
1963-64 to 1967-68	33·2	25·7	3·2	0·0	—	0·6	—	3·1
1968-69 to 1972-73	44·3	30·5	8·4	0·7	—	0·8	—	3·7
1973-74 to 1977-78	51·3	40·1	7·9	1·1	0·3	0·8	—	1·1
1978-79 to 1982-83	51·8	37·6	7·3	0·8	0·7	1·0	2·9	0·8
1983-84 to 1987-88	60·0	39·1	11·9	1·0	0·9	1·7	5·0	0·0

Customs and Excise receipts in real terms (1987-88 prices)

(£ billion 1987-88 prices)

Five year average	Total revenue	VAT (Purchase tax)	Car tax	Hydro-carbon oil	Tobacco	Alcohol duties	Other receipts
1963-64 to 1967-68	25·1	4·7	—	5·6	7·1	4·5	2·6
1968-69 to 1972-73	27·7	6·7	—	7·4	6·2	5·1	2·6
1973-74 to 1977-78	27·6	9·5	0·5	5·5	4·8	4·7	2·7
1978-79 to 1982-83	32·8	15·2	0·8	5·8	4·5	4·6	2·4
1983-84 to 1987-88	41·6	21·6	0·9	7·3	4·8	5·1	2·4

Other tax receipts in real terms (1987-88 prices)

(£ billion 1987-88 prices)

Five year average	Vehicle Excise duty	National Insurance contributions
1963-64 to 1967-68	1·6	12·0
1968-69 to 1972-73	2·4	14·9
1973-74 to 1977-78	2·3	21·1
1978-79 to 1982-83	2·2	22·0
1983-84 to 1987-88	2·6	27·2

Source: CSO, Financial Statistics, Economic Trends.

Tax and National Insurance Revenue

Mr. Ralph Howell: To ask the Chancellor of the Exchequer what has been the overall revenue from taxation plus national insurance contribution in cash terms, real terms, and as a percentage of gross domestic product for each period of five years since 1959.

Mr. Major: The available information is as follows:

Total revenue from taxation plus national insurance contributions in current prices, real terms and as a percentage of GDP

Five year averages £ billion	Total taxes and NICs (current prices[1])	Total taxes and NICs in real terms (1987-88 prices)	Total taxes and NICs as a per cent. of GDP
1963-64 to 1967-68	11·4	81·1	31·1
1968-69 to 1972-73	19·0	103·9	34·9
1973-74 to 1977-78	39·1	117·1	35·2

Five year averages £ billion	*Total taxes and NICs (current prices[1])*	*Total taxes and NICs in real terms (1987-88 prices)*	*Total taxes and NICs as a per cent. of GDP*
1978-79 to 1982-83	86·0	131·7	37·0
1983-84 to 1987-88	139·2	152·2	38·4

[1] prices prevailing at the time.
Source: CSO, Financial Statistics Economic Trends.

Government Investment

Mr. Ralph Howell: To ask the Chancellor of the Exchequer what has been general Government investment in cash terms, real terms and as a percentage of gross domestic product for each period of five years since 1959.

Mr. Major: Information, as available, based on national accounts data, is as follows. Figures are given on two bases—expenditure on fixed assets, and the conventional national accounts measure of gross domestic fixed capital information (GDFCF). GDFCF is defined as expenditure on fixed assets minus sales of fixed assets. Constant price estimates of expenditure on fixed assets are not readily available.

	General Government		*£ million*	*General Government*	
	Expenditure on fixed assets (1)	*GDFCF (2)*	*GDFCF at 1985 prices (3)*	*'investment' as a percentage of GDP (A)* [1] *(4)*	[1] *(5)*
1959-63	4,763	4,763	[2]—	3·5	3·5
1964-68	8,742	8,742	51,201	4·6	4·6
1969-73	13,928	13,695	59,320	4·7	4·6
1974-78	25,211	24,272	49,216	4·0	3·9
1979-83	33,654	25,244	28,485	2·7	2·0
1984-87[3]	37,167	26,940	26,885	2·5	1·8

[1] Col (4) is col (1) as percentage of GDP (A) at market prices
Col (5) is col (2) as percentage of GDP (A) at market prices
[2] Not available
[3] Four-year period

PAYE (Computerisation)

Mr. Shersby: To ask the Chancellor of the Exchequer what changes have been made by the Inland Revenue in the proposed method of computerising pay-as-you-earn following recent changes in taxation or related matters; whether the original plans are still expected to achieve the cost/benefits anticipated; and what is the expenditure of public funds involved.

Mr. Norman Lamont *[holding answer 25 January 1989]:* The Inland Revenue's computer system for PAYE was designed in such a way as to be able to handle changes of the kind that have been made in the personal tax system with the minimum of adaptation. The computer system will, in particular, make it possible to introduce independent taxation in 1990 after some necessary systems and re-progamming work. The existing PAYE and schedule D computerisation project is still expected to produce staff savings of some 6,800, of which some 5,800 will have been secured by April 1989 and the bulk of the remainder by April 1990. The estimated total cost of developing and installing the system is about £340 million in 1987 prices. The system is already producing estimated savings of over £15 million in the current financial year and this figure is expected to be more than doubled in 1989-90.

Mr. Shersby: To ask the Chancellor of the Exchequer what progress has been made on the computerisation of pay-as-you-earn by the Inland Revenue; what is the starting date for phase two relating to schedule D and corporation tax; what delays have been experienced; and what has been the cost in relation to staff time and consultants' fees.

Mr. Norman Lamont *[holding answer 25 January 1989]:* The computerisation of PAYE was completed as planned in October 1988 with the conversion of centre 1 at East Kilbride to the new on-line system. The computerisation of schedule D assessing is already operating over most of the country and is on schedule for completion in Scotland by April 1989. The precise timetable for introducing the new system for corporation tax is dependent on the new computerised collection and accounting system, phased implementation of which is planned to begin in 1990. Staff time associated with system development and implementation of the PAYE and schedule D projects amounted to some 6,000 man years and around £24 million at 1987 prices in consultants fees.

Capital Gains Tax

Mr. Tim Smith: To ask the Chancellor of the Exchequer what information he has about the rate of capital gains tax levied on unquoted investments in each of the Group of Seven countries.

Mr. Norman Lamont *[holding answer 24 January 1989]:* The information requested is given in the table, which is supplemented by notes. The rates quoted relate to capital gains on the sale of investments in general since there is no evidence available to suggest that the countries listed distinguish between gains on quoted and unquoted investments.

Country	*Nominal rates of tax on gains of*	
	Individuals	*Companies*
Canada[1 2 3]	17-29 per cent. plus provincial tax	28 per cent. plus provincial tax
France [4 5]	16 per cent. or 5-56·8 per cent.	15 per cent. or 42 per cent.
Germany[6]	22-56 per cent.	56 per cent.

Country	Nominal rates of tax on gains of Individuals	Companies
Italy[7 8 9]	12-62 per cent. plus 16·2 per cent. local tax	36 per cent. plus 16·2 per cent. local tax
Japan[10]	10·5-60 per cent. plus inhabitants tax (5-16 per cent.)	42 per cent. plus inhabitants tax (17·3-20·7 per cent.)
United Kingdom[11]	25 and 40 per cent.	25 and 35 per cent.
USA[12]	15 and 28 per cent. plus state tax	15-34 per cent. plus state tax

[1] In Canada, two thirds (three-quarters from 1990) of the post-1971 gains are included in the individual's or company's income and taxed at the appropriate income tax rates.
[2] Provincial rates of tax vary. The rate in Ontario (the most populous province) is 52 per cent. of federal tax for individuals and 10-15·5 per cent. of gains for corporations.
[3] An individual may claim a deduction equal to taxable capital gains up to a cumulative life-time maximum of $250,000 (£117,370 at latest available purchasing power parities (ppp) rate).
[4] In France the reduced rate of 16 per cent. applies if sale takes place more than two years after acquisition and if the shares constitute a substantial interest in a resident or non-resident company (ie where the shareholder has held more than 25 per cent. of the company's share capital at any time during the preceding five years).
[5] The reduced rate of 15 per cent. applies to long-term gains of companies, provided the net balance is allocated to a "special long-term gain reserve".
[6] In Germany the gains of individuals are subject to income tax if the securities were held as business assets or if they are sold less than six months after acquisition. Gains amounting to less than DM 1,000 (£274 at latest ppp rate) are not taxable.
[7] In Italy gains of individuals are subject to tax only if the shares were held as business assets or are sold within five years of acquisition and, in the case of unquoted companies, exceed 10 per cent. of the company's capital.
[8] In Italy corporate gains are not taxed if they are allocated to a special reserve and are re-invested within two years.
[9] In Italy local tax is deductible when calculating national income tax. The effective rates, including the local tax, are 46·4 per cent. for corporations and 26·2-68 per cent. for individuals.
[10] In Japan gains by individuals are only taxable if deemed business transactions. They are subject to a deduction of 500,000 yen (£1,423).
[11] In the United Kingdom the charge is confined to post-1982 indexed gains. Individuals are exempt from tax on gains not exceeding £5,000.
[12] In the USA most states impose a state tax on both individuals and corporations. For example in California (the most populous state) the maximum state tax of 9·3 per cent. produces an effective maximum rate of approximately 34 per cent. for individuals and 40 per cent. for companies.

Mr. Viraj Mendis

Mr. Nicholas Bennett: To ask the Chancellor of the Exchequer what information he has as to any income tax payments made by Mr. Viraj Mendis since 1973.

Mr. Norman Lamont *[holding answer 24 January 1989]*: Such information is confidential.

Corporation Tax

Mr. David Shaw: To ask the Chancellor of the Exchequer what is his estimate of the cost of abolishing mainstream corporation tax in 1989-90 and 1990-91, and of maintaining the rate of corporation tax at the rate of advanced corporation tax.

Mr. Norman Lamont *[holding answer 23 January 1989]*: The revenue cost of reducing the main rate of corporation tax to 25 per cent. would depend on the level of taxable profits earned in future years and on companies' behavioural response to the change. The rate of corporation tax applicable to company incomes in the year from 1 April 1988 was set at 35 per cent. in the 1988 Finance Act. Had the rate been set at 25 per cent. and taking the level of income in the year as given, it is estimated that receipts would be about £4¼ billion lower in 1989-90 and £6¼ billion lower in 1990-91. The revenue cost of abolishing mainstream corporation tax so that tax would be charged only on company distributions by way of advance corporation tax would be considerably more than this.

FOREIGN AND COMMONWEALTH AFFAIRS

Turkey (Torture)

Mr. Steinberg: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will raise with the Turkish Government the Amnesty International reports on torture in that country; and if he will press the Turkish authorities to grant all prisoners immediate access to lawyers, doctors and relatives.

Mr. Waldegrave: My right hon. Friend the Minister of State raised Amnesty International's allegations of human rights abuse with the Turkish ambassador on 12 December. We continue to urge the Turkish Government to maintain the recent improvements in human rights, and to live up to internationally accepted standards concerning the treatment of prisoners.

Departmental Staff (Child Care)

Ms. Richardson: To ask the Secretary of State for Foreign and Commonwealth Affairs what child care provision his Department provides for pre-school age children of his Department's employees; what child care provision for school holiday or after school care, is provided for employees' children aged five years and over; and what plans there are for increasing provision in the next five years; and how these are to be funded.

Mr. Waldegrave: Children of school age of employees in the diplomatic and aid wings of the FCO have been registered to take part in play schemes to be run in Westminster during school holidays in 1989 beginning in February. Both wings will contribute to the setting up fund for the scheme.

A study will shortly be made into the demand for and feasibility of providing permanent creche facilities for younger children of FCO-ODA staff in the Whitehall area. This study will include options for funding.

Child care provision at other locations is also being considered.

US Senate (Reports)

Mr. Amess: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) if he will seek to obtain the hearings and reports from the United States Senate on Senate Bill 158 of the 97th Congress, session one; if he will place any such hearings and reports in the Library; and if he will make a statement;

(2) if he will seek to obtain the hearings and reports from the United States Senate on Senate joint resolution 110 of the 97th Congress, session one; if he will place any such hearings and reports in the Library; and if he will make a statement.

Mr. Waldegrave: Her Majesty's embassy in Washington is looking into the possibility of obtaining these documents, and I shall write to my hon. Friend in due course.

Helsinki Final Act

Mr. Greg Knight: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on progress in the implementation by the Soviet and Eastern European countries on the provision of the Helsinki final act during the last six months.

Mr. Waldegrave: We have recently prepared a report on Soviet and East European implementation of their CSCE commitments for the period July to December 1988. Copies will be deposited in the Library of the House.

Caribbean (Drug Trafficking)

Mr. Page: To ask the Secretary of State for Foreign and Commonwealth Affairs what progress Her Majesty's Government are making in assisting dependent territories to combat drug trafficking in the Caribbean.

Mr. Eggar: Following the review, which HMG conducted in 1986 in the British dependent territories of the Caribbean a number of steps have been taken to help the local Governments combat drugs and narcotics trafficking. We have provided a police launch for the British Virgin Islands and a drugs surveillance aircraft between the Turks and Caicos Islands and British Virgin Islands, built safe repositories for seized drugs, and supplied sniffer dogs for local police and customs forces. Local drugs squads have been established and strengthened with United Kingdom personnel, and advisers have been appointed to carry out drug awareness customs training courses. Drugs intelligence gathering systems are being set up throughout the territories.

Particular emphasis has been placed on the introduction or strengthening of appropriate legislation. All the Caribbean dependent territories are in the process of passing legislation akin to the United Kingdom's Drugs Trafficking Offences Act.

The total value of this assistance to date is over £¼ million. Further aid in the pipeline will provide more launches and rummage equipment for the customs services.

These efforts have already yielded success. On 9 January the BVI drugs squad, in a joint operation with the United States Drugs Enforcement Agency seized 150 kg of cocaine, $60,000, three boats and arrested 18 persons on drugs trafficking charges. Earlier last year the same squad acting independently seized 470 kg, one aircraft and arrested two persons in one operation.

Drugs trafficking is an international problem which requires an international effort, and HMG are determined to ensure that none of their dependent territories become the weak link in the chain.

ENVIRONMENT

Water Purification

Mr. Spearing: To ask the Secretary of State for the Environment what recent regulations or recommendations have been made in respect of the nature of soaps and detergents and their effects on the efficacy of water purification works; what current investigations are being made into this topic; and if he is contemplating further advice or regulation.

Mr. Moynihan: There have been no recent regulations or recommendations in respect of the nature of soaps and detergents and their effects on the efficacy of waste purification works, and my Department is not currently contemplating any action in this area.

Water Pollution

Mrs. Wise: To ask the Secretary of State for the Environment if he will inquire into the cause of the escape into public waters of a considerable quantity of uranyl nitrate, suspension of uranium, from the Springfields plant of British Nuclear Fuels plc; and if he will make a statement as to its possible effects and remedies.

Mr. Moynihan: The circumstances surrounding this occurence are currently under investigation by Her Majesty's inspectorate of pollution of my Department and the nuclear installations inspectorate of the Health and Safety Executive. Initial investigations have shown that a relatively small amount of uranium was released to the site foul drain which discharges to the local sewage works. Results from on-site monitoring and analysis of samples from the sewage sludge have shown levels of radioactivity to be below normal background levels and radiologically insignificant.

Local Authorities (Company Interests)

Mr. Simon Hughes: To ask the Secretary of State for the Environment how many organisations commented on the Government's consultation paper on local authorities' interests in companies, published in June 1988; whether he will list the names of the organisations that submitted comments; when the Government expect to publish their response to these comments; and whether he will make a statement.

Mrs. Virginia Bottomley: Over 200 responses have been received to the consultation paper. We propose to publish a summary of the points made in the responses shortly, with the Government's comments on them. We shall include a list of those who submitted responses.

Inner London Education Authority

Mr. Blunkett: To ask the Secretary of State for the Environment if he will direct the chair of the London residuary body to provide adequate, heated accommodation for the county hall-based employees of the Inner London education authority prior to that body's wind-up.

Mr. Virginia Bottomley: No. The day-to-day running of county hall is a matter for the London residuary body.

Water Authorities (Chairmen)

Mr. Blunkett: To ask the Secretary of State for the Environment what remuneration is made to the chairs of water authorities.

Mr. Moynihan: The annual salaries of the chairmen of the regional water authorities in England are as follows:

Authority	Remunerations £
Anglian	40,800
Northumbrian	28,500
North West	45,600
Severn-Trent	45,600
Southern	40,800
South West	47,500
Thames	45,600
Wessex	38,000
Yorkshire	51,000

These salaries reflect the chairmen's differing time inputs as well as other factors.

Chairmen and executive members are also eligible for annual bonuses if their authorities achieve or exceed the performance targets set out for them by the Government. Details of the bonuses paid to chairmen in respect of the financial year 1987-88 were given by my right hon. Friend, in reply to a question from the hon. Member for Copeland (Dr. Cunningham) on 12 January at column *742*.

Planning (London)

Mr. Tony Banks: To ask the Secretary of State for the Environment when he expects to respond to the advice on strategic planning guidance in London submitted to him by the London planning advisory committee; and if he will make a statement.

Mr. Chope: My right hon. Friend is preparing strategic planning guidance for London which will be published in draft for consultation in the near future. The draft guidance will take into account the advice submitted to my right hon. Friend by the London planning advisory committee.

Greater London Council

Mr. Tony Banks: To ask the Secretary of State for the Environment if he will list the bodies now carrying out the functions previously carried out by the Greater London council.

Mrs. Virginia Bottomley: The destinations of functions formerly carried out by the GLC were set out in my Department's circular 8/86. A copy is available in the Library. Of these functions which passed from the GLC to the London residuary body, Thamesmead has been sold to Thamesmead Town, and Seaside and Country Homes to the North British housing association.

County Hall, London

Mr. Tony Banks: To ask the Secretary of State for the Environment what are the reasons for the delay in announcing the completion of the contract between the London residuary body and the county hall developement group consortium; when an announcement will be made; and if he will make a statement .

Mrs. Virginia Bottomley: The timing of an announcement is for the parties concerned.

Plant and Machinery (Rating)

Mr. Forman: To ask the Secretary of State for the Environment how he intends to use powers under the Local Government Finance Act 1988 to prescribe what items of plant and machinery should be rated; and if he will make a statement.

Mr. Gummer: For the 1990 revaluation we propose to re-enact the provisions contained in the Plant and Machinery (Rating) Order 1960 (SI 1960 No. 122), as amended, together with the relevant provisions contained in the General Rate Act 1967. My right hon. Friends, the Secretaries of State for Scotland and for Wales, and I recognise that in the longer term there is a need to consider ways of securing a fuller harmonisation of the valuation treatment of plant and machinery in the different parts of Great Britain. Consideration will also be given to the need to review the provisions of the 1960 order more generally.

Heritage (Protection)

Mr. Redmond: To ask the Secretary of State for the Environment what legislation he intends to introduce to protect Britain's archaeological sites from destruction by developers in the light of forthcoming directives from the EEC; if he will be providing for archaeological surveys to be made before developers commence work; and what further protection he will give to save Britain's heritage.

Mrs. Virginia Bottomley *[pursuant to her reply, 23 January 1989, c. 454]:* The regulations which brought the EC directive on environmental assessment on 15 July 1988, require environmental statements to be prepared by developers and considered by the relevant public bodies before planning permission may be given for certain major projects.

The effects of proposals on the cultural heritage are one of many items which must be covered by an environmental statement. The regulations relate only to developments which are likely to have significant environmental effects. If an ancient monument is scheduled any works which would affect it need scheduled monument consent from my right hon. Friend the Secretary of State. In appropriate cases, consent may be given subject to conditions relating to archaeological investigation or recording. In other cases the provision for archaeological investigation or recording is a matter between developers, local planning authorities and archaeologists.

It has always been open to local planning authorities to consider the archaeological implications of development and impose conditions that are both appropriate and reasonable in the circumstances of the case on any planning permission that may be granted. It is my right hon. Friend's policy to encourage close links between developers, archaeologists and local planning authorities as a means of ensuring appropriate protection for non-scheduled sites.

HEALTH

In-patient Treatment

Mr. Devlin: To ask the Secretary of State for Health what was the lowest and the highest average cost of in-patient treatment in a district health authority in the latest year for which figures are available.

Mr. Freeman: Information within hospitals costing returns for health authority managed hospitals is published in aggregated tables of average treatment costs by type of hospital for health regions and England in the Department's annual publication "Health Services Costing Returns" (the latest being for 1986-87), copies of which are held in the Library.

All hospitals are classified for costing purposes into one of a series of standard types which reflect the principal use to which their beds are allocated. Although in-patient treatment costs may vary between hospitals of the same type, those categorised "pre-convalescent", "convalescent" or "mental handicap" generally have lower average costs, while higher average costs are usually incurred at hospitals within such categories as "acute", "childrens acute" and "eye".

The published regional summary tables for 1986-87 show that an average cost per in-patient day of £17·45 was incurred by a convalescent hospital, whilst among the highest individual hospital average costs recorded was £238·68 per inpatient day for Papworth hospital, Cambridgeshire.

General Practitioners

Mr. Steinberg: To ask the Secretary of State for Health what was the average list size of general medical practitioners in the Northern health authority at 1 October 1988; what was this figure as a percentage of the United Kingdom average; and what proportion of general practitioners in the Durham area health authority had lists longer than the United Kingdom average.

Mr. Mellor: The information requested is collected from family practitioner committees, which are not necessarily conterminous with health authority boundaries, and aggregated by region. As at 1 October 1987 (the latest date for which figures are available) the average list size for northern region was 2,002 patients per unrestricted general medical practitioner. This is 99 per cent. of the average list size for England (2020). A total of 54 per cent. of unrestricted general medical practitioners in the area covered by the Durham family practitioner committee (which includes Durham district health authority) had lists greater than the England average. The average list size for the United Kingdom was 1965 and the corresponding percentages were 102 per cent. and 60 per cent. respectively.

Pre-cooked Chilled Food

Ms. Walley: To ask the Secretary of State for Health if he has any plans to extend the new guidelines with regard to pre-cooked chilled foods to make reference to chilled food sold in supermarkets.

Mr. Kenneth Clarke: No. These guidelines are specific to catering operations. However we are preparing separately guidelines for retailed chilled foods which will be issued as soon as possible.

Child Sexual Abuse (Research)

Mr. Allen: To ask the Secretary of State for Health if he will list the research on child sexual abuse undertaken by his Department *(a)* since 1979, *(b)* currently undergoing, and *(c)* planned for the future together with the amount of money spent or allocated in each instance; and if he will make a statement.

Mr. Mellor: The information is as follows:

Title abstract of project	*Period of support*	*Costs £*
(a) Completed		
1. *Decision making in the protection of children* A study of the decision making process and interagency working in cases of children at risk of abuse (mainly physical but includes sexual abuse)	1978-81—Dr. R. Dingwall	29,300
2. *Child abuse in an English local authority* A study of the characteristics identification, social work management and treatment of children at risk (concerned with physical, but includes sexual abuse)	1979-82—Dr. R. Banon	96,300
3. *A study to modify parent child interaction in abusive families* A controlled trial of a focussed casework approach to the treatment of child abuse (physical and sexual) comparing two contrasting therapies	1983-86—Prof. A. R. Nicol	32,400
4. *Professional intervention in child abuse* The aims of this study were to examine and evaluate literature on intervention strategies in cases of child abuse (physical and sexual) and to provide a sythesis of present knowledge of value to those working in the field	1985-87—Dr. F. Boddy, Dr. D. Gough	23,800
(b) Current		
1. *Intervention in child sexual abuse* This study will look at characteristics and outcome of a treatment programme provided to the victims of child sexual abuse and their families	1987-89—Dr. A. Bentovin, Prof. P. Graham	225,000
2. *Normal sexual knowledge in children* The aim is to collect systemation and reliable information on: (i) sexual knowledge in children (ii) normal behaviour in families A second aim of the study is to see whether children in the community can be distinguished from children who have been sexually abused on the basis of their sexual knowledge and behaviour	Dr. M. Smith	
3. *A study of co-ordination in child abuse* A study which aims to look at the policies and practice of interagency co-ordination in child abuse (physical-sexual)	1988-92—Dr. C. Hallet	130,000
4. *Decision making intervention and outcomes in respect to children at risk of abuse*	1988-93—Ms. E. Farmer	155,000

Title abstract of project	Period of support	Costs £
The aims of this study are to explore the process of decision making and intervention in relation to a group of children at risk of abuse in two local authorities and to relate these outcomes		
(c) Projects under consideration		
1. *Parental perceptions in child abuse* The aims of this study are to gain a greater understanding of the perceptions of parents of the process in cases of suspected child abuse	2½ years	140,000
2. *Feasibility of a prevalence study* This will examine the feasibility of a study to provide reliable estimates of the scale of sexual abuse of children in England and Wales	2 years	30,000
3. *Parental participation in child protection case conferences* This project would evaluate the object of parental participation in child protection case conferences both in terms of the impact on the children and the parents and in terms of the decision making process	3 years	100,000
4. *A study of the patterns of use of child protection registers* This study would examine how registers are used—their use by practitioners	3 years	120,000
5. *Computer based techniques in diagnosis* This project would aim to develop computer based techniques to assist in obtaining case histories from the victims of child sexual abuse and to facilitate interaction between them and counselling in a therapeutic context	4 years	200,000
6. *Evaluation of interdisciplinary training* Following a recommendation of the Cleveland Enquiry this study would develop methods of interdisciplinary training	2 years	50,000
7. *Perpetrators of child sexual abuse* This project would identify the social characteristics of abusers; their personal history (eg victims of abuse as a child); and the numbers and relationship of their victims	3 years	60,000

Aluminium

Mr. Ashley: To ask the Secretary of State for Health (1) what information he has on research into the levels of aluminium in medical products such as antacids; by whom the research was conducted; and whether the levels found were considered to be harmful or not;

(2) what information he has as to about which illnesses or complaints there have been reports of a possible association with aluminium, for which the ingestion of aluminium is not recommended;

(3) if he will make a statement on the known risks of ingesting aluminium; and if he will list the foods, drinks and other products which are suspected of containing an undesirable high level of the element.

Mr. Freeman: Aluminium and its salts are of low toxicity and have various approved uses in medical practice and in the food and water industries.

Aluminium hydroxide and other aluminium salts are widely used in medicinal products as antacids in the treatment of gastro-intestinal disease. I am not aware of any recent research in this area since their effects are widely known and they are regarded as extremely safe. However, in a very few patients with pre-existing depletion of body phosphate, this condition can be worsened, leading to osteomalacia (softening of the bone); advice to doctors on antacids is that they should not be used for these patients.

In-patients with renal failure, who have high body phosphate, aluminium hydroxide is used as a binding agent to limit uptake of phosphate from the intestine. In severe cases, very large doses are used and it is recognised that this may contribute toward encephalopathy and osteomalacia, and that very careful monitoring is required.

Renal dialysis with fluid high in aluminium is liable to cause encephalopathy and osteomalacia because the aluminium readily enters the bloodstream, unlike ingested aluminium. Levels of aluminium in licensed dialysis products (such as peritoneal dialysis solutions) are controlled to below the limits defined in EC resolution 86/C184/04 of 16 June 1986. These limits are applied by the United Kingdom licensing authority when approving product licence applications. For other categories of licensed medicines, the monitoring and control of aluminium and other metals is kept under review by the licensing authority and the Committee on Safety of Medicines.

No disease is known to be caused either by natural presence of aluminium or as a result of the approved use, in food or drinking water. No food or drink, including tap water, normally contains an undesirably high level of this element. However, rare incidents of gross contamination of water with certain salts of aluminium have caused acute outbreaks of diarrhoea and vomiting.

A hypothesis that aluminium may have a role in the causation of Alzheimer's disease is currently being studied. Recent evidence of a geographical association between levels of aluminium in drinking water and the disease is assessed by the Department's independent expert advisers, in agreement with the authors of the study, as too tentative to justify changes in usage; further research along several lines is in hand.

Reports of a number of persistent ill effects following a recent incident of gross contamination of water by aluminium sulphate are now to be considered by an advisory group of independent medical and scientific experts.

Mr. Ashley: To ask the Secretary of State for Health what information he has on research into the levels of aluminium in *(a)* tea, *(b)* soft drinks *(c)* acid foods cooked in aluminium pans and *(d)* food wrapped or packed in aluminium foil or containers; who conducted the research in each case; and if the levels found were considered harmful or not.

Mr. Freeman: In a recent study conducted by the Ministry of Agriculture, Fisheries and Food, tea infused in a pyrex container using distilled water was found to contain between 2·2 and 5·5 milligrams of aluminium per litre.

The Camden Food Preservation Research Association has measured aluminium in a variety of soft drinks, where levels ranged from 0·3 to 1·3 mg per kg.

I understand that an independent study has shown that cooking in aluminium pans makes only a small contribution to the dietary intake of aluminium. Further details of dietary aluminium levels are given in food surveillance paper No. 15, "Survey of Aluminium, Antimony, Chromium, Cobait, Indium, Nickel, Thallium and Tin in Food", a copy of which I have placed in the Library.

There is no evidence that aluminium in food is harmful.

Broadmoor Hospital

Ms. Abbott: To ask the Secretary of State for Health whether his Department will review the practices of Broadmoor hospital in relation to the administering of injections to violent patients, in the light of the death of Mr. Joseph Watts.

Mr. Freeman: I wish to extend to the relatives of Mr. Watts my deepest sympathy over his most unfortunate death. I have asked the Broadmoor hospital management team to report to me quickly on the action they propose to take in response to the coroner's findings following the inquest. I shall give the hospital's proposals my urgent consideration.

Basingstoke and North Hampshire Health Authority

Mr. Hunter: To ask the Secretary of State for Health how many people have lived in the Basingstoke and North Hampshire health authority district in each year since the formation of that health authority; and what has been the percentage change each year.

Mr. Freeman: The information requested is as follows:

Basingstoke and North Hampshire district health authority area

Year	*Mid year estimate of usually resident population (Thousands)*	*Change from preceding year (per cent.)*
1982	203·2	+0·7
1983	206·8	+1·8
1984	210·9	+2·0
[1]1985	214·4	+1·7
1986	215·0	+0·3
1987	217·2	+1·0

[1] Number of armed forces dependants reassessed.
Source: OPCS monitors in PP1 series.

Health Authorities

Mr. Blunkett: To ask the Secretary of State for Health what remuneration is made to chairs of regional and district health authorities.

Mr. Mellor: They are entitled to remuneration which currently stands at £11,868 a year. They may as an alternative choose to claim financial loss allowance. Chairmen are also entitled to claim travelling and subsistence allowances.

Otosporin

Mr. Sayeed: To ask the Secretary of State for Health whether he intends to make representations to Burroughs Wellcome to reduce the cost of the drug Otosporin from the £4·09 currently charged to the National Health Service to a figure nearer the 94p charged for the same quantity of the drug in Spain; and whether he intends to make spot checks on the cost of other drugs in Europe that are on the National Health Service limited list.

Mr. Mellor: The prices of medicines purchased by the National Health Service are not set by individual comparison with prices charged in other countries. Prices in different countries vary for a wide range of reasons, including varying levels of consumption and different pricing arrangement adopted by Governments. In the United Kingdom, the pharmaceutical price regulation scheme regulates the overall profit obtained by pharmaceutical companies on their business supplying the National Health Service, and medicine costs are in the middle band among European states.

AIDS

Mr. Sayeed: To ask the Secretary of State for Health why AIDS is not a notifiable disease.

Mr. Mellor: We do not consider that there are any strong public health grounds for making AIDS a notifiable disease. To do so would be unlikely to improve the present reporting system or to assist health professionals in their work. Notification might also deter people from seeking help, and so drive the infection underground.

Lowermoor Incident Health Advisory Group

Mr. Neale: To ask the Secretary of State for Health whether he will give further details on the work proposed for the Lowermoor incident health advisory group; and when he will be able to report on the progress of its inquiry.

Mr. Freeman: The Lowermoor incident health advisory group has been asked to advise comprehensively on the health of the people living in the Camelford area following the contamination of their drinking water at Lowermoor in July 1988. They will give the fullest possible consideration to the question whether there may be any long-term effects on the local population's health and will consider fully the feasibility of any forms of research or monitoring which might help in considering those questions.

The advisory group will visit the Camelford area during the course of its inquiry. I will write to my hon. Friend by the end of March to inform him of the progress made by the advisory group.

Meningitis

Mr. Harry Barnes: To ask the Secretary of State for Health, pursuant to his answer to the hon. Member for Derbyshire, North-East in the *Official Report*, 23 January on meningitis in the North Derbyshire health authority, if he will make a statement on the 11 notified cases of meningococcal meningitis in the North Derbyshire area since October 1988.

Mr. Freeman *[holding answer 26 January 1989]:* I understand that there is no obvious connection between the cases of meningococcal meningitis identified recently in north Derbyshire. They have affected different ages and have come from widely separated places within the district.

Where meningococcal infection has been suspected, close contacts of the patient have been given antibiotic treatment in accordance with the DHA's control of infection procedures. All general practitioners and school doctors in the district have been advised of the situation, which is being closely monitored.

Cook-Chill Foods

Mr Shersby: To ask the Secretary of State for Health what regulations exist concerning good practice in the manufacture of cook-chill foods; if he has any plans to introduce further measures to ensure safe manufacturing procedures; and if he will make a statement.

Mr. Kenneth Clarke *[holding answer 23 January 1989]:* The Food Hygiene (General) Regulations 1970 apply to the manufacture of such foods. My Department's guidelines on pre-cooked chilled food in catering provide detailed guidance to ensure the safety of food produced by this system. We are preparing guidelines on good practice in the manufacture, distribution and storage of cooked-chilled food sold in retail outlets.

ENERGY

Mining Subsidence

Mr. Allen: To ask the Secretary of State for Energy what assistance his Department offers to people who suffer from problems caused by mining subsidence.

Mr. Michael Spicer: The day-to-day management of the subsidence repair and compensation system is a matter for British Coal. However, the Department publishes a widely available leaflet, "Coal Mining Subsidence Damage: A Guide to Claimants' Rights" which advises claimants on how to pursue their claims.

Deep-mined Coal

Mrs. Golding: To ask the Secretary of State for Energy what information he has available of the likely contraction of manpower on the deep-mined coal industry in the current year; and if he will indicate the areas affected.

Mr. Michael Spicer: I refer the hon. Member to the answer given to the hon. Member for Kilmarnock and Loudoun (Mr. McKelvey) on 12 December 1988 at column *477*.

Departmental Staff (Child Care)

Ms. Richardson: To ask the Secretary of State for Energy what child care provision his Department provides for pre-school age children of his Department's employees; what child care provision, for school holiday or after-school care, is provided for employees' children aged five and over; what plans there are for increasing provision in the next five years; and how these are to be funded.

Mr. Michael Spicer: My Department does not provide child care facilities and has no present plans for doing so.

SOCIAL SECURITY

Dental Charges

Mr. Kirkwood: To ask the Secretary of State for Social Security if he will publish a list for each month during which the new centralised system of claiming payments for dental charges on form AGI has been in operation, showing the average time taken to process the claim in that month, together with a list of the average time of processing similar claims for the last six months of the previous locally based system.

Mr. Peter Lloyd: The only available information about average clearance times of claims dealt with by the agency benefits unit was given in my replies to the hon. Members for Edinburgh, South (Mr. Griffiths) and for Angus, East (Mr. Welsh) on 18 July 1988 and 13 January 1989 at column *489* and columns *246-48* respectively. No information is available about the clearance times of claims dealt with under the previous system.

Family Income Supplement

Mr. Robin Cook: To ask the Secretary of State for Social Security how many families were receiving family income supplement in November 1986, December 1986, November 1987 and December 1987.

Mr. Peter Lloyd: A total of 221,000 families received payments of family income supplement for November 1986, and 218,000 for December 1986. These figures include all families who received payments for the months shown even though they may not have received them until later. They are therefore not strictly comparable with family credit figures which are based on the number of awards actually in payment at the end of the relevant month. Reliable information is not available for 1987.

Social Security Changes

Mr. Robin Cook: To ask the Secretary of State for Social Security what progress has been made in his Department's research on the impact of the April 1988 social security changes; and when the results will be published

Mr. Scott: Monitoring and evaluation of the impact of the April 1988 social security changes is a continuing process based on a wide range of detailed statistical information. Much of this is routinely published in the annual statistical inquiry, social security statistics and the monthly statistics on the social fund. The first annual statistical survey on the reformed housing benefit scheme will be published later this year.

In addition, detailed research projects are being commissioned on some subjects such as the effects of the

income support earnings rules and the extent to which the social fund is meeting its objectives. Decisions on publication will be made at the appropriate time.

Disabled People

Mr. Robin Cook: To ask the Secretary of State for Social Security when he expects to respond to the Social Security Advisory Committee's report on the disabled.

Mr. Nicholas Scott: I refer the hon. Member to my reply to the hon. Member for Carmarthen (Mr. Williams) on 19 December 1988 at columns *114-15*.

Community Care

Mr. Allen: To ask the Secretary of State for Social Security whether his Department is continuing to monitor the level of underspending on community care grants; and if he will make a statement on this matter before the end of the financial year.

Mr. Peter Lloyd: We are continuing to monitor closely all aspects of the social fund. Expenditure on community care grants has increased significantly over recent months and is currently running at 77 per cent. of national monthly profile.

I outlined in my reply to the hon. Member for Don Valley (Mr. Redmond) on 17 January at columns *118-19* the steps we were taking further to improve awareness of the help that can be provided through community care grants. Monthly statistics on the operation of the social fund for every local office and a national summary are placed in the Library.

Help with Hostel Charges

Mr. Colvin: To ask the Secretary of State for Social Security what representations he has received on the consultation paper "Help with Hostel Charges"; and if he will make a statement.

Mr. Peter Lloyd: I refer my hon. Friend to my reply to the hon. Member for Halifax (Mrs. Mahon) on 23 January at columns *417-18*.

Durham Office (Staff)

Mr. Steinberg: To ask the Secretary of State for Social Security what is the average length of service of the staff now working at his Department's office in Durham.

Mr. Peter Lloyd: The average length of service is 13·78 years. This covers all grades of staff.

Pensioners

Mr. Redmond: To ask the Secretary of State for Social Security when he proposes to implement legislation to phase out the earnings rule for pensioners.

Mr. Peter Lloyd: We have no plans to implement legislation to phase out the earnings rule for pensioners. We shall continue to carry out our statutory duty to review annually the level of permitted earnings.

Costs Limits

Mr. Key: To ask the Secretary of State for Social Security whether there have been any changes in the running costs limits of his Department for 1988-89.

Mr. Scott: Subject to parliamentary approval of the necessary Supplementary Estimate, the running cost limit for class XV vote 7 (administration and miscellaneous services) will be increased by £12·139 million. This is the net effect of a reapportionment between non-running cost and running cost expenditure (£4·437 million), additional receipts of £7·563 million from the national insurance fund, a transfer of £143,000 from Inland Revenue and a decrease of £5,000 as a contribution towards the direct entry grade 7 competition 1988, which is offset by a corresponding increase in vote XX.1.

As a result of these changes and those announced by my hon. and learned Friend the Minister for Health, which add a further £4·856 million to the running costs of vote XIV.3, the running cost limit of the Departments of Social Security and Health is increased by £16·995 million from £1,785·189 million to £1,802·184 million. These increases do not add to the planned total of public expenditure.

Family Credit

Mr. Robin Cook: To ask the Secretary of State for Social Security what has been the total number of claims for family credit; and what proportion of those claims has been assessed as eligible for payment.

Mr. Peter Lloyd: By 20 January 1989, 539,000 claims had been received of which 489,000 had been cleared. Of these, 28,000 were duplicate claims or were subsequently withdrawn. Of the remaining 461,000 claims, 336,000 (72·9 per cent.) were successful. In addition, 206,000 family income supplement beneficiaries were awarded family credit without a claim being required. As awards of family credit are for a limited period (normally six months) many of the 542,000 awards will have expired. At the end of December approximately 255,400 families were receiving family credit.

AGRICULTURE, FISHERIES AND FOOD

Pig Farmers

Mr. Harry Barnes: To ask the Minister of Agriculture, Fisheries and Food if he will list the subsidies that pig farmers in Derbyshire currently receive from the Government.

Mr. Donald Thompson: United Kingdom pig farmers do not currently receive any direct Government subsidies.

Aluminium (Babies)

Mr. Ashley: To ask the Minister of Agriculture, Fisheries and Food what information he has on research regarding *(a)* the ability of babies to absorb aluminium that is ingested, *(b)* the amount of aluminium that a baby's normal diet is likely to provide and, *(c)* the level of aluminium in water and in baby milk that is safe for babies; who conducted the research in each case; and what were the conclusions.

Mr. Ryder: There is no information at present on the extent to which babies are able to absorb ingested aluminium. However, it is known that the greater part of aluminium ingested by adults is excreted. A survey of aluminium in infant milks has recently been carried out by this Ministry. Estimates of aluminium intakes by infants up to age four months show that potential intakes from

infant milks are well within the internationally agreed acceptable level specified by the joint FAO/WHO expert committee on food additives.

New Zealand Butter and Sheepmeat

Sir Richard Body: To ask the Minister of Agriculture, Fisheries and Food what assessment he has made of the implications for the agricultural trade negotiations of the Uruguay round of the general agreement on tariffs and trade of EEC proposals to impose more restrictions on access for New Zealand butter and sheepmeat.

Mr. Donald Thompson: The proposals would continue arrangements for specified quantities of New Zealand butter and sheepmeat to enter the Community at concessionary rates of levy, with reductions in both the quantities and the level of import charge. They take account of the Community's commitments in the Uruguay round under the Punta del Este declaration and represent a fair balance between the many interests involved. The New Zealand Government have acknowledged this. Negotiations on the round are continuing with the aim of securing greater liberalisation of trade in agriculture.

Baby Food (Ingredients)

Mr. Ashley: To ask the Minister of Agriculture, Fisheries and Food if he has any evidence that animal offal, brain, bowels, feet and testicles are present in any baby foods; and what would be their effects on the health of babies.

Mr. Ryder: The Ministry has no evidence that brain, bowels, feet, testicles or any animal offal other than liver or kidney are present in any baby foods. Liver and kidney are used in the preparation of some baby foods because of the high nutritional value they bestow.

Mr. Ashley: To ask the Minister of Agriculture, Fisheries and Food if he will take steps to require all baby foods to have on their labels the quantity, quality and nature of their ingredients.

Mr. Ryder: The EC food labelling directive and the Food Labelling Regulations 1984 require prepacked foods to be marked or labelled with a list of ingredients in descending order of weight. The Food Act 1984 makes it an offence to sell food which is not of the nature, substance or quality demanded by the consumer and also an offence to provide labelling which is misleading as to nature, substance or quality of the food.

The proposed EC directive on foods for particular nutritional uses would provide for specific directives which may control the description, composition, labelling, advertising and presentation of certain categories of foods, including baby foods. It could be therefore that the European Community will develop specific rules for the labelling of baby foods.

Research Funding

Sir John Farr: To ask the Minister of Agriculture, Fisheries and Food what funding has been made available *(a)* to the central veterinary laboratory for its research into the development of an Elisa test, and *(b)* to the Moredun research institute for its work with the lymphacyte transformation test.

Mr. Donald Thompson: At least £46,000 will be allocated in 1989-90 for expenditure on research at the central veterinary laboratory into the development of an Elisa test for tuberculosis in deer. Work on the lymphoates transformation test at the Moredun research institute is being privately funded.

Animal Feedstuffs

Mr. Ron Davies: To ask the Minister of Agriculture, Fisheries and Food if he will list those plants using animal by products in the preparation of animal feedstuffs.

Mr. Ryder *[holding answer 16 January 1989]:* The use of small quantities of animal protein materials in some poultry feed have for many years been a normal trade practice. Such materials are produced in processing plants, all of which are subject to the controls contained in the Protein Processing Order 1981. The heat or other treatment used in such plants will destroy all salmonella. The animal protein is then supplied to the manufacturers of animal feedstuffs, of which there are many throughout the country, both on farms and elsewhere. Detailed information on all manufacturers is not available in my Department.

Eggs

Mr. Boswell: To ask the Minister of Agriculture, Fisheries and Food what action he proposes to take to prevent the sale of eggs which are a risk to human health.

Mr. Ryder: Notices will be issued under the Zoonoses Order 1975 to egg producers with flocks known or suspected of infection with salmonella enteritidis or other similar types of Salmonella. These notices will prevent producers from selling eggs in a raw state for direct consumption. The first such notices will be issued today.

Mr. Ron Davies: To ask the Minister of Agriculture, Fisheries and Food if he will list the brand names of chicken feeds which contain processed animal byproducts.

Mr. Ryder *[holding answer 13 January 1989]:* The use of small quantities of animal protein materials in some poultry feed have for many years been a normal trade practice. Such materials are produced in processing plants, all of which are subject to the controls contained in the Protein Processing Order 1981. The heat or other treatment used in such plants will destroy all salmonella. Detailed information on the brand names involved is not available from my Department.

Mr. Ron Davies: To ask the Minister of Agriculture, Fisheries and Food how many producers of chicken food using animal byproducts are known to his Ministry.

Mr. Ryder *[holding answer 13 January 1989]:* The use of small quantities of animal protein materials in some poultry feed have for many years been a normal trade practice. Such materials are produced in processing plants, all of which are subject to the controls contained in the Protein Processing Order, 1981. The heat or other treatment used in such plants will destroy all salmonella.

The animal protein is then supplied to the manufacturers of animal feedstuffs, of which there are many throughout the country both on farms and elsewhere. Detailed information on all such manufactures who produce poultry feedstuffs is not available in my Department.

EMPLOYMENT

Press Officers

Mr. Leighton: To ask the Secretary of State for Employment how many press officers and staff his Department has employed or used in each year since 1979.

Mr. Cope: The number of designated press officers in the Employment Department London HQ for each year since 1979 is as follows:

	Number
1979	7
1980	8
1981	8
1982	8
1983	8
1984	8
1985	8
1986	8
1987	11
1988	11
1989	11

Training and Enterprise Council

Mr. Clelland: To ask the Secretary of State for Employment what is the total budget proposed for training and enterprise councils; and how many training and enterprise councils will receive more than the minimum £15 million stated in the White Paper "Employment for the 1990s".

Mr. Cope: On the basis of current expenditure plans the total budget for TECs, when they are fully established throughout the country, would be in excess of £2,500 million. It is too early to say at this stage how many training and enterprise councils will receive more than £15 million a year.

Training Schemes (Women)

Ms. Short: To ask the Secretary of State for Employment what were the main conclusions and recommendations of the recent Training Commission study of women's participation in training schemes.

Mr. Nicholls: The Training Agency's internal review of women's participation in its education and training programmes is not yet complete.

Departmental Advertising

Mr. Leighton: To ask the Secretary of State for Employment what has been the expenditure on media and advertising by his Department in each year since 1979.

Mr. Cope: The amount spent by the Department of Employment on advertising in each financial year since 1979 was as follows:

Year	*Amount (£ million)*
1979-80	0·7
1980-81	0·3
1981-82	0·4
1982-83	0·5
1983-84	0·5
1984-85	0·3
1985-86	0·1
1986-87	12·7
1987-88	6·1

These figures include production costs and VAT.

Employment Training

Mr. Blair: To ask the Secretary of State for Employment how many places on his Department's employment training programme had been filled by 31 December 1988 by region and by sector.

Mr. Nicholls: At 31 December 1988 there were 108,000 trainees on employment training in Great Britain. A breakdown by region is given in the following table. Information by industrial sector is not available.

Employment Training
In training at 31 December 1988

	Number
South East	7,100
London	10,500
South West	6,900
West Midlands	12,100
East Midlands and Eastern	9,000
Yorkshire and Humberside	16,000
North West	15,500
Northern	11,800
Wales	7,400
Scotland	11,700
Great Britain	108,000

Mr. Blair: To ask the Secretary of State for Employment how many employers were by 31 December 1988, providing work experience places for employment training by region and by sector.

Mr. Nicholls: The information is not available. However, information on the number of trainees in employer-based training will be available from the end of the month.

YTS

Mr. Blair: To ask the Secretary of State for Employment how many fatal, major and minor reportable accidents occurred on YTS for each quarter of each year since 1984, by sector and by region.

Mr. Lee: I will write to the hon. Member with the information requested and will place a copy of my letter in the Library.

Mrs. Fyfe: To ask the Secretary of State for Employment what was the average number in training on the YTS during the years *(a)* 1 April 1985 to 31 March 1986, *(b)* 1 April 1986 to 31 March 1987 and *(c)* 1 April 1987 to 31 March 1988.

Mr. Cope: The information is as follows:

Year	*Average number in training on YTS*
	Number
1 April 1985-31 March 1986	264,000
1 April 1986-31 March 1987	296,000
1 April 1987-31 March 1988	376,000

Wages Councils

Mr. Blair: To ask the Secretary of State for Employment if he will publish in the *Official Report* the statistics on wages councils' employment and compliance with wage council rates in 1988, in the same format as used in the reply on 4 March 1988, *Official Report*, columns *733-38*.

Mr. Lee: The information is not yet available.

Cash Limits

Mr. Burt: To ask the Secretary of State for Employment whether any changes will be made to his Department's cash limits or running costs limits for 1988-89.

Mr. Fowler: Subject to parliamentary approval of the necessary spring Supplementary Estimates, the following changes will be made:

The cash limit for class VII, vote 1 (employment programmes) will be reduced by £3 million from £1,293,618,000 to £1,290,618,000. The reduction offsets the £3 million increased provision sought by the Training Agency (class VII, vote 7) (training programmes) towards further marketing of the employment training programme and promotion of training and enterprise councils (TECs).

The cash limit on class VII, vote 2 (administration) will be reduced by £3,300,000 from £265,170,000 to £261,870,000. The reduction partly offsets the cash limit increase on class VII, vote 7 resulting from the increase in provision sought to cover additional running costs for the skills training agency (STA).

There will be a token £1,000 increase on the cash limit on class VII, vote 5 (Training Commission) from £1,936,179,000 to £1,936,180,000. This token increase is necessary to adjust the provision transferred to the Department of Employment (class VII, vote 7) in the winter Supplementary Estimates, to reflect actual expenditure by the Training Commission up to 1 December 1988, when responsibility for most of the commission's activities transferred to the Department of Employment.

The cash limit on class VII, vote 7 (Department of Employment: training programmes) will be increased by £6,300,000 from £559,000 to £6,859,000. This is the net effect of the increased provision of £3 million sought to allow for further marketing of employment training and promoting the new training and enterprise councils (which is offset by the £3 million decrease on class VII, vote 1) and £3,300,000 increased provision for STA running costs (which is offset by the £3,300,000 decreases on class VII, vote 2). As a result of these changes there will be no addition to the planned total of public expenditure.

The class VII, vote 2, Employment Department's administration running costs limit will be reduced by £3,254,000 from £606,842,000 to £603,588,000. This is the net result of a £3,300,000 reduction in order to offset the £3,300,000 increased provision sought for the STA on class VII, vote 7, £106,000 increased provision sought for a special employment service initiative in Sunderland at the request of the Department of Trade and Industry (which is offset by a £106,000 decrease in the running costs provision on class V, vote 3) and the transfer of £61,000 to the Office of Population Censuses and Surveys (class XX, vote 16).

The class VII, vote 5, Training Commission's running costs limit will be increased by £12,264,000 from £145,754,000 to £158,018,000 (which is partly offset by reductions totalling £8,238,000 on votes 2 and 7).

The class VII, vote 7, Department of Employment: training programmes running costs limit will be reduced by £4,984,000 from £74,265,000 to £69,281,000. This reduction is the net result of the transfer of £12,264,000 back to the Training Commission (class VII, vote 5) as too much was transferred at the winter Supplementary stage; reclassification of £120,000 worth of central services marketing expenditure out of running costs to programme expenditure; and increased running costs provision of £3,300,000 (which is offset by a £3,300,000 reduction in running costs provision on class VII, vote 2) and a transfer of £4,100,000 youth training scheme programme expenditure to running costs, both of which contribute towards the additional running costs expenditure on the STA.

The class VII, vote 4, Health and Safety Commission's running costs limit will be reduced by £24,000 from £93,713,000 to £93,689,000. This small reduction, for which a spring Supplementary Estimate is not required, reflects the transfer of labour force survey costs to the Office of Population Censuses and Surveys (class XX, vote 16).

There is an overall increase in the Employment Department group's running costs of £4,002,000 from £936,432,000 to £940,434,000.

Job Clubs

Mr. Burt: To ask the Secretary of State for Employment what plans he has for developing the job club programme; and if he will make a statement.

Mr. Fowler: I have reviewed the job club network in the light of the fall in unemployment in the last 12 months of 530,000. The job club programme will continue to have a key role in helping longer-term unemployed people to obtain jobs. It will complement and be co-ordinated with the employment training programme, and people who have not found a job on completing employment training will be able to make full use of a job club to do so. Action to ensure that people with special needs, including people with disabilities and people in inner cities, are effectively helped through job clubs will be continued and reinforced.

I have therefore set the employment service a target of 175,000 participants in job clubs in 1989-90. To improve the services that they can offer it is intended to build on best practice and develop the expertise of those running job clubs by concentrating resources in the areas of most need.

An ambitious expansion for job clubs was set in 1987 when the level of unemployment was much higher. The unemployment picture today is far different and some job clubs are underutilised. The job club network is best served, therefore, by rationalising particularly those where alternative job club facilities are available in the same locality. This means that we will be able to streamline the network from around 1,200 in the country to 1,000 nationwide.

To ensure that long-term unemployed people fully appreciate the benefits that job clubs can offer in helping find jobs and the success that participants achieve, a national publicity drive will commence on 30 January.

Trainees

Mr. Tony Lloyd: To ask the Secretary of State for Employment, if he will publish the most recent 100 per cent. YTS leavers survey for each Training Agency area and region in the north-west, showing the destinations of trainees by ethnic origin, sex and disability and by scheme type.

Mr. Cope *[holding answer 25 January 1989]:* Most of the information requested is provided monthly in the two-year YTS 100 per cent. follow-up survey results, copies of which are available in the Library. I regret that detailed information showing distinction of trainee by scheme type for each Training Agency area could be provided only at disproportionate cost.

Mr. Tony Lloyd: To ask the Secretary of State for Employment if he will publish the most recent 100 per cent. leavers survey for each training agency area in the north-west, showing the reasons why trainees left their schemes.

Mr. Cope *[holding answer 25 January 1989]:* The information requested is published monthly in the two-year YTS 100 per cent. follow-up survey results and copies are available in the Library.

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PARLIAMENTARY DEBATES

OFFICIAL REPORT

SIXTH SERIES **VOLUME 145**

SESSION 1988–89

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SCOPE OF THE INDEX, ARRANGEMENT AND ABBREVIATIONS

This index is derived from the House of Commons Library's Parliamentary On-Line Information System (POLIS), and the subject terms used are based on those used in POLIS. There are often changes in column numbering, etc, between the daily part or weekly Hansard (which simply collects together the daily parts without revision) and the bound volume. The index for the bound volume is revised to take account of these changes.

Scope and arrangement of the Index

Oral and Written Parliamentary Questions are indexed under subject headings and the names of Members asking and Ministers replying to them. Questions are not listed under the names of Departments replying. Departmental listings can be arrived at indirectly by looking under the names of the Minister(s) of that Department. There are, however, the headings 'Northern Ireland', 'Scotland', and 'Wales' under which one can find not only most Questions answered by the Northern Ireland Office, Scottish Office, Welsh Office but also Questions about these areas of the United Kingdom which are answered by other Departments. Ministerial statements are indexed under subject headings, under 'Ministerial statements' and the names of Ministers making them and Members speaking on them. General debates are indexed under broad subject headings and under the names of all Members and Ministers taking part. Debates on legislation (Bills, Orders, Regulations etc.) are indexed under the name of the Bill, Statutory Instrument etc, under subject headings and under the names of those taking part.

Rulings and Statements by Mr. Speaker and his deputies are brought together under the heading Speaker's rulings and statements.

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Opposition Day Debates, Estimates Day Debates and Standing Order No. 10 applications are listed under those respective headings and under subject headings too.

The date of each item except Parliamentary Questions is inserted immediately before the reference.

Members' names are given in the form by which they prefer to be known and are printed in bold italics. Under their names, entries are arranged under one of the two headings *Debates etc* (to include interventions on statements, points of order and so on) or *Questions*.

Abbreviations

Bills 1R=first reading, 2R=second reading, Money res=money resolution, Com=Committee stage, Rep=Report stage, 3R=third reading, amendt/amendts=amendment/amendments, *=matter taken formally, without debate.

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